

SERPENTINE-JARRAHDALE

Town Planning Scheme No. 2

Updated to include AMD 207 GG 04/06/2021



Department of Planning,
Lands and Heritage

Prepared by the
Department of Planning, Lands and Heritage

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SHIRE OF SERPENTINE-JARRAHDALE TPS 2 - TEXT AMENDMENTS

AMDT NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
47	09/12/94	19/12/95	RA	Adding - To Clause 3.1.1 and adding Clause 5.12, 5.13, Appendix 4A, B, 4C - Adding to Zoning Table 1. Amending Clause 5.4.2
55	25/08/95	30/07/96	RA	Adding - 5.14 Conservation, Appendix 4D and Adding to Table 1
45	06/10/95	30/07/96	RA	Inserting - Appendix 4A - Pt Cockburn sound Loc 789 & Cockburn sound 790 Hall Rd, Serpentine. (5.)
48	03/11/95	30/07/96	RA	Inserting - Appendix 4A - Cockburn Sound Loc 786, 787, 788 Karnup Road, Walker Road, Serpentine. (2.)
44	17/05/96	30/07/96	RA	Inserting - Appendix 4A - Lot 27 Cockburn Sound Loc. 43 & Pt 295 Nettleton Road, Byford. (3.)
18	31/05/96	05/08/96	EB	Adding a new Clause to Appendix 4
22	08/12/95	05/08/96	EB	Including in Appendix 3
53	12/03/96	05/08/96	EB	Amending Appendix 4- Special Rural Zone - land within the Soldiers Road Special Rural Estate
54	16/02/96	05/08/96	EB	Amended by including within Appendix 4C - Lot 785 Karnup Road
67	22/03/96	05/08/96	EB	Amending Scheme Text
51	19/04/96	05/08/96	EB	Inserting in Appendix 4B - Cockburn Sound Loc 792
30	05/07/96	05/08/96	EB	Deleting Clause 1 & replacing it.
70	02/08/96	12/08/96	EB	Inserting Appendix 4A - Pt Cockburn Snd Loc 794 Hall Rd Serpentine (4.)
39	02/08/96	12/08/96	EB	Inserting Appendix 4C - Lot 49 Mundijong & Kargotich Rds Mundijong
49	6/96	25/9/96	EB	Inserting in App 4b Cockburn Snd Loc 793
57	10/1/97	23/1/97	DH	Inserting in Appendix 4B - Lots 1 and 182 Kargotich Road, Oakford
73	6/5/97	6/5/97	DH	Appendix 1 - adding definition "Medical Centre". Table 1 - adding "35A Medical Centre".
62	29/4/97	6/5/97	DH	Appendix 3(1) - adding "Lot 701 Beenyup Road" after the word "Road" and before the words "and lot 555".
63	18/4/97	14/5/97	DH	Appendix 4B Special Provisions - adding Lot 183 Kargotich Road, Oakford.
74	9/5/97	14/6/97	DH	Appendix 4C Special Provisions - adding Lot 781 Gull Road.
36	9/5/97	26/5/97	DH	Appendix 4B Special Provisions - adding Lot 187, corner of Thomas and Hopkinson roads, Oakford
61	20/6/97	24/6/97	DH	Part 7 - renumbering clause 7.13 as 7.14. Part 7 - inserting new clause 7.13 - Tree Preservation and Planting.
78	1/8/97	13/8/97	DH	Appendix 4 - amending Clause to read "Subdivision shall generally be in accordance with the Subdivision Guide Plan".
72	26/9/97	8/10/97	DH	Appendix 2 - adding 6. the southern portion of Pt Lot 54 Wright Road, Mundijong to Special Use Zone. Appendix 3 - adding 7. The Northern Pt Lot 54 Wright Road, Mundijong.
68	12/5/98	3/6/98	DH	Appendix 4" - adding A1. Lot 6 and Part of Lot 305 or Portion of Serpentine Agricultural Area Lots 90 and 92 Hardey Road, Serpentine".
82	23/6/98	22/6/98	DH	Appendix 1 - adding definition "technical guidelines". Appendix 4A - adding Rural Living zone "Lots 11, Pt 235, Pt 236 and 1264 Orton Road, Byford". (6.)
71	23/6/98	23/6/98	DH	Appendix 4C - adding provision relating to Farmlet zone "Lot 47 Mundijong Road, Mundijong".

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		WHEN	BY	
58	29/9/98	5/10/98	DH	Part 3 - adding in sub-clause 3.1.1 after Conservation Zone additional zone "Agriculture Protection Zone". Part 5 - adding Clause "5.15 Agriculture Protection Zone" after Clause 5.14.6 Conservation Zone. Adding new Appendix 4E - Agriculture Protection Zone. Table 1 - adding to list of Zones "Agriculture Protection Zone" and inserting in the columns of Use Classes the words "see Appendix 4E". Appendix 1 - adding new definition "horticultural pursuit".
85	19/1/99	1/2/99	DH	Appendix 1 - adding new interpretation "technical guidelines". Appendix 4A - adding "Lots 5 & 239 Gossage Road, Peel Estate" together with relevant special provisions. (8.)
88	12/3/99	15/3/99	DH	Appendix 2 - adding text in Section 3 after Historic Precinct. Appendix 1 - adding new interpretations A Museum, Interpretive/Tourist Centre and Saw Mill.
81	26/3/99	25/3/99	DH	Appendix 1 - adding paragraphs (a) - (d) to definition of "Commercial Vehicle Parking". Part 5 - adding Clause (d) to clause 5.5.5.
66	9/4/99	14/4/99	DH	Appendix 4A - adding "7 Cockburn Sound Location 434 1 Thatcher Road Byford as depicted on the Scheme Map". (7)
90	7/5/99	13/5/99	DH	Appendix 4C - adding "Lot 5 Randell Road, Mundijong" and relevant Special Provisions.
89	6/8/99	16/8/99	DH	Part 5 - adding to clause 5.1.2(d) - Jarrahdale Heritage and Townscape Policy Precincts and Special Use zone - Appendix 2 (Section 3) after "d), the erection of a single dwelling house, including ancillary outbuildings, on a lot in any zone where such use is a permitted use under Clause 3.2 of the Scheme" the words " except in the Jarrahdale Heritage and Townscape Policy Precincts ". Part 5 - Add new clause "5.16 Jarrahdale Heritage and Townscape Policy Precincts". Add new Appendix - "Appendix 14 Proposed Heritage and Townscape Precincts" after Appendix 13. Adding new Part "Part IX - Local Planning Policies".
98	7/9/99	7/9/99	DH	Appendix 4B - adding "Lot 2 Kargotich Road, Oakford" with relevant special provisions.
86	9/3/99	21/9/99	DH	Appendix 4C - adding "Lot 188 Thomas Road, Oakford" with related Special Provisions.
97	17/9/99	21/9/99	DH	Appendix 4A - adding "Pt Cockburn Sound Location 795 Hall Road, Serpentine" with related Special Provisions. (9.)
77	19/11/99	25/11/99	DH	Part 5 - adding new clause "5.16 Environmental Conditions". Adding new schedule "Schedule 17 Environmental Conditions".
	3/12/99	1/12/99	DH	Correction Notice: (Referring to Amd 77) Amending Schedule 17.
	10/12/99	13/12/99	DH	Correction Notice: (Referring to Amd 77) For the word: Clause 5.16 Read: Clause 5.17 For the words: 5.16 Environmental Conditions Read: 5.17 Environmental Conditions For the words: Schedule 17 Read: Appendix 17
38	14/12/99	20/12/99	DH	Appendix 4A - adding Lot 3, Pt Peel Estate Lot 203 Thomas Road, Oakford with special provisions. (10)
32	14/1/00	20/1/00	DH	Appendix 4A - adding "Lot 13 Keenan Street (Wungong South Road), Darling Downs" and relevant special provisions. (11)
93	21/1/00	3/2/99	DH	Appendix 2 - adding "Lot 181 Kargotich Road, Mundijong" and relevant permitted uses.
94	3/3/00	7/3/00	DH	Appendix 4A - amending the text by adding "Pt Lot 12 South Western Highway and Lot 1 Eleventh Road, Byford" with relevant special provisions. (12.)

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		WHEN	BY	
100	14/3/00	27/3/00	DH	Appendix 4A - adding "Lot 4 Kargotich Road, Peel Estate" and relevant special provisions. (13.)
101	9/5/00	8/5/00	DH	Appendix 1 - deleting definition of "cottage industry". Appendix 1 - adding definition "home business", "home office", "industry – cottage" in alphabetical order. Part 5 - in Clause 5.1.2 delete (g) and insert new clause (g) and (h). Part 5 - amending sub-clause 5.5.2 - Home Occupations by deleting "home occupation" wherever appearing and insert instead "home business". Table 1 - amending table by deleting use class "Cottage Industry" and inserting use classes "Home Business" and "Industry-Cottage" and relevant symbols. Table 1 - amend key to columns by adding "15. Rural Groundwater Protection and 16. Urban Development". Appendix 1 - modify existing definition of "home occupation".
69	16/6/00	21/6/00	DH	Part 5 - adding new provisions "5.17 Urban Development Zone", "5.18 Structure Plans" and "5.19 Development Contribution Areas". Appendix 1 - adding interpretations for "Area Plan", "Common Infrastructure", "Common Infrastructure Cost", "Contribution Arrangement", "Cost Contribution", "Facilities", "Infrastructure", "owner", "Proponent", "Proposed Structure Plan", "Regulations" and "Structure Plan". Adding new "Appendix 15: Specific Provisions for Structure Plan Areas". Adding new "Appendix 16: Specific Provisions for Structure Plan Areas". Table 1 - amending table by inserting new zone "Urban Development" and including cross reference against listed Use Classes reading "Refer to sub-clause 5.18.6.3 of the Scheme". Part 8 - adding new Clause "8.7 Arbitration". Part 3 - adding at the end of sub-clause 3.1.1 the "Urban Development" zone. Table 1 - amending by deleting Use Class "Studio" and symbols listed against the Use Class. Appendix 1 - adding definition "Residential Building".
43	8/12/00	13/12/00	DH	Appendix 4A - adding Rural Living A Zone for "Lot 106 South Western Highway, Serpentine" with special provisions applicable. (14.)
99	28/11/00	14/12/00	DH	Appendix 4A - adding Rural Living A Zone for "Lot 223 cnr Orton & Hopkinson Roads, Byford (15.)
110	5/1/01	8/1/01	DH	Appendix 6 - adding "No. 3 Lot 27 of Serpentine Agriculture Area Lot 67 corner South Western Highway and Feast Road, Serpentine."
95	16/3/01	29/3/01	DH	Appendix 1 - inserting interpretations for "Environmental Research Centre" and "Holiday Accommodation". Table 1 - amending by inserting use classes for "Environmental Research Centre", "Holiday Accommodation" and "Caretaker's Dwelling". Appendix 4D - inserting special provision "1. Portion of Pt Lot 1 and portions of Pt Lot 2 Lowlands Road, Mardella" and "2. Portion of Lot 1 Elliot Road, Keysbrook".
103	4/5/01	3/5/01	DH	Appendix 6 - adding "No. 2 Lot 28 Kellet Drive, Oakford with an additional use "Fish farming and the Commercial Growing of plants/trees".
80	5/5/98	22/5/2001	DH	Appendix 4A - adding "Location 783 Hall Road, Serpentine C/Y 1367/288" with relevant provisions. (16.)
114	1/6/01	30/5/01	DH	Part 6 - adding new clauses "6.7 Amending and Revoking a Planning Approval", "6.8 Unauthorised Existing Development", "6.9 Term of Planning Approval" and "6.10 Temporary Planning Approval". Part 6 - deleting Clause 6.4.5.
112	28/9/01	27/9/01	DH	Appendix 4C - adding special provision relating to Farmlet zone for "Lot 668 Gull Road, Serpentine".

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		WHEN	BY	
120	6/9/01	10/11/02	DH	Appendix 4 - adding additional provision No. 16 to Special Rural Zone area for "Lot2 175, 176 and 180 and portion of Lot 3 on the corner of Kargotich and Rowley Roads, Oakford" <i>(Note: Gazette has numbered this as "26." however this SR Area is for No. 19).</i>
124	4/2/03	17/2/03	DH	Part 5 - inserting clause 5.1.2(i). Part 5 - deleting clause 5.5.3. Part 7 - inserting new clause "7.15 Control of Advertising" after clause 7.14.4. Inserting new Appendix "Appendix 18 - Exempted Advertisements".
123	4/2/03	18/2/03	DH	Appendix 4C - adding Farmlet zone "Lot 4 Randell Road, Mundijong: together with relevant special provisions.
116	11/4/03	14/4/03	DH	Inserting new "Part X - Special Control Areas" into scheme text.
121	29/4/03	6/5/03	DH	Appendix 4A - adding Rural Living A zone area "Pt Lot 80 Thomas Road, Byford" with relevant special provisions. <i>(RLA17)</i>
126	4/11/03	11/11/03	DH	Appendix 4A – adding Rural Living A zone area "Lot 220 Abernethy Road and Lot 1253 Orton Road, Oakford" with relevant special provisions. <i>(RLA18)</i>
125	9/12/03	19/12/03	DH	Appendix 4A – adding Rural Living A Area "Lot 216 Nettleton Road, Byford" together with relevant special provisions. <i>(RLA19)</i> Appendix 4B – adding Rural Living B Area "Lot 216 Nettleton Road, Byford" with relevant special provisions.
50	16/4/04	27/4/04	DH	Appendix 4A – adding Rural Living Area <i>(RLA20)</i> being "Lot 2 Selkirk Road, Serpentine" together with relevant Special Provisions related to this area.
127	14/12/04	14/12/04	DH	Part 5 – deleting clauses 5.4.3 and 5.4.4. Part 5 – adding Clause 5.10.3 "Additional Dwellings in the Rural Zone". Appendix 1 – adding definition "Rural Workers Dwelling". Table 1 – amending by deleting current residential use class; including use classes "Residential" and "Rural Workers Dwelling" and "residential building".
115	16/9/05	26/10/05	DH	Appendix 4A – Adding Rural Living Area "Lots 66 and 100 South Western Highway, Byford" together with relevant provisions. <i>(RLA21)</i>
131	21/10/05	31/10/05	DH	Appendix 4A – Adding Rural Living Area "Lot 1 Thomas road/Butcher Road, Darling Downs" together with relevant special provisions. <i>(RLA22)</i>
135	21/10/05	31/10/05	DH	Part 7 – amending clause 7.13.3(1).
108	1/11/05	31/10/05	DH	Appendix 4C – Adding Farmlet zone area "Pt Lot 2 Kargotich Road, and Lots 6 and 9 Scott Road, Mundijong" together with relevant special provisions.
134	8/11/05	8/11/05	DH	Appendix 4A – adding Rural Living A area "Pt Lot 7 Thomas Road, Byford" together with relevant special provisions. <i>(RLA23)</i>
129	6/1/06	17/1/06	DH	Part 5 – deleting existing clause 5.1.2(d) and inserting new clause. Appendix 5 – deleting existing appendix 5 and substituting with new appendix titled "Landscape protection Policy Area" which displays the Landscape Protection Policy Area Map.
136	13/1/06	18/1/06	DH	Appendix 4C – Farmlet Zone – adding Farmlet Zone Area "8. Lot 9 Gull Road, Serpentine" together with special provisions.

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92	10/3/06	30/3/06	DH	<p>Part 5 – adding new clause 5.20 Rural Groundwater Protection Zone.</p> <p>Part 3 – modifying clause 3.1.1 by adding reference to the 'Rural Groundwater Protection' zone.</p> <p>Appendix 4 – modifying description of land for Special Rural zone 12 to read "Oakford Estate" Those lots and part lots generally bounded by Rowley Road, Nicholson Road, Wolfe Road and Pony Place as depicted on the Scheme Map.</p> <p>Table 1 – modifying zoning table by inserting a key and column 16 relevant to the 'Rural Groundwater Protection' zone, and including under column 16 the words 'Refer to clauses 5.20.1 through 5.20.3' for all use permissibilities.</p> <p>Table 1 & Appendix 1 – deleting use classes Fish Farming, Garden Centre, Kennels, Poultry Farming, Public Recreation, Radio & TV Installation, Riding School and Stables.</p> <p>Appendix 1 – modifying text for use classes – Home Business, Home Occupation, Horticultural Pursuit, Industry Extractive, Animal Husbandry – Aquaculture, Apiary, Cattery, Dog Kennels, Equestrian Activity, Floriculture (Extensive), Fodder and Pasture, Hydroponics, Nursery, Orcharding, Plant Nursery, Poultry Farm (Housed), Private Tree Plantation, Radio, TV and Communication Installation, Recreation Public, Stable, Stall-wayside and Viticulture.</p> <p>Table 1 – modifying zoning table in respect of the stipulation of land use permissibility for the new use classes introduced above.</p>
141	2/6/06	13/6/06	DH	Appendix 4 C (Farmlet Zones) – adding "9. Lot 54 Randell Road Madella" together with relevant special provisions.
143	2/6/06	13/6/06	DH	Appendix 4C (Farmlet Zones) – adding "10. Lot 1 Webb Road & Lot 499 Mundijong Road, Mundijong" together with relevant special provisions.
137	6/6/06	14/6/06	DH	Appendix 2 (Special Use Zones: Landscape Protection) – adding "8. Lot 24 Beenyp Road, Byford" together with relevant special provisions.
113	30/1/07	7/2/07	DH	<p>Appendix 15 - introducing a Byford Development Area into Appendix.</p> <p>Appendix 15 - adding plan titled "Plan No. 15.1 Byford Development Area and Precincts".</p> <p>Appendix 15 - adding plan titled "Plan No. 15.2 Byford Development Contribution Area and Precincts".</p>
146	1/6/07	18/6/07	DH	<p>Part 5 - adding under Clause 5.4 new clauses (i) and (ii).</p> <p><i>NOTE: After consultation with Local authority this was added to Clause 5.4.</i></p>
149	28/8/07	11/9/07	DH	<p>Appendix 4A - adding Rural Living A area " 22. Lot 224 Orton Road, Oakford" together with relevant provisions.</p> <p><i>NOTE: As per notification from Local Authority, this use is to be changed to Rural Living Area "24".</i></p>
152	15/2/08	26/2/08	DH	<p>Appendix 15 - renaming Appendix 15 - Structure Plan Boundaries for the Purpose of Clause 5.18 to "Appendix 15 - Development Areas".</p> <p>Appendix 15 - including DA1 and DA2.</p> <p>Appendix 15 - retying existing listing in Appendix 15 to "DA3".</p> <p>Appendix 15 - renumbering existing Plan No. 15.1 Byford Development Area and Precincts to "Plan No. 15A Byford Development Area and Precincts" and substituting existing plan with clear digitised plan.</p> <p>Appendix 16 - rename Appendix 16 - Specific Provisions for Structure Plan Areas to "Appendix 16 - Development Contribution Plans"</p> <p>Appendix 16 - replacing the incorrect term 5.18 and 5.18.9 with "clause 5.19" and replacing the incorrect term Appendix 15 with "Appendix 16".</p> <p>Appendix 15 - renumbering existing Plan No. 15.2 Byford Development Contribution Area and Precincts to "Plan No. 16A Byford Development Contribution Areas" and inserting the plan into Appendix 16 - Development Contribution Plans and substituting existing plan with clearer digitised plan.</p>

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		WHEN	BY	
153	15/2/08	26/2/08	DH	Appendix 15 - (now Development Areas) - including Development Area DA 2 "Whitby (Urban Development Zone), together with relevant provisions.
138	10/6/08	9/7/08	DH	Appendix 4A (Rural Living A Zone - including RLA21. "Lot 15 Keenan Street, Darling Downs".
154	20/2/09	3/3/09	DH	Appendix 4C - adding Farmlet Zone "12. Lot 12 Gull Road, Serpentine".
155	20/2/09	3/3/09	DH	Appendix 15 - adding Development Area "DA 4 Lots 1 and 2 Rowley Road, Darling Downs". Appendix 15 - inserting Plan 15B - Rowley Road Development Area.
157	28/8/09	7/9/09	DH	Appendix 4A - Rural Living A Zone - adding Rural Living zone "26. Lot 1254 Abernethy Road, Oakford".
140	12/3/10	16/3/10	NM	Edited Appendix 2 Special Use Zones 3 & 4. Deleted "Museum" from Appendix 1- Interpretations. Inserted "Exhibition centre" and "Bed and Breakfast" in to Appendix 1 – interpretations.
164	06/08/10	11/06/10	NM	Replaced Appendix 15, DA 3, 2(b).
160	04/02/11	14/02/11	NM	Inserted "13. Lot 5 Karnup Road, Serpentine" into Appendix 4C – Farmlet Zone.
165	01/07/11	11/07/11	NM	Modified Clause 5.4.2 (c). Inserted Clause 5.10.4.
166	09/12/11	13/12/11	NM	Inserted Lot 782 Walker Road, Serpentine into Appendix 4C – Farmlet Zone.
158	3/8/12	13/8/12	NM	Inserted Rural Living Zone 27 into Schedule 4A – Rural Living A Zone.
173	30/11/12	17/12/12	NM	Inserted 4. 'Portion of Lot 9014 Clondyke Drive, Byford' into Appendix 6 – Additional Uses of the Scheme Text.
171	3/9/13	16/10/13	NM	Inserted Rural-Residential, Town Centre, Neighbourhood Centre, Highway Commercial, Mixed Business and Mixed Use into Clause 3.1.1. Inserted Clauses 5.21 – 5.26. Modified Table 1 – Zoning Table.
167	5/11/13	12/11/13	NM	Removed the table from Appendix 16. Removed clause 5.19 – Development Contribution Areas. Removed 'Common Infrastructure', 'Common Infrastructure Cost', 'Contribution Agreement', 'Cost Contribution', 'Infrastructure' and 'Owner' from Appendix 1 – Interpretations. Renumbered clause 5.20 to clause 5.19 and all respective clauses within the now clause 5.19. Renumbered reference to clause 5.20.1 to 5.19.1 after Table 1 – Zoning Table. Renumbered reference to clause 5.20.3 to 5.19.3 after Table 1 – Zoning Table. Modified clause 10.1.1. Inserted clause 10.3.
168	21/01/14	11/02/14	ML	Added Appendix 16A – Byford Development Contribution Area table Inserted amended plan 16A of the Scheme map Inserted amended plan 15A of the scheme map
172	07/02/14	25/02/14	ML	Appendix 2 – Modified – point 2 – changed description of land.
162	03/06/14	19/06/14	ML	Appendix 15 – added DA5 – Serpentine (Urban Development)
183	03/06/14	19/06/14	ML	Appendix 15 – inserted DA5 – Cardup Business Park, Cardup Siding Road, Lot 41 South Western Hwy – Lots 1, 6 & 7 Robertson Road, Lots 10 & 60 Norman road, Lot 21 and accompanying Provisions.

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186	09/01/15	30/04/15	MLD	Rezoned Lot 791 Walker Road, Serpentine from 'Rural' to 'Rural Living A'. Amending the Scheme Map by delineating Lot 791 Walker Road, Serpentine within the Rural Living A Zone and identifying it as RLA 28. Including Lot 791 Walker Road, Serpentine in Appendix 4A and including the appropriate details.
189	22/5/15	4/6/15	MLD	Rezone Lot 304 Hardey Road, Serpentine from 'Rural' to 'Rural Living A'. Amend the Scheme Map by delineating Lot 304 Hardey Road, Serpentine within the Rural Living A Zone and identifying it as RLA 29. Include Lot 304 Hardey Road, Serpentine in Appendix 4A - Rural Living A Zone.
179	18/12/15	13/01/16	RO	Insert Lot 199 Jarrahdale Road, Jarrahdale in Appendix 2 Special Use Zone table. Amending the Scheme Maps by rezoning Lot 199 Jarrahdale Road, Jarrahdale from 'Rural' to 'Special Use'.
181	04/12/15	03/02/16	RO	Rezoning Lot 564 Scrivener Road, Serpentine from 'Rural' to 'Conservation' zone and amending the Scheme Map accordingly. Adding to Appendix 4D – Conservation zone of Town Planning Scheme No. 2: item No. 3 Lot 564 Scrivener Road, Serpentine.
196	01/04/16	06/04/16	RO	Amending Clause 5.4.2(a) to read "Where no Residential Density Code area is depicted on the Scheme Map, residential development shall be in accordance with the R2 Density code for Special Rural, Rural Living A, Rural Living B, Farmlet and Rural."
180	31/05/16	01/06/16	RO	Deleting from Appendix 2 - Special Use Zones No. 5 - Lot 2 of Serpentine AA Lot 20 and Lot 60 of Serpentine AA 21 Norman Road, Mundijong. Inserting into Appendix 2 - Special Use Zones new No. 5 - Portion of Lot 60 Robertson Road, Cardup. Amend the Scheme maps to replace MDT annotation with SU (Special Use). Deleting from Appendix 2 - Special Use Zones No. 9 - Lot 2 of Serpentine AA Lot 20 and Lot 60 of Serpentine AA Lot 21, Norman Road, Mundijong.
185	28/10/16	12/12/16	AC	Rezone Lot 341 Balmoral Road, Jarrahdale, from 'Rural' to 'Conservation' zone and amending the Scheme Map accordingly. Appendix 4D – Conservation Zone of the Scheme Text – Insert text for 'Lot 341 Balmoral Road, Jarrahdale.
192	30/05/17	30/05/17	GM	Added clauses 1.4(c) and 1.4(d). Deleted the following definitions from Appendix 1 – Interpretations of the Scheme: Act, Area Plan, Cost Contribution, Owner, Proposed Structure Plan, Residential Planning Codes, Structure Plan, Zone. Removed Appendix 7 – 12. Added Schedule A. Amended Clauses: 3.2.2, 3.25(b), 5.22, 5.16, 5.16.1, 5.16.3.1(a), 5.18.7.1, 7.12.1 – 7.12.7, 7.14.1, 7.13.3(1), 7.13.3(3), 7.13.4, 7.13.4(h), 7.15.1, 7.15.3, 8.4.1, 8.4.2, 8.5, 8.7, 10.3.1, 10.3.4. Renumbered Clause 5.2.2 to 5.1.2. Renumbered Clause 5.16.1 to 5.17.1. Renumbered Clause 7.13 and subsequent sub-clauses to 7.12. Amended Appendix 1, 15 – 16. Deleted the following Clauses: 5.1.1 – 5.1.2, 5.5.3, 5.5.6, 5.18.1 – 5.18.6, 5.18.8, 6.1 – 6.7, 6.9 – 6.10, 7.15, 8.1 – 8.2, 8.6. Deleted Part IX – Local Planning Policies. Renumbered remaining Clauses, Parts and Appendices as required.
200	22/8/17	28/8/17	MLD	reclassify Lot 26 Anstey Street, Mundijong from Local Scheme Reserve 'public and community purposes' to 'Urban Development' zone as depicted on the Scheme Amendment map.

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		WHEN	BY	
187	13/02/18	20/02/18	GM	<p>Reclassified the following land parcels from the 'Rural' & 'Farmlet' zone to the 'Urban Development' zone in West Mundijong:</p> <ul style="list-style-type: none"> • Part Lot 99 Kargotich Road (near intersection Kargotich Road) • Lot 38 Bishop Road (Cnr Kargotich Road) • Lots 1680, 525 & 405 Bishop Road • Lots 2, 6, 9 8, 7 & 402 Scott Road • Lot 4 Sparkman Road • Lot 2 Kargotich Road • Lots 11 & 1255 Mundijong Road • Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12 Pure Steel Lane. <p>Included portion of Lot 7 and Lot 402 Scott Road & Portion of Lot 405 Bishop Road in the 'Public Open Space' reserve with the balance of the parcels within the 'Urban Development' zone as delineated on the Scheme amendment map as detailed above. Deleted the 'Area of Natural Beauty' designation from Lot 1680 and Lot 405 Bishop Road & Lot 7 and Lot 402 Scott Road.</p> <p>'Appendix 13 - Schedule Of Places Of Natural Beauty, Historic Buildings And Objects Of Historical Or Scientific Interest' - replaced item No. 33 with:</p> <p>MANJEDAL BROOK <i>From its source east of Nettleton Road along its length to the extension of Tonkin Highway.</i></p> <p>Appendix 15 – Development Areas – included DA6. Appendix 16 – Development Contribution Plans – modified by:</p> <ul style="list-style-type: none"> • adding Appendix 16B – West Mundijong Development Contribution Area – Scheme Development Contribution Plan • amending the Scheme Map(s) by including West Mundijong Industrial Area within the DCA 2 development contribution area special control area, as indicated on the Scheme Amendment map. <p>Scheme Maps amended accordingly.</p>
201	29/03/18	04/04/18	MLD	<p>Rezoning Lot 207, 363 Kargotich Road, Oakford from 'Rural' to 'Special Rural'.</p> <p>Amending the Scheme Map by delineating Lot 207, 363 Kargotich Road, Oakford within the 'Special Rural' zone and identifying it as SR27.</p> <p>Insert in Appendix 4 - Special Rural Zone – Lot 207, 363 Kargotich Rd, Oakford.</p>
199	24/08/18	30/08/18	GM	<p>Rezoning Lot 9001 (No. 15) Utley Road and Lot 9002 (No. 103) Wattle Road, Serpentine from 'Rural' to 'Special Rural'.</p> <p>Amending the Scheme Map by delineating Lot 9001 (No. 15) Utley Road and Lot 9002 (No. 103) Wattle Road, Serpentine as 'SR28'.</p> <p>Appendix 4 – Special Rural Zone - Listing Lot 9001 (No. 15) Utley Road and Lot 9002 (No. 103) Wattle Road, Serpentine as 'SR28'</p>
195	18/12/18	20/12/18	HB	<p>Rezone Lots 50 & 100 and portion of Agricultural Area Lot 85 Gordon Road, Serpentine from 'Rural' to 'Special Rural'.</p> <p>Amend the Scheme Map by delineating Lots 50 & 100 and portion of Agricultural Area Lot 85 Gordon Road, Serpentine within the 'Special Rural' zone and identifying it as 'SR29'.</p> <p>Insert in Appendix 4 'Special Rural' zone, Lots 50 & 100 and portion of Agricultural Area Lot 85 Gordon Road, Serpentine with special provisions.</p>
193	29/01/19	12/02/19	MLD	<p>Rezoning Lots 487, 611 & 615 Arnold Road, Serpentine from 'Rural' to 'Rural Living A'.</p> <p>Amending the Scheme Map by delineating Lots 487, 611 & 615 Arnold Road, Serpentine within the 'Rural Living A' zone and identifying it as RLA30.</p> <p>Inserting in Appendix 4A 'Rural Living A' Zone the following RLA 30: Including Lots 487, 611 & 615 Arnold Road, Serpentine in Appendix 4A - Rural Living A zone and including the appropriate details in Appendix 4A of the Scheme</p>
203	14/06/19	18/06/19	HB	<p>Rezone Lot 9 Hardey Road, Serpentine from 'Rural' to 'Rural Living A' as depicted on the Scheme Amendment Map;</p> <p>Amend the Scheme Map by delineating Lot 9 Hardey Road, Serpentine as 'RLA31';</p> <p>Listing Lot 9 Hardey Road, Serpentine as 'RLA31' in 'APPENDIX 4A – RURAL LIVING A ZONE' with landuse controls and special provisions.</p>

AMDT NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
205	14/6/19	18/6/19	HB	Rezone Lots 47, 48 & 809 Shanely Road, Mardella from 'Rural' to 'Farmlet' and amending the Scheme Map accordingly; Listing Lots 47, 48 & 809 Shanley Road, Mardella in 'APPENDIX 4C - FARMLET ZONE' and including the appropriate details in Appendix 4C of the Scheme.
206	4/10/19	9/10/19	MLD	Rezone Lot 4 (No. 331) Kargotich Road and Lot 2 (No. 1842) Thomas Road, Oakford from 'Rural' to 'Rural Living A' and amending the Scheme Map accordingly. Amend the Scheme Map by delineating Lot 4 (No. 331) Kargotich Road and Lot 2 (No. 1842) Thomas Road, Oakford as 'RLA32'; and Listing Lot 4 (No. 331) Kargotich Road and Lot 2 (No. 1842) Thomas Road, Oakford as 'RLA32' in 'Appendix 4A – RURAL LIVING A ZONE'
203	20/11/2020	01/12/2020	MLD	Correction Notice: Amendment No. 203 published at page 193 of the <i>Government Gazette</i> No. 80 dated 14 June 2019, contained an error which is now corrected by inserting the words – <i>Discretionary (SA) –</i> <ul style="list-style-type: none"> • <i>Stable</i> <i>All other uses are prohibited.</i> After the words – <ul style="list-style-type: none"> • Home Business In the column headed "SPECIAL PROVISIONS TO REFER TO (a)"
207	4/6/2021	28/6/2021	MLD	Inserting Development Contribution Area 4 (DCA4) into Appendix 10. Inserting a new entry into Appendix 10, 'Plan No. 10D – Community Infrastructure Development Contribution Area – Byford'. Inserting a new entry into Appendix 10, 'Plan No. 10D – Community Infrastructure Development Contribution Area – Mundijong'. Amending the Scheme Map to insert the DCA4 boundary and notation accordingly.

SHIRE OF SERPENTINE-JARRAHDALE
TOWN PLANNING SCHEME NO 2
ZONING SCHEME

The Serpentine-Jarrahdale Shire Council, under and by virtue of the powers conferred upon it in that behalf by the *Town Planning and Development Act 1928* (as amended), hereinafter referred to as 'the Act', hereby makes the following Town Planning Scheme for the purposes laid down in the Act.

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PART I - PRELIMINARY

1.1 CITATION

This Town Planning Scheme may be cited as the Shire of Serpentine-Jarrahdale, Town Planning Scheme No. 2 hereinafter called 'The Scheme' and shall come into operation on the publication of the Scheme in the Government Gazette.

1.2 RESPONSIBLE AUTHORITY

The authority responsible for implementing the Scheme is the Council of the Shire of Serpentine - Jarrahdale hereinafter called 'The Council'.

1.3 SCHEME AREA

AMD 24 GG 13/10/92

The Scheme applies to the whole of the Shire of Serpentine-Jarrahdale. The Municipal boundaries of the Shire of Serpentine-Jarrahdale are those defined in the Government Gazette dated December 9, 1977, pages 4509-4510.

1.4 CONTENTS OF THE SCHEME

The Scheme comprises:

- (a) this Scheme Text;
- (b) the Scheme Map (sheets 1 - 9);
- (c) *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 – Deemed provisions for local planning scheme (the Deemed Provisions); and
- (d) schedule of supplemental provisions contained in Appendix A of this scheme.

1.5 ARRANGEMENT OF SCHEME TEXT

The Scheme Text is divided into the following parts:

PART I	PRELIMINARY
PART II	RESERVES
PART III	ZONES
PART IV	NON-CONFORMING USE
PART V	DEVELOPMENT REQUIREMENTS
PART VI	PLANNING CONSENT
PART VII	GENERAL PROVISIONS
PART VIII	ADMINISTRATION
PART IX	SPECIAL CONTROL AREAS

1.6 SCHEME OBJECTIVES

The general objectives and purposes of the Scheme are:

- (a) to secure the amenity, health, safety and convenience of the inhabitants of the District;
- (b) to zone land for the purposes described in the Scheme so as to promote the orderly development of the land by making suitable provisions for land use;
- (c) to reserve land for future and present public use;
- (d) to make provisions for the conservation and preservation of places of natural beauty, historic buildings and objects of historic or scientific interest.

- (e) to create a pedestrian and vehicular circulation system together with landscape environment which complements the wide range of activities carried on and proposed to be carried in the District.
- (f) to encourage coordinated development of the District in accordance with the guidelines set out in the planning studies adopted by the Council for particular areas or the District as a whole.
- (g) to make provision for other matters incidental to town planning and land use management.

1.7 REVOCATION OF EXISTING SCHEME

The Shire of Serpentine - Jarrahdale Town Planning Scheme No. 1 as amended, which came into operation by publication in the Government Gazette on 26th November 1971, is hereby revoked.

1.8 RELATIONSHIP TO METROPOLITAN REGION SCHEME

The Scheme is complementary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme, as amended, continue to have effect.

1.9 INTERPRETATION

The words and expressions used in the Scheme have their normal or common meaning unless they have a meaning assigned to them in the Act, Appendix I to the Scheme, or Clause 5 of the Residential Planning Codes in which case they will have the meaning so assigned.

PART II - RESERVES

2.1 METROPOLITAN REGION SCHEME RESERVES

The lands shown as Metropolitan Region Scheme Reserves on the Scheme Map are lands reserved under the Metropolitan Region Scheme.

2.2 LOCAL AUTHORITY SCHEME RESERVES

The lands shown as Local Authority Scheme Reserves on the Scheme Map, hereinafter called 'Local Reserves' are lands reserved under the Scheme for the purposes shown on the Scheme Map.

2.3 MATTERS TO BE CONSIDERED BY COUNCIL

Where an application for planning consent is made with respect to land within a local reserve, the Council shall have regard to the ultimate purpose intended for the reserve and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before granting its consent.

2.4 COMPENSATION

- 2.4.1 Where the Council refuses planning consent for the development of a Local Reserve on the grounds that the land is reserved for local authority purposes or for the purposes shown on the Scheme Map, or grants consent subject to conditions that are unacceptable to the applicant, the owner of the land may, if the land is injuriously affected thereby claim compensation for such injurious affection.
- 2.4.2 Claims for such compensation shall be lodged at the office of the Council not later than six months after the date of the decision of the Council refusing planning consent or granting it subject to conditions that are unacceptable to the applicant.
- 2.4.3 In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price representing the unaffected value of the land at the time of refusal of planning consent or of the grant of consent subject to conditions that are unacceptable to the applicant.

PART III - ZONES

3.1 ZONES

3.1.1 There are hereby created the several zones set out hereunder:

RESIDENTIAL	
COMMERCIAL	
SHOWROOM/WAREHOUSE	
LIGHT INDUSTRY	
GENERAL INDUSTRY	
SPECIAL RESIDENTIAL	
SPECIAL RURAL	
RURAL LIVING A	AMD 47 GG 9/12/94
RURAL LIVING B	AMD 47 GG 9/12/94
FARMLET	AMD 47 GG 9/12/94
CONSERVATION ZONE	AMD 55 GG 25/8/95
AGRICULTURE PROTECTION	AMD 58 GG 29/9/98
RURAL	
SPECIAL USE	
URBAN DEVELOPMENT	AMD 69 GG 16/6/00
RURAL-RESIDENTIAL	AMD 171 GG 3/9/13
TOWN CENTRE	AMD 171 GG 3/9/13
NEIGHBOURHOOD CENTRE	AMD 171 GG 3/9/13
HIGHWAY COMMERCIAL	AMD 171 GG 3/9/13
MIXED BUSINESS	AMD 171 GG 3/9/13
MIXED USE	AMD 171 GG 3/9/13
RURAL GROUNDWATER PROTECTION	AMD 92 GG 10/3/06

3.1.2 The zones are delineated and depicted on the Scheme Map according to the legend thereon.

3.2 ZONING TABLE

3.2.1 Subject to the provisions of the Scheme, the several uses permitted in the Scheme area in the various zones, are indicated in the Zoning Table by cross reference between the list of the use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

3.2.2 The symbols used in the cross reference in the Zoning Table have the following meanings:

'P' means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent;

'AA' means that the Council may, at its discretion, permit the use;

'SA' means that the Council may, at its discretion, permit the use after notice of the application has been given in accordance with Clause 64 of the Deemed Provisions; and
AMD 192 GG 30/05/17

'IP' means a use that is not permitted unless such use is incidental to the predominant use as decided and approved by the Council.

3.2.3 Where no symbol appears in the cross reference of a use class against a zone in the Zoning Table a use of that class is not permitted in that zone.

3.2.4 Where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms might otherwise include such particular use.

3.2.5 If the use of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:

- a) determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted; or
- b) determine that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 64 of the Deemed Provisions in considering an application for planning consent.

AMD 192 GG 30/05/17

3.3 SPECIAL USE

No person shall use any land or any building or structure in a Special Use Zone, except for the purpose specified against the description of such land in Appendix 2 to the Scheme.

3.4 ADDITIONAL USES

3.4.1 Notwithstanding that a use is not permitted under the provisions of the Zoning Table, the Council may grant consent to that use as an additional use, with or without conditions, where the parcel of land is described in Appendix 6 to the Scheme together with any additional uses that may be permitted and such conditions as are necessary.

3.4.2 Where an implementation date has been included as a condition against an additional use in Appendix 6 and, the additional use has not been substantially implemented after the expiration of the date specified in the condition then the provisions of clause 3.4.1 shall cease to have effect for that particular use.

TABLE I - ZONING TABLE

AMD 171 GG 3/9/13

KEY TO COLUMNS

- | | | | |
|------------------------|--------------------------------------|--|------------------------|
| 1. RESIDENTIAL | 7. SPECIAL RURAL | 13. CONSERVATION ZONE
AMD 55 GG 25/8/95 | 19. TOWN CENTRE |
| 2. COMMERCIAL | 8. RURAL | 14. AGRICULTURAL PROTECTION
AMD 58 GG 29/9/98 | 20. HIGHWAY COMMERCIAL |
| 3. SHOWROOM/WAREHOUSE | 9. SPECIAL USE | 15. URBAN DEVELOPMENT
AMD 69 GG 16/6/00 | 21. MIXED BUSINESS |
| 4. LIGHT INDUSTRY | 10. RURAL LIVING A AMD 47 GG 9/12/94 | 16. RURAL GROUNDWATER
PROTECTION | 22. MIXED USE |
| 5. GENERAL INDUSTRY | 11. RURAL LIVING B AMD 47 GG 9/12/94 | 17. RURAL RESIDENTIAL | |
| 6. SPECIAL RESIDENTIAL | 12. FARMLET AMD 47 GG 9/12/94 | 18. NEIGHBOURHOOD CENTRE | |

USE CLASSES	1	2	3	4	5	6	7 (See note 1)	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Aged or Dependent Persons Dwelling	AA							AA	*	**	***	****	***** *	***** **	#	##	AA	AA	AA			AA
Amusement Parlour		AA							*	**	***	****	***** *	***** **	#	##		AA	AA			AA
Animal Husbandry AMD 92 GG 10/3/06								SA	*	**	***	****	***** *	***** **	#	##						
Apiary AMD 92 GG 10/3/06								AA	*	**	***	****	***** *	***** **	#	##						
Aquaculture AMD 92 GG 10/3/06								AA	*	**	***	****	***** *	***** **	#	##						
Automotive & Marine Sales		SA	P	AA					*	**	***	****	***** *	***** **	#	##				AA	P	SA
Automotive Repairs				P	P				*	**	***	****	***** *	***** **	#	##				AA	AA	
Automotive Vehicle Wash			P	P	IP				*	**	***	****	***** *	***** **	#	##				AA	AA	
Automotive Wrecking				SA	SA				*	**	***	****	***** *	***** **	#	##						
Caravan or Trailer Hire		AA	P	AA				SA	*	**	***	****	***** *	***** **	#	##				AA	P	AA
Caravan Park								AA	*	**	***	****	***** *	***** **	#	##						
Caretaker's Dwelling AMD 95 GG 16/3/01	IP	IP	IP	IP	IP			IP	*	**	***	****	***** *	***** **	#	##				AA	AA	
Car Park		P	IP	IP	IP				*	**	***	****	***** *	***** **	#	##		AA	AA	AA	AA	P

USE CLASSES	1	2	3	4	5	6	7 (See note 1)	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Cattery AMD 92 GG 10/3/06								SA								##						
Cemetery								AA	*	**	***	****	***** *	***** **	#	##						
Child Minding Centre	SA	AA				SA	SA	SA	*	**	***	****	***** *	***** **	#	##		P	P			AA
Civic Buildings	AA	P				SA	SA	AA	*	**	***	****	***** *	***** **	#	##		P	P	AA	AA	P
Club Premises	SA	AA						SA	*	**	***	****	***** *	***** **	#	##			AA	AA		AA
Commercial Vehicle Parking AMD 67 GG 22/3/96	SA	SA	SA	P	P	SA	SA	P	*	**	***	****	***** *	***** **	#	##		AA	AA	AA	AA	SA
Consulting Rooms	AA	P				AA	AA	AA	*	**	***	****	***** *	***** **	#	##		P	P			P
Convenience Store		SA						SA	*	**	***	****	***** *	***** **	#	##		AA	P	AA	AA	SA
Corner Store	AA					SA	SA	AA	*	**	***	****	***** *	***** **	#	##	SA	AA	AA			AA
Craft Workshop AMD 24 GG 13/10/92	AA					AA	AA	AA	*	**	***	****	***** *	***** **	#	##	AA				P	
Dog Kennels AMD 92 GG 10/3/06								SA	*	**	***	****	***** *	***** **	#	##						
Dry Cleaning Premises		AA	AA	P					*	**	***	****	***** *	***** **	#	##		AA	AA	AA		AA
Educational Establishment	SA					SA	SA	AA	*	**	***	****	***** *	***** **	#	##		AA	AA			SA
Environment Research Centre AMD 95 GG 16/3/01								AA		**	***	****	***** *	***** **	#	##						
Equestrian Activity AMD 92 GG 10/3/06							SA	AA	*	**	***	****	***** *	***** **	#	##						
Farriery				AA			AA	AA	*	**	***	****	***** *	***** **	#	##						
Fast Food/Takeaway		P		AA	AA				*	**	***	****	***** *	***** **	#	##		AA	P	AA	AA	P
Feed Lot								AA	*	**	***	****	***** *	***** **	#	##						
Fish Farming	DELETED BY AMD 92 GG 10/3/06																					

USE CLASSES	1	2	3	4	5	6	7 (See note 1)	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Floriculture (Extensive) <i>AMD 92 GG 10/3/06</i>							SA	AA	*	**	***	****	***** *	***** **	#	##						
Fodder and Pasture <i>AMD 92 GG 10/3/06</i>								AA	*	**	***	****	***** *	***** **	#	##						
Fuel Depot			AA	AA	P			SA	*	**	***	****	***** *	***** **	#	##					SA	
Funeral Parlour		AA	AA						*	**	***	****	***** *	***** **	#	##		AA	AA	AA	P	AA
Garden Centre	DELETED BY AMD 92 GG 10/3/06																					
Health Studio		P	AA						*	**	***	****	***** *	***** **	#	##		AA	P	AA	P	P
Hobby Farm <i>AMD 92 GG 10/3/06</i>							AA	AA	*	**	***	****	***** *	***** **	#	##						
Holiday Accommodation <i>AMD 95 GG 16/3/01</i>								AA	*	**	***	****	***** *	***** **	#	##						
Home Business <i>AMD 101 GG 9/5/00</i>	AA					AA	AA	AA	*	**	***	****	***** *	***** **	SA	AA	AA	AA	AA			AA
Home Occupation	AA					AA	AA	AA	*	**	***	****	***** *	***** **	#	##	AA	AA	AA			AA
Hospital	SA					SA		AA	*	**	***	****	***** *	***** **	#	##			AA			
Hotel		SA							*	**	***	****	***** *	***** **	#	##			P	AA		SA
Hydroponics <i>AMD 92 GG 10/3/06</i>								AA	*	**	***	****	***** *	***** **	#	##						

USE CLASSES	1	2	3	4	5	6	7 (See note 1)	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Industry: (a) Cottage AMD 101 GG 9/5/00 (b) Extractive (c) General (d) Hazardous (e) Light (e) Noxious (f) Rural (g) Service	SA				AA P SA P SA	SA	SA	SA AA	*	**	***	****	*****	*****	SA # # # # # #	AA	SA	SA	SA	AA		SA
			SA P	AA AA					*	**	***	****	*****	*****							P P P	
Kennels	DELETED BY AMD 92 GG 10/3/06																					
Marine Collectors Yard			AA	P	AA			SA	*	**	***	****	*****	*****	#	##				AA	P	
Market		AA	AA	AA				SA	*	**	***	****	*****	*****	#	##		AA	AA	AA	AA	AA
Medical Centre AMD 73 GG 6/5/97	AA	P				SA			*	SA		****	*****		#	##		AA	P	P	AA	P
Motel		SA						AA	*	**	***	****	*****	*****	#	##			P	AA		SA
Nightclub		SA							*	**	***	****	*****	*****	#	##			SA			SA
Nursery AMD 92 GG 10/3/06		AA	P	AA				AA	*	**	***	****	*****	*****	#	##		AA	AA	AA	AA	AA
Office		P	AA	IP	IP				*	**	***	****	*****	*****	#	##		P	P	P	IP	P
Orcharding AMD 92 GG 10/3/06							SA	AA	*	**	***	****	*****	*****	#	##						
Pig Farming								AA	*	**	***	****	*****	*****	#	##						
Plant Nursery AMD 92 GG 10/3/06		AA	P	AA				AA	*	**	***	****	*****	*****	#	##		AA	AA	AA	AA	AA
Poultry Farm (Housed) AMD 92 GG 10/3/06								AA	*	**	***	****	*****	*****	#	##						
Poultry Farming	DELETED BY AMD 92 GG 10/3/06																					

USE CLASSES	1	2	3	4	5	6	7 (See note 1)	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Private Recreation		AA	SA	SA			SA	AA	*	**	***	****	***** *	***** **	#	##		AA	P	AA	AA	
Private Tree Plantation AMD 92 GG 10/3/06							SA	AA	*	**	***	****	***** *	***** **	#	##						
Produce Store			P	P			SA	AA	*	**	***	****	***** *	***** **	#	##						
Public Amusement		P	SA					SA	*	**	***	****	***** *	***** **	#	##		AA	AA	AA		AA
Public Recreation	DELETED BY AMD 92 GG 10/3/06																					
Public Utility	AA	AA	AA	P	P	AA	AA	P	*	**	***	****	***** *	***** **	#	##	AA	P	P	P	P	AA
Public Worship - Place of	AA	SA						SA	*	**	***	****	***** *	***** **	#	##		SA	P	AA	AA	SA
Radio, TV and Communication Installation AMD 92 GG 10/3/06	AA	AA	P	P	P	AA	AA	AA	*	**	***	****	***** *	***** **	#	##		AA	AA	AA	AA	AA
Radio & TV Installation	DELETED BY AMD 92 GG 10/3/06																					
Reception Centre		P						SA	*	**	***	****	***** *	***** **	#	##		SA	AA	AA		P
Recreation Public AMD 92 GG 10/3/06	P	P	P			P	P	P	*	**	***	****	***** *	***** **	#	##	P	P	P			
Residential: AMD 127 GG 14/12/04 (a) Ancillary Accommodation (b) Single House (c) Grouped dwelling (d) Multiple dwelling	AA P AA SA					AA P	AA P	AA P	* * *	** ** **	*** *** ***	**** **** ****	***** * **** *	***** ** **** **	# # #		IP P P P	AA AA AA	AA AA AA			AA AA AA
Residential Building AMD 127 GG 14/12/04	SA							SA	*	**	***	****	***** *	***** **	#	##	SA		AA			SA
Restaurant		P						SA	*	**	***	****	***** *	***** **	#	##		P	P	AA		P
Riding School	DELETED BY AMD 92 GG 10/3/06																					
Rural Use						SA	AA	P	*	**	***	****	***** *	***** **	#	##						
Rural Workers Dwelling AMD 127 GG 14/12/04								AA								##						
Service Station AMD 24 GG 13/10/92		SA	SA	SA	SA			SA	*	**	***	****	***** *	***** **	#	##		SA	SA	SA	AA	SA

USE CLASSES	1	2	3	4	5	6	7 (See note 1)	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Shop		P	AA						*	**	***	****	***** *	***** **	#	##		P	P		IP	P
Shopping Centre		P							*	**	***	****	***** *	***** **	#	##		AA	AA			
Showroom		AA	P	AA	IP				*	**	***	****	***** *	***** **	#	##		AA	AA	P	P	AA
Stable AMD 92 GG 10/3/06						SA (See note 3)	AA	P	*	**	***	****	***** *	***** **	#	##						
Stables	DELETED BY AMD 92 GG 10/3/06																					
Stall-wayside AMD 92 GG 10/3/06							SA	AA	*	**	***	****	***** *	***** *	#	##						
Studio	AMD 24 GG 13/10/92; DELETED BY AMD 69 GG 16/6/00																					
Tavern		SA							*	**	***	****	***** *	***** **	#	##		SA	SA	AA		SA
Trade Display			P	P	P				*	**	***	****	***** *	***** **	#	##				AA	AA	
Transport Depot			AA	P	P			SA	*	**	***	****	***** *	***** **	#	##					AA	
Vehicle Hire			P	P	AA				*	**	***	****	***** *	***** **	#	##				AA	P	
Veterinary Establishment			AA	AA			SA	AA	*	**	***	****	***** *	***** **	#	##		SA	AA	AA	AA	AA
Viticulture AMD 92 GG 10/3/06							SA	AA	*	**	***	****	***** *	***** **	#	##						
Warehouse		IP	P	P	P				*	**	***	****	***** *	***** **	#	##			IP	AA	P	IP

* See Appendix 2

** See Appendix 4A

*** See Appendix 4B

**** See Appendix 4C

***** See Appendix 4D

***** See Appendix 4E

Refer to clause 5.18.6.3

Refer to clauses 5.19.1 through 5.19.3
AMD 92 GG 10/3/06; AMD 167 GG 5/11/13

Note 1: Se special provisions for each estate in Appendix 4 as some land uses identified in this table may be prohibited in a particular Special Rural estate.

Note 2: Caretaker's Dwelling is an IP use in some special rural zones – see Appendix 4.

Note 3: Rural Uses and Stables are prohibited in some Special Residential estates – see Appendix 3.

PART IV - NON-CONFORMING USES

4.1 NON-CONFORMING USE RIGHTS

No provision of the Scheme shall prevent the continued use of any land or building for the purpose for which it was being lawfully used at the time of coming into force of the Scheme, or the carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorize the development to be carried out, were duly obtained and are current.

4.2 EXTENSION OF NON-CONFORMING USE

A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning consent of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

4.3 CHANGE OF NON-CONFORMING USE

Notwithstanding anything contained in the Zoning Table the Council may grant its planning consent to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended uses of the zone or reserve.

4.4 DISCONTINUANCE OF NON-CONFORMING USE

4.4.1 When a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

4.4.2 The Council may affect the discontinuance of a non-conforming use by the purchase of the affected property or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

4.5 DESTRUCTION OF BUILDINGS

If any building is, at the gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of seventy five percent or more of its value the land on which the building is built shall not thereafter be used otherwise than in conformity with the Scheme, and the buildings shall not be repaired, rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

4.6 REGISTER OF NON-CONFORMING USES

4.6.1 Any person carrying on a non-conforming use who wishes to establish his non-conforming use right shall within six calendar months of the gazettal date, or within such extended time as the Council may allow, give to the Council in writing full information of the nature and extent of the non-conforming use.

- 4.6.2 The Council shall establish and maintain a Register of such non-conforming uses. If a particular non-conforming use is not entered in the register within six months of the gazettal date the Council may at a later time enter that use in the Register upon application being made to it and upon the applicant demonstrating to the satisfaction of the Council that:
- a) the use was a lawful conforming use under the Shire of Serpentine - Jarrahdale Town Planning Scheme No. 1 immediately prior to the revocation of that Scheme; and
 - b) there is a reasonable explanation for the failure to record the non-conforming use in the Register within six months of the gazettal date.
- 4.6.3 For the purpose of the registration of a non-conforming use in the Register the Council shall determine the nature of the use and the appropriate use class as a factual decision based upon the Council's objective assessment of the evidence before it at the time of making the determination.

PART V - DEVELOPMENT REQUIREMENTS

5.1 DEVELOPMENT OF LAND

AMD 192 GG 30/05/17

- 5.1.1 The power conferred by this Clause, and Clause 67 of the Deemed Provisions, may only be exercised if the Council is satisfied that: *AMD 192 GG 30/05/17*
- a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality;
 - b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and
 - c) the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.

5.2 DISCRETION TO MODIFY DEVELOPMENT STANDARDS

- 5.2.1 If a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council, may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.

5.3 RESIDENTIAL DEVELOPMENT - RESIDENTIAL PLANNING CODES

- 5.3.1 For the purpose of this Scheme "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 2 to the Statement of Planning Policy No. 1 as published in the Government Gazette dated 30th January 1985 together with all amendments thereto.
- 5.3.2 A copy of the Residential Planning Codes as amended shall be kept and made available for public inspection at the offices of Council.
- 5.3.3 In the event of there being any inconsistency between the Residential Planning Codes identified by Clauses 5.3.1 and 5.3.2, the provisions in the document identified in Clause 5.3.1 shall prevail.
- 5.3.4 Unless otherwise provided for in Clause 5.4 the development of land for any of the residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those Codes.
- 5.3.5 The Residential Planning Code density applicable to land within the Scheme area shall be determined by reference to the Residential Planning Code density numbers superimposed on the particular areas shown on the Scheme Map contained within the outer edges of the solid black line borders, or where such an area abuts on to another area having a Residential Planning Code density, contained within the centre lines of those borders.

5.4 RESIDENTIAL PLANNING CODES - VARIATIONS AND EXCLUSIONS

AMD 29 GG 14/1/94; AMD 47 GG 9/12/94

- 5.4.1 Where the provisions of the R10 or R12.5 Density Codes apply, the minimum setback from rear boundaries shall be 7.5 metres.
- 5.4.2 a) Where no Residential Density Code area is depicted on the Scheme Map, residential development shall be in accordance with the R2 Density code for Special Rural, Rural Living A, Rural Living B, Farmlet and Rural.

AMD 196 GG 01/04/16

- b) The Codes, where so specified, shall relate solely to the number of residential units which the Council may permit and not to the subdivision, inclusive of strata title, of the land, the subject of the application.
- c) The subdivision of rural land in the Shire for lots ranging in area from 2000m² to 4 hectares shall only occur on land that is appropriately zoned either Special Rural (Rural Living A and B Rural Living) or Special Residential under the Scheme as applicable and Clauses 5.8, 5.9 and 5.12 shall apply and be satisfied. This excludes all existing lots that are currently zoned Rural on the Scheme map that are between 2,000m² and 4 hectares in area.

AMD 165 GG 01/07/11

5.4.3 *CLAUSE DELETED BY AMD 127 GG 14/12/04; NEW CLAUSE ADDED BY AMD 146 GG 1/6/07*

- a) The front setback for the following lots 134-141 Howitzer Turn, 152, 347, 348 and 353-357 Karangi Circle, Byford, shall be 10 metres.
- b) No dwelling shall be approved by Council on lots 134-141 Howitzer Turn, 152, 347, 348 and 353-357 Karangi Circle, Byford, until Council is satisfied that indoor noise levels of affected noise sensitive dwellings accord with AS 107:2000 (Acoustics - Recommended design levels and reverberation times for building interiors).

5.5 **RESIDENTIAL ZONE**

AMD 192 GG 30/05/17

5.5.1 **Minimum Development Standards**

The site requirements and development standards that shall apply for specific uses in the Residential Zone are set out in Table 2.

5.5.2 **Home Business**

AMD 101 GG 9/5/00

Where the Council grants approval to carry on a home business:

- a) the approval shall be personal to the applicant and shall not be transferred to or assigned to any other person;
- b) the approval shall not run with the land in respect of which it was granted;
- c) the person to whom approval is granted by the Council to carry on a home business shall not carry on that home business at any premises other than the land in respect of which the Council's approval is granted; and
- d) if a home business has been carried on with the approval of the Council and if in the opinion of the Council such home business is causing a nuisance or annoyance to owners or occupiers of land in the neighbourhood, the Council may withdraw the approval granted by it and after such withdrawal, no person shall upon the subject land carry on a home business unless a further approval to do so is granted by the Council.

5.5.4 **Parking of Commercial Vehicles**

AMD 67 GG 22/3/96

No commercial vehicle shall be parked on any land in the Scheme area otherwise than in accordance with the provisions of Table 1 - Zoning Table and the provisions of this Scheme for planning consent.

- 5.5.5 Notwithstanding the generality of the preceding subclause, the Council shall not grant its approval for parking of a commercial vehicle on a lot used for residential purposes, or on a lot where any adjoining lot is used for residential purposes unless:

AMD 67 GG 22/3/96; AMD 81 GG 26/3/99

- a) provision is made for the vehicle to be housed in a garage, or parked behind the building line;
- b) the vehicle together with its load does not exceed the following dimensions and mass:

width	2.5m
height	4.3m
length	12.5m rigid truck or trailer
	19.0m articulated vehicle

maximum mass including load 42.5 tones

- c) in the Council's opinion the parking of the vehicle will not prejudicially affect the amenity of the neighbourhood due to emission of light, noise, vibration, smell, fumes, smoke or dust.
- d) the vehicle is predominantly used by a person who is an occupier of a dwelling on the lot where the vehicle is parked, as an essential part of the lawful occupation or business of that person. The foregoing requirement of this item shall not be satisfied in any case unless the owner of the vehicle or an occupier of a dwelling on the lot, within 14 days of the Council making a request, supplies to the Council full information as to the name and occupation of the person said to be using the vehicle. The request for that information may be made for the purpose of this item by posting the request to the address of the owner of the vehicle shown on the vehicle registration, or by posting the request to or leaving it at the dwelling on the lot, addressed in a general way to the occupier.

5.6 COMMERCIAL ZONE

The purpose and intent of the Commercial Zone is to encourage the establishment of a commercial centre in each of the four towns in the Shire, to maximise the public benefit and amenity in the towns in respect of retail, office and entertainment facilities.

5.6.1 Minimum Development Standards

The site requirements and development standards that shall apply for specific uses in the Commercial Zone are set out in Table 3.

5.6.2 Loading Bays

At least one loading bay having minimum dimensions of 3.5 metres and 7.0 metres for the loading and unloading of commercial vehicles shall be provided separate from parking areas and access ways for each development in the Commercial Zone.

5.6.3 Refuse Storage Area

Every development in the Commercial Zone shall have provided at least one refuse storage area readily accessible to service vehicles and screened from view from a public street by a fence, wall or landscaping no less than 1.8 metres in height.

5.7 SHOWROOM WAREHOUSE, LIGHT INDUSTRY AND GENERAL INDUSTRY ZONES

5.7.1 The purpose and intent of the Showroom Warehouse Zone is to provide for a range of commercially oriented uses with low traffic generating characteristics and dealing in goods of a bulky nature.

5.7.2 The purpose and intent of the Light Industry Zone is to provide for a wide range of industrial uses that will not adversely affect the amenity of the locality or impose an undue load on existing or projected services.

5.7.3 The purpose and intent of the General Industry Zone is to provide for industries which require large areas of land for their operations.

5.7.4 Minimum Development Standards

The site requirements and development standards that shall apply for specific uses in the Showroom Warehouse, Light Industry and General Industry Zones are set out in Table 4.

5.7.5 Factory Tenement Buildings

No person shall construct a factory tenement building unless:

- a) each tenement has a floor area of at least 100 square metres;
- b) the floor of each tenement has a minimum dimension of at least eight metres;
- c) each tenement has an adjoining open storage yard at least one third the floor area of the tenement;
- d) every open storage yard is screened from view from a public road by a wall or fence not less than 1.8 metres in height;
- e) each tenement together with its open storage yard has direct access to a service access road not less than six metres in width;
- f) each tenement is separated from each adjoining tenement by an internal wall or walls constructed of brick, stone, concrete or other material of equal or greater fire rating approved by the Council.

5.7.6 Outdoor Storage Areas

Outdoor areas used for the storage of motor vehicle bodies, timber, steel products or any other products or wastes shall be screened from view from a public street by a wall or fence, not less than 1.8 metres in height, or landscaping as approved by the Council.

5.7.7 Facades

Any building erected in the Showroom Warehouse Zone, the Light Industry Zone, or the General Industry Zone shall have a facade to the street constructed of brick, stone, timber, concrete or glass or any combination of these as approved by the Council.

5.8 SPECIAL RESIDENTIAL ZONE

- 5.8.1 The purpose and intent of the Special Residential Zone is to provide for a style of spacious living at densities lower than that characteristic of traditional single residential development but higher than that found in special rural zones.
- 5.8.2 Before making provision for a Special Residential Zone the Council may prepare or require the owner or developer of the land to prepare a submission in support of the proposed rezoning.
- 5.8.3 Any submission shall include:
- a) the objectives of the proposal;
 - b) the reasons for selecting the particular area and how it relates to the Council's planning objectives for the area;
 - c) an analysis of the physical characteristics of the subject land such as geology, soil types, existing land forms, vegetation cover, skylines, vistas and natural features;
 - d) a plan showing contours at one metre intervals and physical features such as existing buildings, rock outcrops, trees or groups of trees, lakes, rivers, creeks, wells and significant improvements;
 - e) information regarding the method whereby it is proposed to provide a potable water supply to each lot;
 - f) the proposed staging of the development and any development provisions which may be required; and,
 - g) any other information the Council may reasonably require.
- 5.8.4 A description of the land included in the Special Residential Zone together with any special provisions relating to the land is set out in Appendix 3.
- 5.8.5 There shall be a plan of subdivision for all land included in the Special Residential Zone endorsed by the Shire Clerk and approved by the Commission.
- 5.8.6 In addition to the provisions contained in Appendix 3 and such other provisions of the Scheme as may affect it, any land which is included as part of a Special Residential Zone shall be subject to the following conditions:
- a) subdivision shall be in accordance with the plan of subdivision endorsed by the Shire Clerk but minor amendments to the plan of subdivision may be permitted subject to approval of the Commission and Council, however, lot sizes will not generally be permitted to be reduced;
 - b) where a lot contains a building, envelope shown on the Plan of Subdivision, no development other than fencing shall be permitted outside the area defined by the building envelope unless authorised by Council;
 - c) no building shall be constructed within this zone of materials, the colour or texture of which in the opinion of the Council is undesirable for the locality;
 - d) no dwelling house shall be constructed with an internal floor area less than 110 square metres without the Council's consent;
 - e) the Council may by notice served upon individual landowners or upon a subdivider of land within this zone require the preservation of any tree or group of trees and thereafter no landowner or subdivider shall cut, remove, or otherwise destroy any tree or trees so specified unless the Council withdraws the notice or order:

- f) lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by Council;
- g) the owner or subdivider of the land is responsible for informing purchasers of land in this zone of these provisions relating to the Special Residential Zone, and the provisions included in Appendix 3; and
- h) all land designated as public open space or public accessary on the endorsed plan of subdivision shall be given up free of cost for the designated purpose.

5.9 SPECIAL RURAL ZONE

- 5.9.1 The purpose and intent of the Special Rural Zone is to depict places within the rural area wherein closer subdivision will be permitted to provide for such uses as hobby farm, horse training and breeding, rural residential retreats and intensive horticulture, and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of the selected areas.
- 5.9.2 Before making provision for a Special Rural Zone the Council may prepare or require the owners or developers of the land to provide a submission in support of the proposed rezoning.
- 5.9.3 Any submission shall include:
 - a) the objectives of the proposal;
 - b) the reasons for selecting the particular area, and how it relates to the Council's adopted Rural Policy;
 - c) an analysis of the physical characteristics of the subject land such as geology, soil types, landform, vegetation cover, skylines, vistas, and natural features;
 - d) a plan showing contours at two metre intervals and any physical features such as existing buildings, rock outcrops, trees or groups of trees, lakes, rivers, creeks, wells and any significant improvements;
 - e) information regarding the method whereby it is proposed to provide a potable water supply to each lot;
 - f) the proposed staging of the development and any development provisions which may be required; and
 - g) any other information the Council may reasonably require.
- 5.9.4 A description of the land included in the Special Rural Zone together with any special provisions relating to the land are set out in Appendix 4.
- 5.9.5 There shall be a plan of subdivision for all land included in the Special Rural Zone endorsed by the Shire Clerk and approved by the Commission.
- 5.9.6 In addition to the provisions contained in Appendix 4 and such other provisions of the Scheme as may affect it, any land which is included as part of the Special Rural Zone shall be subject to the following conditions:
 - a) subdivision shall be in accordance with the plan of subdivision endorsed by the Shire Clerk but minor amendments to the plan of subdivision may be permitted subject to approval of the Commission and Council, however, lot sizes will not generally be permitted to be reduced;
 - b) where a lot contains a building, envelope shown on the Plan of Subdivision, no development other than fencing, shall be permitted outside the area defined by the building envelope unless authorised by Council;

- c) no building shall be constructed within this zone, of materials, the colour or texture of which in the opinion of the Council is undesirable for the locality;
- d) no dwelling house shall be constructed with an internal floor area less than 110 square metres without the Council's consent;
- e) no dwelling house shall be occupied unless a roof water tank having a capacity not less than 90,000 litres, or some other approved supply of domestic water of no less capacity is provided;
- f) the Council may by notice served upon individual landowners or upon a subdivider of land within this zone require trees to be planted where it is considered there is insufficient vegetation, and require the preservation of any tree or group of trees and thereafter no landowner or subdivider shall cut, remove, or otherwise destroy any tree or trees so specified unless the Council withdraws the notice;
- g) lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by Council;
- h) the Subdivider shall provide suitable strainer posts at each corner boundary peg and change of direction of boundary to the satisfaction of Council; and
- i) the owner or subdivider of the land is responsible for informing purchasers of land in this zone of these provisions relating to the Special Rural Zone, and the provisions included in Appendix 4;
- j) all land designated as public open space or public accessory on the endorsed plan of subdivision shall be given up free of cost for the designated purpose;

5.10 RURAL ZONE

5.10.1 The purpose and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area.

5.10.2 Kennels

Where the Council grants approval to a Kennels use, the following provisions shall apply:

- a) the approval shall be personal to the applicant and shall not be transferred to or assigned to any other person;
- b) the approval shall not run with the land in respect of which it was granted;
- c) the person to whom approval is given by the Council to carry on a Kennels use shall not carry on that use at any premises other than the land in respect of which the Council's approval is granted; and
- d) if a kennel use has been carried on with the approval of the Council and if in the opinion of the Council such use is causing a nuisance or annoyance to owners or occupiers of land in the neighbourhood, the Council may withdraw its approval and after such withdrawal, no person shall upon the subject land carry on a kennel use unless a further approval to do so is granted by the Council.

5.10.3 **Additional Dwellings in the Rural Zone**

AMD 127 GG 14/12/04

- a) The Council may permit the construction of an additional dwelling on a lot within the rural Zone provided that: -
 - (i) the lot has a land area of not less than 4 hectares; and
 - (ii) the total number of dwelling on the lot will not exceed two; and
 - (iii) the additional dwelling is to be used for the purposes of a rural worker's dwelling as defined in Appendix 1 of the Scheme; and
 - (iv) the additional is located within close proximity of the existing dwelling on the lot as determined by the Council and shares all services where practical.
- b) Where two dwellings already exist on a lot within the Rural Zone, the Council may permit the construction of up to one more additional dwelling only provided that: -
 - (i) the lot has a land area of not less than 75 hectares; and
 - (ii) the additional dwelling is to be used for the purposes of a rural worker's dwelling as defined in Appendix 1 of the Scheme; and
 - (iii) the additional dwelling is located within close proximity to the existing dwellings on the lot as determined by the Council and shares all services where practical.
- c) The existence of more than one dwelling on a lot within the rural Zone shall not be considered as sufficient grounds for subdivision.
- d) Nothing in this Scheme shall prevent the erection of a single dwelling on a lot within the Rural Zone which another single dwelling is already erected where the first mentioned single dwelling is intended to replace the other single dwelling and is not to be occupied until the other single dwelling has been rendered uninhabitable or demolished and its occupation has permanently ceased.

5.10.4 The Council will generally not support subdivision within the Rural zone that will result in the creation of lots less than 40 hectares. *AMD 165 GG 01/07/11*

5.11 **SPECIAL USE ZONE**

- 5.11.1 The purpose and intent of the Special Use Zone is to permit the use of land for any specific use not considered appropriate or desirable in any other zone and being a use which Council considers may satisfy a specific need in the locality where the use is proposed.
- 5.11.2 A description of the land together with the special use to be permitted and any special provisions relating to the land are set out in Appendix 2 and the development and use of the land shall be in accordance with the provisions set out against the description of the land in Appendix 2.

5.12 **RURAL LIVING A AND RURAL LIVING B ZONES**

AMD 47 GG 9/12/94

- 5.12.1 The purpose and intent of the rural Living a and rural Living B zones is described within the Council's Rural Strategy as amended and adopted by Council and the State Planning Commission dated April 1994.

- 5.12.2 The Rural Living A Zone is intended to cater for rural residential development on a range of lots between 4,000 square metres to one hectare in accordance with the objectives and guidelines of the Rural Strategy.
- 5.12.3 The Rural Living B Zone is intended to cater for rural-residential development and ancillary rural related uses on a range of lots between two hectares to four hectares in accordance with the objectives and guidelines of the Rural Strategy.
- 5.12.4 Notwithstanding sub clause 5.12.2 and 5.12.3 above, where land capability and site constraints dictate a larger lot size than one hectare (Rural Living A) or four hectares (Rural Living B) may be required.
- 5.12.5 Before including land within the Rural Living A and Rural Living B zones, the Council will require the owners or developers of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.
- 5.12.6 Reticulated water supply shall be required for development on new lots under 2 hectares unless approved otherwise by the Council and the State Planning Commission. Where reticulated water is not required, or the land is greater than 2 hectares a guaranteed rainwater supply of 90,000 litres will be required.
- 5.12.7 A description of the land included in the Rural Living A and rural Living B zones together with land uses permitted and any special provisions relating to the land are set out in Appendix 4A and Appendix 4B respectively. Such uses will be dependent upon site survey and reference to land capability and other planning data.
- 5.12.8 There shall be a plan of subdivision entitled subdivision Guide Plan for each specified parcel of land included in the Rural Living A and Rural Living B zones endorsed by the Shire Clerk and approved by the State Planning Commission.
- 5.12.9 In addition to the provisions contained in Appendix 4A or Appendix 4B and other such provisions of the scheme as may affect it, any land which is included as part of the Rural Living A or Rural Living B zones shall be subject to the following conditions:
- a) subdivision shall be in accordance with the appropriate Subdivision Guide Plan endorsed by the Shire Clerk but minor amendments to the plan of subdivision may be permitted subject to the approval of the Commission, and Council, however, lot sizes will not generally be permitted to be reduced;
 - b) the relevant guidelines contained within the Council's Planning Guidelines for Nutrient Management, dated May 1993 (as amended) shall apply to development;
 - c) a building envelope with an area not exceeding 1,000 square metres in area shall be defined in a position to be agreed by the Council and no building envelope shall be closer than 20 metres to the primary street boundary or closer than 10 metres to any other lot boundary;
 - d) no building shall be constructed on a lot other than within the approved building envelope without the written approval of the Council;
 - e) storm water drainage shall be designed to the satisfaction and specification of the Council. The developer of the estate shall obtain the approval of the Water Authority and Council for drainage proposals prior to commencement of site works;
 - f) the landowner shall be responsible for the establishment and maintenance of firebreaks to the specification and satisfaction of the Council;

- g) the keeping of horses, sheep, goats and other grazing animals, where permitted, shall be subject to the prior approval of the Council. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types;
- h) signs, hoardings or advertisements shall not be erected without prior written approval of the Council;
- i) no building shall be constructed within the zone of materials, the colour or texture of which in the opinion of the Council is undesirable for the locality;
- j) no dwelling house shall be constructed with an internal floor area less than 110 square metres without the Council's consent;
- k) the Council may by notice served upon individual landowners or upon a subdivider of land within this zone require the preservation of any tree or group of trees and thereafter no landowner or subdivider shall cut, remove, or otherwise destroy any tree or trees so specified unless the Council withdraws the notice or order;
- l) lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by Council;
- m) The owner of subdivider of the land is responsible for informing purchasers of land in this zone of these provisions and the provisions included in Appendix 4A, or Appendix 4B as applicable; and
- n) All land designated as public open space or public accessway on the endorsed Subdivision Guide Plan shall be given up to the Crown free of cost for the designated purpose.

5.13 FARMLET ZONE

- 5.13.1 The purpose and intent of the Farmlet zone is described within the Council's Rural Strategy as amended and adopted by Council and the State Planning Commission dated April 1994.
- 5.13.2 The Farmlet zone is intended to cater for a range of lots between four and forty hectares to allow for a variety of lot sizes in accordance with the objectives and guidelines of the Rural Strategy.
- 5.13.3 Before including land within the Farmlet zone, the Council will require the owners or developers of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.
- 5.13.4 A guaranteed rainwater supply of 90,000 litres will be required to new lots proposed on land within the Farmlet zone.
- 5.13.5 A description of the land included in the Farmlet zone together with land uses permitted and any special provisions relating to the land are set out in Appendix 4C.
- 5.13.6 There shall be a plan of subdivision entitled Subdivision Guide Plan for each specified parcel of land included in the Farmlet zone endorsed by the Shire Clerk and approved by the State Planning Commission.
- 5.13.7 In addition to the provisions contained in appendix 4C and other such provisions of the Scheme as may affect it, any land which is included as part of the Farmlet zone shall be subject to the following conditions:
 - a) subdivision shall be in accordance with the appropriate Subdivisional Guide Plan endorsed by the Shire Clerk but minor amendments to the plan of subdivision may be permitted subject to the approval of the Commission, and Council, however, lot sizes will not generally be permitted to be reduced;

- b) the relevant guidelines contained within the Council's Planning Guidelines for Nutrient Management, dated May 1993 (as amended) shall apply to development;
- c) a building envelope with an area not exceeding 4,000 square metres in area shall be defined in a portion to be agreed by the Council and no building envelope shall be closer than 20 metres to the primary street boundary or closer than 10 metres to any other lot boundary or SECWA easement;
- d) no building shall be constructed on a lot other than within the approved building envelope without the written approval of the Council;
- e) storm water drainage shall be designed to the satisfaction and specification of the Council. The developer of the estate shall obtain the approval of the Water Authority and Council for drainage proposals prior to commencement of site works;
- f) the landowner shall be responsible for the establishment and maintenance of firebreaks to the specification and satisfaction of the Council;
- g) the keeping of animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types;
- h) signs, hoarding or advertisements shall not be erected without prior written approval of the Council;
- i) no building shall be constructed within this zone of materials, the colour or texture of which in the opinion of the Council is undesirable for the locality;
- j) no dwelling house shall be constructed with an internal floor area less than 110 square metres without the Council's consent;
- k) no dwelling house shall be occupied unless a roof water tank having a capacity not less than 90,000 litres, or some other approved supply of domestic water of no less capacity is provided;
- l) The Council may by notice served upon individual landowners or upon a subdivider of land within this zone require the preservation of any tree or group of trees and thereafter no landowner or subdivider shall cut, remove, or otherwise destroy any tree or trees so specified unless the Council withdraws the notice or order;
- m) lot boundary fencing shall be of post and rail or post and wire unless otherwise approved Council; and
- n) the subdivider shall provide suitable strainer posts at each corner boundary peg and change of direction of boundary to the satisfaction of Council.

5.14 CONSERVATION ZONE

AMD 55 GG 25/8/95

- 5.14.1 The purpose and intent of the Conservation Zone is described within the Council's Rural Strategy as amended and adopted by Council and the State Planning commission dated April 1994.
- 5.14.2 A Conservation zone is intended to identify land that has a high conservation significance which includes private land with large stands of relatively intact remnant vegetation, all recognised wetlands of significance and some areas covered by the Department of Environmental Protection System 6 recommendations.
- 5.14.3 The private lands identified for conservation in the rural strategy are not intended for acquisition by the Council or State Government Agencies. Rather the general aim is to encourage and make it easier for landowners to protect and manage the conservation values present.

5.14.4 Before including land within the Conservation Zone Council will require the owners of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.

5.14.5 A description of the land included in the Conservation Zone together with the uses permitted and any special provisions relating to the land are set out in Appendix 4D. such uses will generally be in accordance with the Rural Zone uses but will depend upon site survey and reference to land capability and other planning data.

Land uses selected will be on the basis that they will not conflict with, or they will contribute to the significance of conservation values present.

5.14.6 In addition to the provisions contained in Appendix 4D and other such provisions of the Scheme as may affect it any land which is included in the Conservation Zone shall be subject to the following conditions:

- a) The relevant guidelines contained within the Council Planning Guidelines for Nutrient Management dated May 1994 (as amended) shall apply to the use and development of land.
- b) A management plan for each Conservation Zone shall be drafted to Council's satisfaction by the landowner with input from other relevant organisations and the land owner's consultant where necessary.
- c) The management plan shall establish the limits for land use and criteria that any development will have to satisfy. The plan will form the basis for site management and future management decisions.
- d) The management plan shall, as appropriate, identify setbacks, buffer zones, and the required conservation management practices and other measures as deemed necessary to achieve a satisfactory standard of protection relative to the significance of conservation values present.

5.14.7 The implementation of a management plan by the land owner is a means of longer term protection for the site and will be accompanied by a reduced Council rating on the land.

The incentives for these conservation measures will be a reduction in the general rural rate which shall be set at 50% unless otherwise amended by Council.

5.15 AGRICULTURE PROTECTION ZONE

AMD 58 GG 29/9/98

5.15.1 The intent of the Agriculture Protection zone is to:

- a) protect existing and potential agricultural production areas from inappropriate subdivision and land use;
- b) identify land that should have a level of agricultural protection over and above that which is provided for in the Rural zone. Such land should include land identified as good quality in the Land Capability Assessment for Annual and Perennial Horticulture and Grazing mapping, prepared by Agriculture Western Australia; and
- c) acknowledge the policy provisions of the Shire of Serpentine-Jarrahdale Rural Strategy (April 1994 as amended) pertaining to the Agriculture Protection Policy Area.

- 5.15.2 The objectives for the Agriculture Protection Zone are: -
- a) to ensure that productive agricultural enterprises remain the primary land use and to maintain the integrity of agricultural infrastructure; and
 - b) to support and protect agricultural and horticultural industries through:
 - reduced pressure for fragmentation of land to other land uses;
 - resource security for agricultural enterprise;
 - maintenance of relative land values and rates levied.
- 5.15.3 Council will adopt proactive and co-operative approaches with landowners in this Zone to address environmental, catchment, and land degradation problems so that land and environmental values are maintained and rehabilitated.
- 5.15.4 Before including land within the Agriculture Protection Zone Council may require the owners of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.
- 5.15.5 A description of the land included in the Agriculture Protection Zone together with the uses permitted and any special provisions relating to the land are set out in appendix 4E. Such uses will generally be in accordance with the recommended landuses for the Agricultural Protection Policy Area of the Rural Strategy subject to land capability and suitability considerations.
- Land uses selected will be on the basis that they will not conflict with, or they will contribute to protecting the viability of the agricultural use.
- 5.15.6 In addition to the provisions contained in appendix 4E and other such provisions of the Scheme as may affect it any land which is included in the Agriculture Protection Zone shall be subject to the following conditions:
- a) Council will only support subdivision of land in the zone provided the lots are not less than 60 hectares in area, unless it can be established that the lot proposed is suitable for and can sustain horticultural pursuits.

Where it can be established through an evaluation of soil and landform, water supply, clearing controls, climate and servicing that the land is suitable for horticultural pursuits, Council may support a reduction in lot size to no less than 40 hectares.
 - b) The relevant guidelines contained within the Council's Planning Guidelines for Nutrient Management dated May 1994 (as amended) shall apply to the use and development of land.
- 5.15.7 The incentives for these agriculture protection measures will be a reduction in the general rural rate which shall be set at 50% unless otherwise amended by Council.

5.16 JARRAHDALE HERITAGE AND TOWNSCAPE POLICY PRECINCTS

AMD 89 GG 6/8/99; AMD 192 GG 30/05/17

The following provisions relate to the Jarrahdale Heritage and Townscape Precincts as designated in Appendix 8.

5.16.1 Primary Objective

Council's objective, recognising the Precincts' historic and townscape significance, is to ensure retention of the character of the Precincts as a whole and the buildings within the Precincts.

In order to achieve the above objective, development, which for the purposes of this clause includes the following:

- a) Demolition or removal of buildings
- b) Works which affect the external appearance of a building
- c) Construction of additions and outbuildings
- d) Erection of a fence or a wall
- e) Development of new buildings
- f) Significant landscaping

shall not be permitted unless written approval has been granted by Council. In considering an application for development, Council shall have regard to any development guidelines which it has adopted to assist in the retention of the established and recognisable character of the Heritage and Townscape Policy Precincts as depicted on the Appendix 8 Map.

5.16.2 Secondary Objectives

- a) To retain the historic timber town characteristics (1870-1910)
- b) To reserve, protect and enhance buildings, structures and physical features which have been identified as having cultural heritage significance in terms of aesthetic, historic, scientific or social factors
- c) To preserve the form and design of existing buildings and facades, and encourage restoration
- d) To provide control over signs and ancillary design features to ensure compatibility with the historic theme
- e) To generally follow the Jarrahdale Townscape Study 1991 (Hocking & Associates) recommendations when considering applications for tourism and related facilities

5.16.3 Development in the Heritage Precinct

- 5.16.3.1 Prior to considering an application for development, Council shall require the following: -
- a) Submission of completed application form (Clause 86 of the Deemed Provisions) together with any additional information required by Council. *AMD 192 GG 30/05/17*
 - b) A report on the age and architectural style of the building in order to establish its historical and architectural streetscape significance.
 - c) A schedule identifying the colours which it is proposed to paint the various external elements of the building.
 - d) Where it is proposed to demolish the whole or part of a building, the applicant must demonstrate that the subject building is not suitable for the proposed purpose and cannot be reasonably modified in order that it may be suitable.
 - e) Provision of detailed evidence as to the height, construction, materials, style and finishes of the original building, to clearly show that the building is being authentically replicated.
 - f) Where it is proposed to construct a modern building, the applicant shall provide documentary evidence that the building will be in harmony with the architecture of the area.
- 5.16.3.2 When considering an application for development. Council shall have regard to the following:
- a) Elements of townscape including the relationship between buildings along the street in terms of horizontal and vertical alignment; and
 - b) The need for restoration of the existing facade detailing or reinstatement of the original, if this has been allowed to deteriorate
 - c) Guidelines and Policies adopted by Council.
- 5.16.3.3 Council shall refuse an application to demolish a building, which it believes has architectural or historic merit for the street unless it can be shown to the Council's satisfaction that:-
- a) the building, due to structural deficiencies or other factors, may not in the opinion of the Council be reasonably restored;
 - b) the building has been so extensively modified, the Council is satisfied that it no longer has heritage significance; or
 - c) the Council is satisfied that the existing building is not, and cannot be modified to be, suitable for the intended use.
- 5.16.3.4 Council shall refuse an application to reproduce a historic building where the information or the details of the original building is in the opinion of the Council, insufficient to enable the building to be faithfully reproduced.

5.16.4 **Development in the Townscape Precinct**

When considering applications for development, Council shall take into account the following points in order to promote respect for the historic character of the cottages and townsite in the Heritage Precinct and shall have regard to those guidelines and policies adopted by Council:

- a) A building on a lot abutting the Heritage Precinct shall demonstrate architectural design detail which reflects the scale, style and spatial arrangements of existing buildings in the Heritage Precinct;
- b) Existing vegetation and natural land form feature should be retained to the fullest extent possible. Replanting of local native vegetation is to be encouraged;
- c) Use of earthy colours and materials of low reflective quality for walls and roofs is to be encouraged;
- d) Site disturbance should be minimised. Cut and fill should be discouraged;
- e) Utilisation of solar energy is to be encouraged. Improvements in thermal comfort and reduced cooling and heating costs can occur through careful orientation and siting of buildings achieved by design of windows, verandahs and material choice; and
- f) Fencing - shaped post and rail, with or without cyclone mesh wire, or timber pickets is recommended.

5.16.5 **Agreements**

That Council may: -

- a) Enter into agreements with the owners or occupiers of land in respect of a building or object for the purpose of ensuring its preservation or conservation; and
- b) Enter into agreements with the National Trust of Australia (Western Australia), Heritage Council of Western Australia, or any government department, authority or other body in Western Australia for the preservation or conservation of any place, building or object.

5.16.6 **Acquisition**

The Council may acquire land on which any place, building or object is situated, as in the opinion of the Council is necessary for its preservation.

5.17 **ENVIRONMENTAL CONDITIONS**

AMD 77 GG 19/11/99; AMD 192 GG 30/05/17

- 5.17.1 In accordance with Section 27 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (as amended), environmental conditions imposed by the Minister for the Environment on the Scheme or amendments to the Scheme and contained in Statements under Section 48F of the Environmental Protection Act, are incorporated into the Scheme by Appendix 11 of the Scheme. AMD 192 GG 30/05/17
- 5.17.2 Where appropriate, the environmental conditions are indicated on the Scheme Map by the symbol EC to indicate that environmental conditions apply to the land.
- 5.17.3 The Council shall maintain a register of all the statements published under Section 48F referred to in sub-clause 5.17.1 which shall be made available for public inspection at the offices of the Council.

5.18 URBAN DEVELOPMENT ZONE

AMD 69 GG 16/6/00; AMD 192 GG 30/05/17

The purpose of the Urban Development zone is to provide for the orderly planning of large areas of land in a locally integrated manner and within a regional context, whilst retaining flexibility to review planning with changing circumstances. The zone will allow for the following:

- (a) development of functional communities consistent with orderly and proper planning and the establishment and maintenance of an appropriate level of amenity;
- (b) variety in the range of lot sizes and dwelling types within communities, consistent with a cohesive and attractively built environment;
- (c) provision of retail, commercial, industrial and mixed use facilities to service the needs of residents within the communities, and integration of these facilities with social and recreational services, so as to maximise convenience;
- (d) provision of retail, commercial, business park and industrial facilities to provide local employment opportunities;
- (e) provision of open space and recreation networks, appropriate community services, school sites and other recreational facilities;
- (f) establishment of multiple use corridors for drainage, nutrient control and recreational purposes, in association with the development of communities based on the principles of water sensitive urban design;
- (g) optimisation of convenience in respect of rail, road, cycleway and other transportation means, to and within the communities;

The above components will be facilitated by means of:

- (a) establishment of Structure Plans to ensure that development takes place in conformity with those Plans;
- (b) establishment of a mechanism to coordinate the provision of infrastructure for subdivision and development to and within the communities;
- (c) establishment of an equitable method for the distribution, between owners within area, of the costs of nominated infrastructure components required for subdivision and development of the areas into communities; and
- (d) provision of administrative procedures to ensure the expedient and successful execution of the above matters.

5.19 STRUCTURE PLANS

AMD 69 GG 16/6/00; AMD 192 GG 30/05/17

5.19.1 No Development Before Structure Plan

AMD 192 GG 30/05/17

- 5.19.1.1 Except as provided in sub-clauses 5.19.2 and 5.19.3 hereof, no new development or use of land shall be commenced or carried out within the Urban Development zone until a Structure Plan has been approved for the relevant part of the zone.

AMD 192 GG 30/05/17

- 5.19.1.2 Development of a single house on a lot within the “Urban Development” zone prior to the approval of a Structure Plan is permitted subject to the Council being satisfied that such development will not have an adverse effect on: -
- a) the preparation of a Structure Plan for; or
 - b) the orderly and proper planning of
- the area intended for the preparation of a Structure Plan.
- 5.19.1.3 Council may approve the development or use for other than a single house within the Urban Development zone subject to Council being satisfied that the nature or scale of such development or use will not have an adverse effect on:
- a) the preparation of a Structure Plan for, or
 - b) the orderly and proper planning of, or
 - c) the health, amenity, safety or convenience of the future occupants of,
- the area intended for the preparation of a Structure Plan, and subject to the proposed development or use being advertised for public inspection in accordance with Clause 64 of the Deemed Provisions.

AMD 192 GG 30/05/17

5.20 RURAL GROUNDWATER PROTECTION ZONE

AMD 92 GG 10/3/06; AMD 167 GG 5/11/13

- 5.20.1 The use and development of land within the Rural Groundwater Protection Zone shall be in accordance with the provisions of the Scheme and Statement of Planning Policy No. 2.3 (Jandakot Groundwater Protection Policy).
- 5.1202 Land use permissibility within the Rural Groundwater Protection Zone shall be in accordance with the following use permissibilities. All other uses are prohibited within the Zone.

Animal Husbandry	AA
Aquaculture	AA
Caretaker's Dwelling	AA
Dwelling	AA
Equestrian Activity	SA
Floriculture (Extensive)	AA
Fodder and Pasture	AA
Hobby Farm	AA
Home Business	AA
Home Occupation	AA
Industry Extractive	SA
Orcharding	AA
Poultry Farm (Housed)	SA
Private Tree Plantation	AA
Radio, TV and Communication Installation	AA
Public Utility	AA
Recreation Public	AA
Stable	AA
Stall-wayside	AA
Viticulture	AA

- 5.20.3 In exercising its discretion in respect of the uses specified under clause 5.20.2, and having regard to the provisions of Statement of Planning Policy No. 2.3, the Council shall only permit such uses where it is satisfied that the use does not involve excessive nutrient application or clearing of land, or risk of damage to any on site vegetation or risk of contamination to the Jandakot Groundwater Protection area.

5.20 RURAL RESIDENTIAL

AMD 171 GG 3/9/13

- 5.20.1 The purpose and intent of the Rural Residential zone is to provide for lot sizes ranging from 2,000m² to 1ha, primarily facilitating rural living rather than productive agriculture. The zone will facilitate vegetation retention and act as a buffer or transition between rural or reserve areas and urban development as and where appropriate.
- 5.20.2 Unless otherwise approved by the Shire, an approved local structure plan will be required to guide the subdivision and development of land zoned Rural Residential, prior to the Shire providing support for a subdivision application or approving development.

5.21 NEIGHBOURHOOD CENTRE

AMD 171 GG 3/9/13

- 5.21.1 The purpose and intent of the Neighbourhood Centre zone is to provide for daily and weekly household shopping needs, community facilities and a small range of other convenience services for the surrounding neighbourhood. Typical land uses will include smaller format supermarkets, personal services, convenience shops, local professional services and medium density housing.
- 5.21.2 Unless otherwise approved by the Shire, an approved detailed area plan will be required to guide the subdivision and development of land zoned Neighbourhood Centre, prior to the Shire providing support for a subdivision application or approving development.

5.22 TOWN CENTRE

AMD 171 GG 3/9/13

- 5.22.1 The purpose and intent of the Town Centre zone is to have a greater focus on servicing the daily and weekly needs of residents of a broader district, as well as providing services, facilities and employment opportunities for the district. Typical land uses will include discount department stores, supermarkets, other convenience shops, small scale comparison shopping, personal services, specialty shops, district level office development, local professional services, community services and facilities, and medium to high density housing.
- 5.22.2 Unless otherwise approved by the Shire, an approved activity centre structure plan will be required to guide the subdivision and development of land zoned Town Centre, prior to the Shire providing support for a subdivision application or approving development.

5.23 HIGHWAY COMMERCIAL

AMD 171 GG 3/9/13

- 5.23.1 The purpose and intent of the Highway Commercial zone is to provide for a range of commercial development, including particularly bulk retailing and open air display, showrooms, bulky goods, offices, medical centres and consulting rooms which may not be suitable for an activity centre but be suitable for a highway frontage location.
- 5.23.2 Unless otherwise approved by the Shire, an approved detailed area plan will be required to guide the subdivision and development of land zoned Highway Commercial, prior to the Shire providing support for a subdivision application or approving development.

5.24 MIXED BUSINESS

AMD 171 GG 3/9/13

- 5.24.1 The purpose and intent for the Mixed Business zone is to provide for a range of light and service industrial, wholesaling, showrooms, trade and professional services which, by reason of their scale, character and operational land requirements, are not generally appropriate to, or cannot conveniently or economically be accommodated within centre zones or industrial zones. This zone only applies in specialist locations where this type of development is either existing or strategically justifiable.
- 5.24.2 Unless otherwise approved by the Shire, an approved detailed area plan will be required to guide the subdivision and development of land zoned Mixed Business, prior to the Shire providing support for a subdivision application or approving development.

5.25 MIXED USE

AMD 171 GG 3/9/13

- 5.25.1 The purpose and intent of the Mixed Use zone is to provide for a variety of commercial and residential land uses in a complimentary and co-located manner, often in a mixed-use format. Development in the zone may provide a transition between intense activity centre development and surrounding residential areas, or for the purposes of minor local commercial development sites in residential areas. Residential development should allow for future conversion into mixed use development.
- 5.25.2 Unless otherwise approved by the Shire, an approved activity centre structure plan or detailed area plan will be required to guide the subdivision and development of land zoned Mixed Use, prior to the Shire providing support for a subdivision application or approving development.

TABLE II - SITE REQUIREMENTS

Selected Uses in the Residential Zone

USE	MINIMUM EFFECTIVE FRONTAGE	MINIMUM SETBACK			MAXIMUM PLOT RATIO	MAXIMUM SITE COVERAGE	LANDSCAPING
		Front	Side	Rear			
Child Minding Centre	20	7.5	3	7.5	0.5:1	0.3	50% of site
Consulting Rooms	20	7.5	3	7.5	0.5:1	0.5	40% of site
Educational Establishment	30	9.0	9	7.5	0.5:1	0.3	50% of site
Infant Health Centre	20	7.5	3	7.5	0.5:1	0.3	40% of site
Residential: Single House Attached House Grouped Dwelling	As per Residential Planning Codes and Clause 5.4						
All Other Uses	20	7.5	3	7.5	0.5:1	0.3	50% of site

TABLE III - SITE REQUIREMENTS

Selected Uses in the Commercial Zone

USE	MINIMUM EFFECTIVE FRONTAGE	MINIMUM SETBACK			MAXIMUM PLOT RATIO	MAXIMUM SITE COVERAGE	LANDSCAPING
		Front	Side	Rear			
Fast Food Takeaway	20	9	*	6	0.5:1	0.5	10% of site
Health Studio	20	9	*	6	0.5:1	0.5	10% of site
Office	10	9	*	6	1:1	0.6	10% of site
Public Amusement	20	9	*	6	0.5:1	0.5	10% of site
Restaurant	10	9	*	6	0.5:1	0.5	10% of site
Shop	10	9	*	6	0.5:1	0.5	10% of site
Shopping Centre	60	20	*	10	0.5:1	0.5	10% of site
Showroom	10	9	*	6	0.5:1	0.5	10% of site
All Other Uses	10	9	*	6	0.5:1	0.5	10% of site

* For masonry parapet wall - nil; for metal or timber framed construction - 2.1 metres or the height of the wall whichever is the greater. In any case rear access for servicing shall be provided.

TABLE IV - SITE REQUIREMENTS

Selected Uses in the Showroom, Warehouse, Light Industry and General Industry Zones

USE	MINIMUM EFFECTIVE FRONTAGE	MINIMUM SETBACK			MAXIMUM PLOT RATIO	LANDSCAPING
		Front	Side	Rear		
Showroom	20	9	*	*		#
Warehouse	20	9	*	*		#
Light Industrial	20	9	*	*		#
General Industrial	30	9	6	6	0.6:1	#
All Other Uses	20	9	*	6		#

* For a masonry parapet wall - nil; for metal or timber framed construction - 2.1 metres or the height of the wall whichever is greater.

As Determined by the Council.

PART VI - PLANNING CONSENT

6.1 UNAUTHORISED EXISTING DEVELOPMENT

AMD 114 GG 1/6/01; AMD 192 GG 30/05/17

- 6.1.1 The Council may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, providing the development conforms to the provisions of the Scheme.
- 6.1.2 Development which was unlawfully commenced shall not be rendered lawful by the occurrence of any subsequent event except the granting of planning approval and the continuation of the development unlawfully commenced shall be deemed to be lawful development upon the granting of planning approval.

PART VII - GENERAL PROVISIONS

7.1 GENERAL APPEARANCE OF BUILDINGS AND PRESERVATION OF AMENITY

No person shall without the approval of the Council erect or commence to erect a building which by virtue of its colour or type of materials, architectural style, height, bulk or ornamental or general appearance has, in the opinion of Council, an exterior design which is out of harmony with exterior designs of existing buildings or is likely to injure the amenity of the locality.

7.2 NUISANCE

7.2.1 No lot, building or appliance shall be used in such a manner as to permit the escape therefrom of smoke, dust, fumes, odour, noise, vibration, or waste products in such quantity or extent or in such a manner as to create or to be a nuisance to any inhabitant of the neighbourhood of such land or to traffic or persons using roads in the vicinity.

7.2.2 Any owner or occupier of land shall be responsible for appropriate measures to prevent dust pollution and soil erosion to the satisfaction of the Council.

7.2.3 Where in the opinion of the Council a use or activity is likely to contribute or is contributing to dust pollution or soil erosion, notice may be served on the occupier requiring the appropriate remedial action.

7.2.4 An owner or occupier of land who has received notice in accordance with clause 7.2.3 and has not caused the remedial action to be taken within 30 days is guilty of an offence and is liable to penalties prescribed by the Act.

7.3 SETBACKS FROM ROADS TO BE WIDENED

Any development proposed on a lot with frontage to a road which is proposed to be widened shall be set back from the proposed alignment of the road as if the widening had already taken place.

7.4 TWO STREET FRONTAGES

Subject to the provisions of Clause 7.6, the Council may in cases where a lot has two street frontages, determine which street is the major frontage and the other frontage shall be as for a side setback for the development as required by this Scheme.

7.5 VEHICULAR ACCESS WAYS

7.5.1 In the interest of vehicular safety the Council may refuse to permit more than the one vehicular entrance or exit from any lot or may require separate entrances and exits.

7.5.2 All access ways, other than in the Residential Zone shall be constructed so that all vehicles are able to enter and leave a lot in forward gear.

7.5.3 Access ways shall be constructed and paved to the satisfaction of Council.

7.6 TRUNCATION OF CORNER LOTS

Notwithstanding any policy adopted by the Commission dealing with ceding of site truncations from corner lots, except with the approval of Council, no building nor any wall or fence or other obstruction shall be constructed on a corner lot within a 6 metre truncation of the corner as depicted in Appendix 10.

7.7 OFF STREET PARKING

- 7.7.1 Table 5 contains a list of carparking requirements for particular uses.
- 7.7.2 Land and buildings shall not be used or developed:
- a) for any purpose mentioned in Table 5 unless off street parking is provided in accordance with the requirements in that table;
 - b) for any purpose not mentioned in Table 5 unless off street parking as determined by the Council is provided.
- 7.7.3 All parking areas shall be:
- a) laid out and designed in accordance with the specifications set out in Appendix 11 and Appendix 12; and
 - b) paved and marked to the satisfaction of the Council.
- 7.7.4 Boundary landscaping shall be provided for open parking areas visible from any public street and with more than five parking spaces, and interior landscaping shall be provided for open parking areas with twenty-one or more parking spaces.
- 7.7.5 Landscaping in open parking areas shall comply with the following requirements:
- a) for areas with twenty-one or more parking spaces, a minimum of one square metre of landscaping for every ten square metres of parking stall area shall be provided in addition to any other landscaping required by this Scheme;
 - b) landscape strips in accordance with Clause 7.10.2 shall be provided between parking areas and adjoining streets and adjacent to other boundaries if required by the Council.

7.8 JOINT USE OF PARKING FACILITIES

In the case of land uses operating at different times the Council may permit land uses to share parking facilities provided:

- (a) the Council is satisfied that no conflict will occur in the operation of land uses for which the joint use of parking facilities is proposed; and
- (b) land owners requesting sharing of parking facilities enter into a legal agreement with each other land owner for reciprocal rights to parking facilities.

TABLE V - PARKING REQUIREMENTS

LAND USES	MINIMUM NO PARKING SPACES
Automotive and Marine Sales	1 space per 500 square metres site area
Automotive Vehicle Wash	2 spaces per wash stall
Automotive Wreckers	1 space per 500 square metres site area
Caravan Park	1 space per caravan site plus 1 space per employee with 1 space per 20 caravan sites for visitors
Child Minding Centre	1 space per 5 children accommodated
Club Premises	1 space per 4 persons accommodated
Consulting Rooms	6 spaces for 1 practitioner plus 4 spaces for each additional practitioner
Dry Cleaning Premises	1 space per 25 square metres gross leasable area
Education Establishment:	
Primary School	1.25 spaces per classroom
Secondary School	2 spaces per classroom
Fast Food Takeaway	2 space per 10 square metres gross leasable area
Garden Centre	1 space per 50 square metres of display area including areas used exclusively for storage and preparation of plants
Health Studio	1 space per 15 square metres floor area available for the public
Hotel	1 space per bedroom plus 1 space per 2 square metres Bar and Lounge area
Industry:	
Service	1 space per 50 square metres gross leasable area
Light	1 space per 50 square metres gross leasable area
General	1 space per employee or staff member
Rural	1 space per employee, except where industry is wholly a family concern
Infant Health Centre	1 space per staff member plus 1.25 spaces for every child capable of receiving treatment at any one time
Institutional Building	1 space per 5 inmates accommodated
Motel	1 space per unit plus 1 space per 10 square metres dining room area
Office	1 space per 40 square metres gross leasable area with a minimum of 2 spaces for each office unit
Place of Public Worship	1 space per 4 persons accommodated
Public Amusement	2 spaces per 40 square metres gross leasable area
Residential:	
Single	
Group	
Attached	As per R Codes
Restaurant	1 space per 4 persons accommodated
Shop	1 space per 15 square metres gross leasable area
Shopping Centre	1 space per 12.5 square metres gross leasable area
Showroom	1 space per 60 square metres gross leasable area
Service Station	1.5 spaces per service bay plus 1 space per employee
Tavern	1 space per 2 square metres Bar and Lounge area
Veterinary Establishment	6 spaces per practitioner
Warehouse	1 space per 100 square metres gross leasable area

7.9 CASH PAYMENT IN LIEU OF PROVIDING A PARKING AREA

The Council may accept a cash payment in lieu of the provision of a parking area provided:

- (a) the cash payment is not less than the estimated cost to the owner of providing and constructing the parking area required by the Scheme plus the value, as estimated by the Council, of that area of his land which would have been occupied by the parking area;
- (b) before the Council agrees to accept a cash payment, the Council must either have already provided a public car park nearby, or must have firm proposals for providing a public car park nearby within a period of not more than eighteen months from the time of agreeing to accept the cash payment; and,
- (c) any such payment shall be paid into a special fund to be used to provide public car parks and the Council may use this fund to provide public car parks anywhere in its district.

7.10 LANDSCAPING

7.10.1 Unless otherwise approved by the Council landscaping shall be provided for all developments and shall be:

- a) in accordance with the Site Requirements Table where appropriate;
- b) in accordance with a landscape plan approved by the Council; and
- c) completed within thirty days of the occupation and use of the site.

7.10.2 Landscaping in car parking areas shall comply with the following requirements:

- a) planting shall be selected and maintained so as to minimise foliage between 0.5 metres and 1.5 metres above ground level;
- b) the minimum width of landscaped areas shall be 1.5 metres and 2.0 metres when the landscaped area adjoins a street boundary;
- c) all landscaping strips shall provide at least one pedestrian crossing point for every continuous ten metres of length.

7.11 USE OF SET BACKS

The setback areas shall only be used for one or more of the following:

- (a) a means of access;
- (b) landscaping;
- (c) firebreaks;
- (d) trade display provided no more than ten percent of the area is used, and the display is not located within three metres of the street;
- (e) the loading and unloading of goods; and
- (f) the parking of vehicles for staff, clients or customers of the development.

7.12 TREE PRESERVATION AND PLANTING

AMD 61 GG 20/6/97; AMD 135 GG 21/10/05; AMD 192 GG 30/05/17

7.12.1 Definitions

For the purpose of this clause:

“damage” in relation to a tree includes lopping, topping, ringbarking or other significant removal of bark, poisoning by any means, burning, exposure of the roots, or deprivation of natural moisture or nutrient;

“naturally growing” means indigenous to the district or any part of the district;

“Tree” includes a shrub or other perennial plant of any indigenous species;

“Watercourse” means a stream of water, a river or brook, and does include water flowing in an artificial channel.

7.12.2 Objectives

The objectives of the tree preservation and planting provisions are:

- a) to preserve the landscape attributes within the District and to protect significant and sensitive areas from the negative effects of clearing of the naturally growing vegetation;
- b) to enhance the amenity, convenience and natural beauty of various parts of the District by facilitating:
 - (i) reduction in soil salinity;
 - (ii) prevention of erosion;
 - (iii) provision of habitats for native fauna;
 - (iv) provision for aesthetic pleasure; and
 - (v) retention of the landscape quality.
- c) to encourage or require planting or replanting of areas considered by the Council to deficient in tree cover;
- d) where appropriate to provide for visual screening of buildings or other development;
- e) with a view to achieving the preceding objectives, to control the removal or destruction of or damage to trees.

7.12.3 Prescribed Requirements for Tree Preservation

- a) No person shall remove, destroy or damage any tree or cause or suffer to permit the removal or destruction of or damage to any tree within the District having at least one well defined stem or trunk of a height greater than 4 metres or diameter greater than 150mm measured at a height of 1.2 metres above the natural ground level, except with the prior planning consent of the Council given on an application under sub-clause 86(1) of the Deemed Provisions, or unless the tree is exempted pursuant to subclause 7.12.4. *AMD 192 GG 30/05/17*

- b) The Council may declare an area of land to be a tree preservation area if in the opinion of the Council: -
 - (i) the area by reason of its trees; or
 - (ii) a group of trees in the area; or
 - (iii) any particular tree or trees in the area -

has or have historical or cultural heritage significance or other scientific interest.
- c) Without affecting the generality of the control contained in paragraph (1) of this sub-clause, no tree or other natural growing vegetation shall be removed, destroyed or damaged except with the prior planning consent of the Council given on an application under sub-clause 86(1) of the Deemed Provisions.
AMD 192 GG 30/05/17
- d) Notwithstanding the generality of paragraphs (1) and (3) of this sub-clause, the Council may additionally, by notice in writing served upon the owner of the land, require the preservation of a particular tree or species of tree or group of trees, and thereafter the owner shall not remove, destroy or damage, or permit any person to remove, destroy or damage the tree, species of tree or group of trees the subject of the notice unless or until the Council rescinds or withdraws the notice.
- e) An owner of land upon whom a notice referred to in the preceding paragraph is served may request the Council in writing to rescind or withdraw the notice. If the Council fails to make a determination on the request for rescission or withdrawal of a notice within sixty (60) days of the Council receipt of the same, the request shall be deemed to be refused in the same way as if the request was an application for planning consent under this Scheme.

7.12.4 Exemptions from Tree Preservation

Notwithstanding the provisions of subclause 7.12.3, the Council's planning consent is not required for the removal, destruction or damaging of trees or naturally growing vegetation in the following cases:

- a) any tree or other vegetation which is not naturally growing and has a height of less than 4 metres and/or trunk diameter less than 150mm measured at a height of 1.2 metres above natural ground level;
- b) any tree which constitutes an immediate threat to life or property, the proof of which threat lies upon the person who removes, destroys, or damages the tree;
- c) any tree within:
 - (i) three metres of any buildings;
 - (ii) a building envelope defined or accepted by the Council;
 - (iii) the perimeter line of a proposed building for which a building licence has been issued;
 - (iv) a firebreak required by a Regulation or By-law;
 - (v) a one metre wide corridor for the purpose of erecting and maintaining a fence;
 - (vi) the area required for the construction of an effluent disposal system approved by Council; and
 - (vii) a vehicle accessory to a property.

- d) any tree having branches directly overhanging the roof of any building, but in that case the exemption applies only to the lopping of an overhanging branch;
- e) any tree within 2 metres of a sewer, water-main, effluent disposal system, stormwater or power network, where the tree has caused damage or blockage to the installation or equipment in question, proof of which damage lies upon the person removing, destroying or damaging the tree;
- f) trees grown for commercial purposes;
- g) where the removal, cutting down, destruction or damaging of the trees or naturally growing vegetation must necessarily be carried out to comply with conditions of subdivision approval; and
- h) where the removal, destruction or damaging of the trees or naturally growing vegetation is unavoidable in the lawful undertaking of a public work by a public authority referred to in *S.6 of the Planning and Development Act 2005 (as amended)*. AMD 192 GG 30/05/17

7.12.5 Application Procedures

An application involving a proposal for removal, destruction or damaging any tree should incorporate a statement indicating the reason for the proposed removal, destruction or damage, a general description of the tree or trees involved, and should show on a plan the location of the tree or trees involved.

7.12.6 Criteria for Assessing Application for Tree Removal or Damage

In considering and making a determination on any application for or involving the removal, destruction or damage of any tree or group of trees, Council should take into consideration and may (without limiting the generality of the Council's power) impose conditions relating to the following:

- a) that there should be a minimum disturbance to the landscape characteristics of the locality;
- b) generally that a realistic need should be demonstrated for the removal of any tree or trees for the purpose of facilitating appropriate development or agricultural use of the land.
- c) the intrinsic value of the tree or trees in terms of physical state, rarity and variety, and particularly whether or not the tree is naturally growing;
- d) reflecting upon the adequacy of the information supplied as to the general description of the tree or trees and the character of the locality;
- e) giving effect to any proposals made for replacement of trees removed, for planting or replanting generally, and any comprehensive proposal for landscaping;
- f) preservation of the existing and future amenity of the adjoining land and the natural environment of the locality;
- g) minimising the effect of removing trees and naturally growing vegetation on the environment and in particular erosion and salination effects.

7.12.7 Tree Planting

Where the Council considers that a lot is deficient in tree cover, it may require as a condition on planning consent, and in the case of a single dwelling in respect of which no planning consent is required, as a condition of the issue of a building licence, that trees up to a maximum of 50 native trees per hectare be planted and maintained on the land the subject of the development or building licence application.

7.12.8 Special Rural and Special Residential Land

Where any provision is made in this Scheme for tree preservation or planting in relation to any special Rural, Rural Living A, Rural Living B, Farmlet, Conservation or Special Residential zone or subdivision, in the case of any inconsistency, the provisions relating to the Special Rural or Special Rural Residential zone or subdivision shall prevail over the provisions of this clause.

7.12.9 Application of this Clause

This clause applies only to land falling within one (1) of the zones referred to in clause 3.1.

7.13 PLACES OF NATURAL BEAUTY, HISTORIC BUILDINGS, AND OBJECTS OF HISTORICAL OR SCIENTIFIC INTEREST

AMD 192 GG 30/05/17

7.13.1 The places described in Appendix 7 are considered by the Council to be of historic, architectural, scientific, scenic or other value and should be retained in their present state or restored.

7.13.2 A person shall not without the approval of Council at or on a place described in Appendix 7 carry out any development including, but without limiting the generality of the foregoing:

- a) the erection, demolition or alteration of any building or structure (not including farm fencing, wells, bore or troughs and minor drainage works ancillary to the general rural pursuits in the locality);
- b) clearing of land or removal of trees; or
- c) the erection of advertising signs.

7.13.3 Public notice of any application for planning consent referred to in Clause 7.12.2 shall be given in accordance with the provisions of Clause 64(3) and 66 of the Deemed Provisions.

AMD 192 GG 30/05/17

7.13.4 The Council may from time to time prepare and adopt policies or codes with reference to any one or more of the places described in Appendix 7.

7.13.5 The Council may give its consent to development at or on a place described in Appendix 7, if the development:

- a) complies with the land use requirements of the zone in which the development is proposed; and
- b) complies with the requirements of any policy or code in respect of the place in question.

7.13.6 The Council may give its approval to the restoration of an Historic Building described in Appendix 7 notwithstanding that the work involved does not comply with the Uniform Building Bylaws or with the provisions of the Zoning Table for the zone or area in which the Historic Building is located.

- 7.13.7 Having regard to the desirability of preserving and retaining a building, object or place involved in an application to develop land described in Appendix 7 the Council may effect the retention of the building, object or place by the purchase resumption of the affected property or payment of an agreed sum in compensation to the owner and may enter into an agreement with the owner for that purpose.

7.14 ADVISORY PANEL

AMD 61 GG 20/6/97; AMD 192 GG 30/05/17

- 7.14.1 The Council may from time to time appoint an advisory panel consisting of a Councillor and two other persons not including Councillors or staff who in the opinion of the Council have the appropriate qualifications or experience and refer to it any matter concerning a place described in Appendix 7.
- 7.14.2 The Council may from time to time revoke the appointment of any member of any advisory panel, and appoint another person in place of the person whose appointment has been revoked or who resigns or is unable to act.
- 7.14.3 A person shall not act as a member of an advisory panel if he has a direct or indirect pecuniary interest in the matter before it.
- 7.14.4 The Council is not bound by the recommendation of an advisory panel, but if it does not accept the recommendation it should give reasons for its action.

PART VIII – ADMINISTRATION

AMD 192 GG 30/05/17

8.1 OFFENCES

- 8.1.1 A person shall not erect, alter or add to or commence to erect, alter or add to a building or use or change the use of any land, building or part of a building for any purpose:
- a) otherwise than in accordance with the provisions of the Scheme;
 - b) unless all consents required by the Scheme have been granted and issued;
 - c) unless all conditions imposed upon the grant and issue of any consent required by the Scheme have been and continue to be complied with; and
 - d) unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council pursuant to the Scheme with respect to that building or that use of that land or building or that part have been and continue to be complied with.
- 8.1.2 A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.

8.2 NOTICES

AMD 192 GG 30/05/17

- 8.2.1 Twenty-eight days written notice is hereby prescribed as the notice to be given pursuant to Section 214 of the *Planning and Development Act 2005*.
- 8.2.2 The Council may recover expenses under Section 214 of the *Planning and Development Act 2005* in a Court of competent jurisdiction.

8.3 CLAIMS FOR COMPENSATION

AMD 192 GG 30/05/17

Except where otherwise provided in the Scheme, the time limit for the making of claims for compensation pursuant to Section 178 of the *Planning and Development Act 2005* is six months after the date of publication of the Scheme in the Government Gazette.

8.4 ARBITRATION

AMD 69 GG 16/6/00; AMD 192 GG 30/05/17

Where, for any purpose under the Scheme, land is required to be valued and there is a dispute or difference between the Council and an Owner regarding that value, the dispute or difference shall be resolved as follows:

- (a) by arbitration in accordance with the *Commercial Arbitration Act 2012*; or
- (b) by some other method agreed upon by the Council and the Owner; and
- (c) in any case mediation may be attempted without prejudice to the use of any other method of determination,

and the value shall be determined:

- (d) as at the date of acquisition of the land by the Council or the date of election to purchase or acquire if that occurs earlier, unless the Scheme stipulates some other date as the date of valuation; and
- (e) without regard to any increase or decrease in value attributable wholly or in part to the Scheme.

PART IX - SPECIAL CONTROL AREAS

AMD 116 GG 11/4/03

9.1 OPERATION OF SPECIAL CONTROL AREAS

AMD 167 GG 5/11/13

9.1.1 The following special Control Areas are shown on the Scheme Maps:

- a) Poultry Farm Special Control Area;
- b) development contribution areas shown on the scheme map as DCA with a number and included in Appendix 16.

9.1.2 In respect of a special control area shown on the Scheme Map, the provisions applying to the special control area apply in addition to the provisions of the underlying zone or reserve and any general provisions of the Scheme.

9.2 POULTRY FARM SPECIAL CONTROL AREA

Poultry Development Special Control Area	The Poultry Farm Special Control Area is delineated on the Scheme Map as PF.
Purpose	<p>The general objectives of the Poultry Farm Special Control Area are:</p> <ol style="list-style-type: none"> 1. To implement the Commission's Statement of Planning Policy No. 5 Poultry Farms Policy. 2. To implement Council's 2000 Rural Strategy Review, Poultry Policy Overlay, being Council's response to Statement of Planning Policy No.5. 3. To provide Council with a policy framework acceptable to the broader community that will allow the poultry industry to relocate to within the Shire in an environmentally suitable manner. <p>The specific objectives of the Poultry Farm Special Control Area are:</p> <ol style="list-style-type: none"> 1. To ensure that new poultry farms are established in locations suitable to their operational requirements. 2. To minimise the impact of poultry farms on residential, rural-residential and other potentially incompatible uses. 3. To protect the interests of existing poultry farms in the face of encroaching development.
Application requirements	<p>Planning consent is required to develop or expand a poultry farm.</p> <p>Development applications for new poultry farms and expansion of existing poultry farms shall be accompanied by the following information:</p> <ol style="list-style-type: none"> 1. Site plan showing the location and extent of the site, the location and size of all existing and proposed buildings, a contour plan showing any significant drainage features. 2. Profile and materials of construction for all buildings.

Application requirements (Cont'd)	<ol style="list-style-type: none"> 3. Development in the vicinity of the site and, where the proposed development is within 300 metres of existing/proposed rural-residential development and 500 metres of existing/proposed residential development, an assessment of the likely environmental impacts (odour, noise, dust, traffic movement and visual impact) of the proposed development, and how the impacts are to be managed. 4. Separation from existing or proposed residential, rural-residential and other incompatible development and zones. 5. Vehicular access to the site and circulation within the site, including details of the preferred truck routes using Kargotich, Lowlands, Rapids (north of Karnup), Hopelands and Karnup Roads. 6. A description of the type of farm operation including the maximum number of birds, effluent and drainage management and disposal methods, types of machinery and whether regular sales to the public will be made. 7. Hours of operation and information on whether any night-time activities will be carried out. 8. Proposed landscaping and screening including significant vegetation to be retained. 9. A description of the soil conditions relative to their capability and suitability to sustain the proposed development. 10. A description of the existing uses on the site and their relationship with the proposed development.
Determination of Applications	<p>Notwithstanding Table 1 - Zoning Table, an application for a new poultry farm or expansion of an existing poultry farm within the Poultry Farm Special Control Area will be determined by Council as a "P" use under the provisions of the Scheme, provided the application satisfies the following requirements. All other applications will be determined as "AA" use under the provisions of the Scheme.</p> <ol style="list-style-type: none"> 1. Controlled environment sheds or other (more superior) best practice controlled environmental technology, will be used to house the poultry. 2. There will be an internal loop road to allow articulated vehicles and truck and dog configurations to enter and leave the site, and service the facility, in a forward direction. 3. Landscaping and screening of the poultry sheds and surrounds accords with the "Standards for Revegetation on New Poultry Farms". 4. All litter material and dead birds will be disposed of off the site and in accordance with best practice.

Determination of Applications (Cont'd)	<ol style="list-style-type: none"> 5. A sign/s is placed on the site in a visible location to the satisfaction of the Council indicating the type of operation, hours of operation and possibility of undesirable environmental impacts on the surrounding areas as specified in schedules 1 and 2 of the Commission's Statement of Planning Policy No. 5 Poultry Farms Policy. 6. In respect of New Poultry Farms the sheds are at least: <ul style="list-style-type: none"> ▪ 500 metres from any existing or future residential zone; ▪ 300 metres from any existing or future rural-residential zone; ▪ 200 metres from any wetland subject to Water and Rivers Commission advice; ▪ 100 metres from the Boundary of the Poultry Farm. 7. In respect of the expansion of Existing Poultry Farms the new shed(s) shall be no closer than 100 metres from the poultry farm boundary (unless the nearby land does not contain an existing or proposed use sensitive to poultry farm operations in which case a lesser setback distance may be supported). In cases where there is an existing shed located closer than 100 metres from a poultry farm boundary a new shed shall be no closer than the existing shed from that particular boundary. 8. All the application requirements have been provided and the Council is satisfied with the establishment, operations and management and the impacts of the proposed development on the local environs.
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9.3 DEVELOPMENT CONTRIBUTION AREAS

AMD 167 GG 5/11/13; AMD 192 GG 30/05/17

9.3.1 Interpretation

In clause 9.3, unless the context otherwise requires -

'Administrative costs' means such costs as are reasonably incurred for the preparation and (with respect to standard infrastructure items) implementation of the development contribution plan.

'Administrative items' means the administrative matters required to be carried out by or on behalf of the local government in order to prepare and (with respect to standard infrastructure items) implement the development contribution plan, including legal, accounting, planning, engineering, and other professional advice.

'Cost apportionment schedule' means a schedule prepared and distributed in accordance with clause 9.3.10.

'Cost contribution' means the contribution to the cost of infrastructure and administrative costs.

'Development contribution area' means an area shown on the scheme map as DCA with a number and included in Appendix 10.

'Development contribution plan' means a development contribution plan prepared in accordance with the provisions of State Planning Policy 3.6 Development Contributions for Infrastructure and the provisions of this clause 10 of the scheme (as incorporated in Appendix 10 to this scheme).

‘Development contribution plan report’ means a report prepared and distributed in accordance with clause 9.3.10.

‘Infrastructure’ means the standard infrastructure items (services and facilities set out in appendix 1 of State Planning Policy 3.6 Development Contributions for Infrastructure) and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of this policy.

‘Infrastructure costs’ means such costs as are reasonably incurred for the acquisition and construction of infrastructure.

‘Local government’ means the local government or local governments in which the development contribution area is located or through which the services and facilities are provided.

‘Owner’ means an owner of land that is located within a development contribution area.

9.3.2 Purpose

The purpose of having development contribution areas is to —

- a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;
- b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and
- c) coordinate the timely provision of Infrastructure.

9.3.3 Development contribution plan required

A development contribution plan is required to be prepared for each development contribution area.

9.3.4 Development contribution plan part of scheme

The development contribution plan is incorporated in Appendix 10 as part of this scheme.

9.3.5 Subdivision, strata subdivision and development

9.3.5.1 The local government shall not withhold its support for subdivision, strata subdivision or refuse to approve a development solely for the reason that a development contribution plan is not in effect, there is no approval to advertise a development contribution plan, or that there is no other arrangement with respect to an owner’s contribution towards the provision of community infrastructure.

9.3.5.2 Where a development contribution plan is required but not yet in effect, the local government may recommend conditions of subdivision or strata subdivision approval or impose conditions of development approval requiring the owner to make other interim arrangements, satisfactory to the local government, with respect to the owner’s contribution toward the provision of infrastructure, land and administrative items and costs in a development contribution area.

9.3.6 Guiding principles for development contribution plans

The development contribution plan for any development contribution area is to be prepared in accordance with the following principles—

a) Need and the nexus

The need for the infrastructure included in the plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

b) Transparency

Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.

c) Equity

Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.

d) Certainty

All development contributions should be clearly identified and methods of accounting for cost adjustments determined at the commencement of a development.

e) Efficiency

Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs.

f) Consistency

Development contributions should be applied uniformly across a development contribution area and the methodology for applying contributions should be consistent.

g) Right of consultation and review

Owners have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the calculation of the costs of the contributions is not reasonable.

h) Accountable

There must be accountability in the manner in which development contributions are determined and expended.

9.3.7 Recommended content of development contribution plans

9.3.7.1 The development contribution plan is to specify —

- a) the development contribution area to which the development contribution plan applies;
- b) the infrastructure and administrative items to be funded through the development contribution plan;

- c) the method of determining the cost contribution of each owner; and
- d) the priority and timing for the provision of infrastructure.

9.3.8 Period of development contribution plan

A development contribution plan shall specify the period during which it is to operate.

9.3.9 Land excluded

In calculating both the area of an owner's land and the total area of land in a development contribution area, the area of land provided in that development contribution area for —

- a) roads designated under the Metropolitan Region Scheme as primary regional roads and other regional roads;
- b) existing public open space;
- c) existing government primary and secondary schools; and
- d) such other land as is set out in the development contribution plan,

is to be excluded.

9.3.10 Development contribution plan report and cost apportionment schedule

9.3.10.1 Within 90 days of the development contribution plan coming into effect, the local government is to adopt and make available a development contribution plan report and cost apportionment schedule to all owners in the development contribution area.

9.3.10.2 The development contribution plan report and the cost apportionment schedule shall set out in detail the calculation of the cost contribution for each owner in the development contribution area, based on the methodology provided in the development contribution plan, and shall take into account any proposed staging of the development.

9.3.10.3 The development contribution plan report and the cost apportionment schedule do not form part of the scheme, but once adopted by the local government they are subject to review as provided under clause 9.3.11.

9.3.11 Cost contributions based on estimates

9.3.11.1 The determination of Infrastructure costs and administrative costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government and adjusted accordingly, if necessary.

9.3.11.2 Where a cost apportionment schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the local government —

- a) in the case of land to be acquired, in accordance with clause 9.3.12; and
- b) in all other cases, in accordance with the best and latest information available to the local government,

until the expenditure on the relevant item of infrastructure or administrative costs has occurred.

9.3.11.3 The local government is to have such estimated costs independently certified by appropriate qualified persons and must provide such independent certification to an owner when requested to do so.

9.3.11.4 Where any cost contribution has been calculated on the basis of an estimated cost, the local government —

- a) is to adjust the cost contribution of any owner in accordance with the revised estimated costs; and
- b) may accept a cost contribution, based upon estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly.

9.3.11.5 Where an owner's cost contribution is adjusted under clause 9.3.11.4, the local government, on receiving a request in writing from an owner, is to provide the owner with a copy of estimated costs and the calculation of adjustments.

9.3.11.6 If an owner objects to the amount of a cost contribution, the owner may give notice to the local government requesting a review of the amount of the cost contribution by an appropriate qualified person ('independent expert') agreed by the local government and the owner at the owner's expense, within 28 days after being informed of the cost contribution.

9.3.11.7 If the independent expert does not change the cost contribution to a figure acceptable to the owner, the cost contribution is to be determined —

- a) by any method agreed between the local government and the owner; or
- b) if the local government and the owner cannot agree on a method pursuant to a) or on an independent expert, by arbitration in accordance with the *Commercial Arbitration Act 1985*, with the costs to be shared equally between the local government and owner.

9.3.12 Valuation

9.3.12.1 Clause 9.3.12 applies in order to determine the value of land to be acquired for the purpose of providing Infrastructure.

9.3.12.2 In clause 9.3.12 -

'Value' means the fair market value of land, at a specified date, which is defined as the capital sum that would be negotiated in an arm's length transaction in an open and unrestricted market assuming the highest and best use of the land with all its potential and limitations (other than the limitation arising from the transaction for which the land is being valued) wherein the parties act knowledgeably, prudently and without compulsion to buy or sell.

Valuation methodology will be defined for each particular arrangement by the applicable Development Contribution Plan Report.

'Valuer' means a licensed valuer agreed by the local government and the owner, or, where the local government and the owner are unable to reach agreement, by a valuer appointed by the President of the Western Australian Division of the Australian Property Institute.

9.3.12.3 If an owner objects to a valuation made by the valuer, the owner may give notice to the local government requesting a review of the amount of the value, at the owner's expense, within 28 days after being informed of the value.

9.3.12.4 If, following a review, the valuer's determination of the value of the land is still not a figure acceptable to the owner, the value is to be determined —

- a) by any method agreed between the local government and the owner; or
- b) if the local government and the owner cannot agree, the owner may apply to the State Administrative Tribunal for a review of the matter under part 14 of the *Planning and Development Act 2005*.

9.3.13 Liability for cost contributions

9.3.13.1 An owner must make a cost contribution in accordance with the applicable development contribution plan and the provisions of clause 9.3.

9.3.13.2 An owner's liability to pay the owner's cost contribution to the local government arises on the earlier of —

- a) the Western Australian Planning Commission endorsing its approval on the deposited plan or survey strata plan of the subdivision of the owner's land within the development contribution area;
- b) the commencement of any development on the owner's land within the development contribution area;
- c) the approval of any strata plan by the local government or Western Australian Planning Commission on the owner's land within the development contribution area; or
- d) the approval of a change or extension of use by the local government on the owner's land within the development contribution area.

The liability arises only once upon the earliest of the above listed events.

9.3.13.3 Notwithstanding clause 9.3.13.2, an owner's liability to pay the owner's cost contribution does not arise if the owner commences development of —

- a) the first single house or outbuildings associated with that first single house on an existing lot which has not been subdivided or strata subdivided since the coming into effect of the development contribution plan;
- b) a single dwelling on a single lot and associated outbuildings;
- c) a change of use where no development is proposed;
- d) a development which is defined as 'public works under the *Public Works Act 1902*, but excluding public housing;
- e) a fence;
- f) a home business;
- g) a home occupation;
- h) a home office; or
- i) any development which is permitted and excluded from the requirement for planning consent pursuant to clause 61 of the Deemed Provisions.

9.3.13.4 Where a development contribution plan expires in accordance with clause 9.3.8, an owner's liability to pay the owner's cost contribution under that development contribution plan shall be deemed to continue in effect and be carried over into any subsequent development contribution plan which includes the owner's land, subject to such liability.

9.3.14 Payment of cost contribution

9.3.14.1 The owner, with the agreement of the local government, is to pay the owner's cost contribution by —

- a) cheque or cash;
- b) transferring to the local government or a public authority land in satisfaction of the cost contribution;
- c) the provision of physical infrastructure;
- d) some other method acceptable to the local government; or
- e) any combination of these methods.

9.3.14.2 The owner, with the agreement of the local government, may pay the owner's cost contribution in a lump sum, by instalments or in such other manner acceptable to the local government.

9.3.14.3 Payment by an owner of the cost contribution, including a cost contribution based upon estimated costs in a manner acceptable to the local government, constitutes full and final discharge of the owner's liability under the development contribution plan and the local government shall provide certification in writing to the owner of such discharge if requested by the owner.

9.3.15 Charge on land

9.3.15.1 The amount of any cost contribution for which an owner is liable under clause 9.3.13, but has not paid, is a charge on the owner's land to which the cost contribution relates, and the local government may lodge a caveat, at the owner's expense, against the owner's certificate of title to that land.

9.3.15.2 The local government, at the owner's expense and subject to such other conditions as the local government thinks fit, can withdraw a caveat lodged under clause 9.3.15.1 to permit a dealing and may then re-lodge the caveat to prevent further dealings.

9.3.15.3 If the cost contribution is paid in full, the local government, if requested to do so by the owner and at the expense of the owner, is to withdraw any caveat lodged under clause 9.3.15.

9.3.16 Administration of funds

9.3.16.1 The local government is to establish and maintain a reserve account in accordance with the *Local Government Act 1995* for each development contribution area into which cost contributions for that development contribution area will be credited and from which all payments for the infrastructure costs and administrative costs within that development contribution area will be paid. The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that development contribution area.

9.3.16.2 Interest earned on cost contributions credited to a reserve account in accordance with clause 9.3.16.1 is to be applied in the development contribution area to which the reserve account relates.

9.3.16.3 The local government is to publish an audited annual statement of accounts for that development contribution area as soon as practicable after the audited annual statement of accounts becomes available.

9.3.17 Shortfall or excess in cost contributions

9.3.17.1 If there is a shortfall in the total of cost contributions when all cost contributions have been made or accounted for in a particular development contribution area, the local government may —

- a) make good the shortfall;
- b) enter into agreements with owners to fund the shortfall; or
- c) raise loans or borrow from a financial institution,

but nothing in paragraph 9.3.17.1(a) restricts the right or power of the local government to impose a differential rate to a specified development contribution area in that regard.

9.3.17.2 If there is an excess in funds available to the development contribution area when all cost contributions have been made or accounted for in a particular development contribution area, the local government is to refund the excess funds to contributing owners for that development contribution area. To the extent, if any, that it is not reasonably practicable to identify owners and/or their entitled amount of refund, any excess in funds shall be applied, to the provision of additional facilities or improvements in that development contribution area.

9.3.18 Powers of the local government

The local government in implementing the development contribution plan has the power to -

- a) acquire any land or buildings within the scheme area under the provisions of the *Planning and Development Act 2005*; and
- b) deal with or dispose of any land which it has acquired under the provisions of the *Planning and Development Act 2005* in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

9.3.19 Arbitration

Subject to clauses 9.3.12.3 and 9.3.12.4, any dispute between an owner and the local government in connection with the cost contribution required to be made by an owner is to be resolved by arbitration in accordance with the *Commercial Arbitration Act 1985*.

APPENDIX A

AMD 192 GG 30/05/17

Supplemental provisions to the deemed provisions

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

1 Development of Fences

- 1.1 Notwithstanding that fences may be constructed pursuant to other provisions of this Scheme and Part 7 of the Deemed Provisions without the need to obtain planning consent of the Council, where a lot or lots have a common boundary or boundaries with Public Open Space, Major Highways, Important Regional Roads or other public places where the provisions to secure an aesthetically pleasing fence are justified, the Council may declare, that the construction of fences on particular lots requires prior approval of the Council except where the fence is associated with a lot where the R-Codes apply and the development satisfies the deemed-to-comply requirements of the Deemed Provisions.
- 1.2 Where the Council contemplates making a declaration pursuant to Clause 1.1 it shall give notice of such intention in accordance with Clause 64 of the Deemed Provisions.
- 1.3 When considering an application for planning consent for a fence in an area affected by a declaration of the Council pursuant to Clause 1.1, the Council shall have regard to the function to be performed by the fence, its degree or exposure to view from the public place concerned, and the topography of the area, and may require as a condition of approval, that the fences be constructed to be prescribed height, design or specification including the external finish so as to secure the provisions of fences with consistency or compatibility of height, design and appearance around or alongside places frequented by the general public.

APPENDIX 1 - INTERPRETATIONS

AMD 192 GG 30/05/17

Unless the context of this Scheme otherwise requires, the following terms shall have the meanings as assigned to them hereunder:

Amusement Machine	means a machine, device or games table, mechanically or electronically powered, that releases or makes available balls, discs or other items for projection in or on the machine by the use of springs, flippers, paddles or cues, or electronic devices which are controlled or partly controlled by computer associated with electronic screen(s) operated by one or more players for amusement or recreation.
Amusement Parlour	means land and buildings, open to the public, where the predominant use is amusement by amusement machines and where there are more than two amusement machines operating within the premises.
Animal Husbandry AMD 92 GG 10/3/06	means any land used for the development of land for the keeping, rearing or fattening of livestock, rabbits (for either meat, or fur production), but does not include pigs, poultry (for either egg or meat production which is not housed) and other livestock in feedlots and which are in excess of the recommended stocking rates by Agriculture WA.
Apiary AMD 92 GG 10/3/06	means the keeping of bees.
Aquaculture AMD 92 GG 10/3/06	shall have the same meaning as given to the term in and for the purposes of the <i>Fish Resources Management Act 1994</i> .
Automotive & Marine Sales	means the display and sale of new or second-hand motorcycles, cars, trucks, caravans and boats or any one or more of them and may include, with the approval of Council, the servicing of motor vehicles sold from the site.
Automotive Repairs	means the repair and overhaul of motor vehicles.
Automotive Vehicle Wash	means a building or portion of a building wherein vehicles are washed and cleaned by or primarily by mechanical means.
Automotive Wrecking	means the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand automotive accessories and spare parts.
Bed and Breakfast AMD 140 GG 12/3/10	means a dwelling, used by a resident of the dwelling, to provide accommodation for person away from their normal place of residence on a short-term commercial basis and included the provision of breakfast.
Building	shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.
Building Envelope	means an area of land within a lot marked on a plan forming part of the Scheme outside which building development is not permitted.
Building Line	means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act.

Building Setback	means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.
Caravan or Trailer Hire	means the hire of caravans, car trailers and non-motorised horse floats.
Caravan Park	means land and buildings used for the parking of caravans under the Bylaws of the Council or the <i>Caravan Parks and Camping Grounds Regulations, 1974</i> (as amended) made pursuant to the provisions of the <i>Health Act, 1911</i> (as amended).
Caretaker's Dwelling	means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.
Car Park	means land and buildings used primarily for parking private cars or taxis whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings on or in which cars are displayed for sale.
Cattery AMD 92 GG 10/3/06	means the use of an approved outbuilding constructed in accordance with the Health Act Model By-Laws Series 'A' Part One – General Sanitary Provisions, 1927 for the purpose of keeping more than three (3) cats over the age of three (3) months.
Child Minding Centre	means land and buildings used for the daily or occasional care of children in accordance with the <i>Child Welfare (Care Centres) Regulations, 1968</i> (as amended) but does not include a family care centre as defined by those Regulations, or an institutional home.
Civic Building	means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council as offices or for administrative or other like purpose.
Club Premises	means land and buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the Liquor Act, 1970 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.
Commercial Vehicle AMD 67 GG 22/3/96	means a vehicle whether licensed or not which is used or designed for use for business, trade or commercial purposes or in conjunction with a business, trade or profession, and without limiting the generality of the foregoing includes any van, truck, trailer, tractor and any attachment to any of them or any article designed to be an attachment to any of them, and any bus or any other passenger vehicle, or any earth moving machine whether self-propelled or not, but the term shall not include a vehicle designed for use as a passenger car or a trailer or other thing most commonly used as an attachment to a passenger car, or a van, utility or a light truck which is rated by the manufacturer as being suitable to carry loads of not more than three (3) tonnes.

Commercial Vehicle Parking AMD 67 GG 22/3/96; AMD 81 GG 26/3/99	means – (a) The parking of one or more commercial vehicles on any land within the Scheme Area. A vehicle shall be parked for the purpose of this definition if it is present on the subject land for more than two hours and is not in that time being used to load or unload anything, or in connection with building or development work carried on with all necessary Council approvals. (b) If a trailer or the like having no independent means of propulsion is attached to a prime mover or other motorised vehicle, the two in combination shall be regarded as one commercial vehicle for the purpose of this Scheme. (c) However, where a trailer or the like is not presently attached to a prime mover or other motorised vehicle, it shall, subject to paragraph (3) be regarded as a separate commercial vehicle for the purpose of this Scheme. (d) Where there is one prime mover and one trailer on a lot, and even though not attached they are ordinarily used in combination, the two shall be regarded as one commercial vehicle for the purpose of this Scheme.
Commission	means the State Planning Commission constituted under the <i>State Planning Commission Act, 1985</i> (as amended).
Common Infrastructure AMD 69 GG 16/6/00	means any components or services jointly required by all owners of land within a Structure Plan, which are, in the opinion of Council, essential to facilitate the subdivision or development of that land, and which are generally in accordance with the Commission's Policy on Developer Contributions for Infrastructure.
Common Infrastructure Cost AMD 69 GG 16/6/00	means the cost of a common infrastructure item of any area required to be contributed by the owner's subdividing or otherwise developing land within that area.
Contribution Agreement AMD 69 GG 16/6/00	means a set of provisions defining the common infrastructure costs applicable to an area and the method of apportioning those costs between owner's in the area, incorporated in the Appendix 16 as an amendment to the Scheme.
Consulting Rooms	means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors and persons ordinarily associated with a practitioner in the prevention, investigation or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices.
Convenience Store	means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 300 square metres gross leasable area.
Corner Store	means a shop attached to a house designed and used principally to serve the residents of the immediate locality, where the house is occupied by the proprietor or manager of the shop.
Cottage Industry	DELETED BY AMD 101 GG 9/5/00

Development	shall have the same meaning given to it in and for the purposes of the Act.
District	means the Municipal District of the Shire of Serpentine-Jarrahdale.
Dog Kennels AMD 92 GG 10/3/06	means any land or buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the Council, and may include the sale of dogs.
Dry Cleaning Premises	means land and buildings used for the cleaning of garments and other fabrics by chemical processes.
Educational Establishment	means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory or institutional home.
Effective Frontage	<p>means the width of a lot at the minimum distance from the street alignment at which buildings may be constructed, and shall be calculated as follows:</p> <ul style="list-style-type: none"> (a) Where the side boundaries of a lot are parallel to one another, the length of a line drawn at right angles to such boundaries. (b) Where the side boundaries of a lot are not parallel to one another, the length of a line drawn parallel to the street frontage and intersecting the side boundaries at the minimum distance from the street alignment at which buildings may be constructed. (c) Where a lot is of such irregular proportions or on such a steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.
Environmental Research Centre	means any land or buildings used to undertake scientific research in relation to native fauna and botanical species, water surface bodies and associated ecosystem.
Equestrian Activity AMD 92 GG 10/3/06	means any land or buildings used for the showing, competition or training of horses and includes a riding school.
Exhibition Centre AMD 140 GG 12/3/10	means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery.
Facade	means the exposed faces of a building towards roads or open spaces or the frontal outwards appearance of the building.
Facilities AMD 69 GG 16/6/00	means the amenities other than services reasonably required or expected to be provided in a fully developed area and without limiting the generality of the foregoing may include such items as public open space and community purposes sites.
Factory Unit	means a portion of a factory tenement building that is the subject of a separate occupancy but which has its own yard appurtenant to the building to which there is direct vehicular access for loading and unloading.
Farriery	means land and buildings occupied by a farrier, where horses may be shod.

Fast Food/Take Away Shop	means a shop wherein food is prepared and offered for sale for consumption principally off the premises.
Feedlots	means land and buildings or land or buildings wherein livestock are kept while being fattened.
Floriculture (Extensive) AMD 92 GG 10/3/06	means the production of vegetables, flowers, exotic and native plants.
Fodder and Pasture AMD 92 GG 10/3/06	means the development of land for non-irrigated fodder production and non-irrigated pasture but does not include turf farms.
Fuel Depot	means land and buildings used for the storage and sale in bulk of solid, liquid or gaseous fuel, but does not include a service station.
Funeral Parlour	means land and buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation.
Gazettal Date	means the date on which this Scheme is published in the Government Gazette.
Gross Leasable Area	means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.
Health Studio	means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.
Hobby Farm AMD 92 GG 10/3/06	means any land or building used for the keeping of farm animals or the growing of vegetables, fruit and flowers for non-commercial purposes or sale.
Holiday Accommodation AMD 95 GG 16/3/01	means premises to provide accommodation for persons, other than the proprietor, away from their normal place of residence on a short-term commercial basis. These premises may include two or more cabins, chalets or cottages.
Home Business AMD 101 GG 9/5/00; AMD 92 GG 10/3/06	<p>means a business, service, trade or similar activity carried on in a dwelling or on land around a dwelling which may employ, in addition to the resident of the dwelling, no more than two persons but which -</p> <ul style="list-style-type: none"> (a) does not entail the retail sale, display or hire of goods of any nature; (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood; (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding; (d) does not entail employment of any person not a member of the occupier's household; (e) does not occupy an area greater than 50m²; (f) will not result in traffic difficulties as a result of the inadequacy of on-site and off-site parking; (g) will not result in a substantial increase in the amount of vehicular traffic in the vicinity; and (h) does not entail the presence, parking and garaging of a vehicle of more than 3.5 tonne tare weight.

Home Occupation AMD 101 GG 9/5/00; AMD 92 GG 10/3/06	<p>means an occupation carried on in a dwelling or on land around a dwelling by a resident of the dwelling which –</p> <ul style="list-style-type: none"> (a) does not entail the retail sale, display or hire of goods of any nature; (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood; (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding; (d) does not entail employment of any person not a member of the occupier's household; (e) does not occupy an area greater than 20m²; (f) does not display a sign exceeding 0.2m² in area; (g) will not result in the requirement of a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity; and (h) does not entail the presence, parking and garaging of a vehicle of more than 1 tonne tare weight.
home office AMD 101 GG 9/5/00	<p>means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which:</p> <ul style="list-style-type: none"> (a) does not entail clients or customers travelling to and from the dwelling; (b) does not involve any advertising signs on the premises; and (c) does not require any external changes to the appearance of the dwelling.
Horticultural Pursuit AMD 58 GG 29/9/98; AMD 92 GG 10/3/06	<p>means the use of land for any purpose set out hereunder and the use of buildings normally associated therewith:</p> <ul style="list-style-type: none"> (a) the growing of vegetables, cereals or food crops; (b) the growing of vines, trees, plants, shrubs or flowers for replanting; (c) the sale of produce grown solely on the lot or on any adjoining or nearby lot forming part of the same landholding used for horticultural pursuits; <p>but does not include Floriculture (Extensive), Hydroponics, Orchardring, Viticulture or Plant Nursery.</p>
Hospital	<p>means a building in which persons are received and lodged for medical treatment or care and includes a maternity hospital.</p>
Hospital Special Purposes	<p>means a building used or designed for use wholly or principally for the purpose of a hospital or sanatorium for the treatment of infectious or contagious diseases, or hospital for the treatment or care of the mentally ill or similar use.</p>
Hotel	<p>means land and buildings providing accommodation for the public the subject of a Hotel Licence granted under the provisions of the <i>Liquor Act, 1970</i> (as amended).</p>
Hydroponics AMD 92 GG 10/3/06	<p>means the production of vegetables, flowers, exotic and native plants, fruit and nuts using hydroponic systems for the delivery of water and nutrients to the plants.</p>
Incidental Use	<p>means the use of land in conjunction with and ancillary to the primary use on the land.</p>

Industry	<p>means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:</p> <ul style="list-style-type: none"> (a) the winning, processing or treatment of minerals; (b) the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article; (c) the generation of electricity or the production of gas; (d) the manufacture of edible goods; <p>and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of goods resulting from the process, and the use of land for the amenity of persons engaged in the process, but does not include:</p> <ul style="list-style-type: none"> (i) the carrying out of agriculture; (ii) site work on buildings, work or land; (iii) in the case of edible goods, the preparation of food for sale from the premises; (iv) panel beating, spray painting or motor vehicle wrecking.
industry - cottage AMD 101 GG 9/5/00	<p>means a trade or light industry producing arts and crafts goods which cannot be carried out under the provisions relating to a home occupation and which:</p> <ul style="list-style-type: none"> (a) does not cause injury to or adversely affect the amenity of the neighbourhood; (b) where operated in a Residential zone, does not employ any person other than a member of the occupier's household; (c) is conducted in an out-building which is compatible within the principal uses to which land in the zone in which it is located may be put; (d) does not occupy an area in excess of 50 m²; (e) does not display a sign exceeding 0.2 m² in area.
Industry Extractive AMD 92 GG 10/3/06	<p>means an industry which involves –</p> <ul style="list-style-type: none"> (a) the extraction of sand, gravel, clay, soil, rock, stone, minerals, or similar substance from the land, and also includes the management of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products; and (b) the production of salt by the evaporation of salt water.
Industry General	<p>means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry.</p>
Industry Hazardous	<p>means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced requires isolation from other buildings.</p>

Industry Light	means an industry: (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any like services.
Industry Noxious	means an industry in which the processes involved constitute an offensive trade within the meaning of the <i>Health Act, 1911</i> (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.
Industry Rural	means an industry handling, treating, processing or packing primary products and a workshop servicing and selling plant or equipment used for rural purposes.
Industry Service	means a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.
Infrastructure AMD 69 GG 16/6/00	means services and facilities which, in accordance with the Commission's policy, it is reasonable for owners to make a Cost Contribution towards.
Interpretive/Tourist Centre AMD 88 GG 12/3/99	means any land or buildings used for the purpose of providing information relating to the history of, and existing facilities, services and attractions within, the surrounding area and shall include the incidental sale of tourist related goods and services.
Land	shall have the same meaning given to it in and for the purposes of the Act.
Landscaping Requirements	includes any pedestrian footpath, but does not include car parking areas or vehicle accessways.
Lot	has the same meaning given to it in and for the purposes of the Act, and "allotment" has the same meaning.
Marine Collector's Yard	means land and buildings used for the storage of marine stores under the provisions of the <i>Marine Stores Act, 1902</i> (as amended), and Marine Dealer's Yard and Marine Store have the same meaning.
Market	means land and buildings used for a fair, a farmers' or producers' market, or a swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental.

Medical Centre AMD 73 GG 6/5/97	means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretation of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists and like allied medical professionals.
Motel	means land and buildings used or intended to be used to accommodate patrons in a manner similar to an Hotel or Boarding House but in which special provision is made for the accommodation of patrons with motor vehicles.
Nightclub	means premises used for entertainment with eating or drinking facilities or both and includes a cabaret.
Nursery AMD 92 GG 10/3/06	see plant nursery.
Non-Conforming Use	means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.
Office	means a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature.
Orcharding AMD 92 GG 10/3/06	means the production and operation of fruit nurseries.
Pig Farming	means the use of land and buildings for rearing or keeping of pigs for the purpose of sale for commercial gain.
Plant Nursery AMD 92 GG 10/3/06	means any land or buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden activities.
Poultry Farm (Housed) AMD 92 GG 10/3/06	means any land or buildings used for hatching, rearing or keeping of poultry for either egg or meat production which does not constitute an offensive trade within the meaning of the <i>Health Act 1911</i> .
Private Recreation	means land used for parks, gardens, playgrounds, sports arenas or other grounds for recreation which are not normally open to the public without charge.
Private Tree Plantation AMD 92 GG 10/3/06	means any land used for growing timber for commercial purposes.
Produce Store	means land and buildings wherein fodders, fertilisers and grain are displayed and offered for sale.
Proponent AMD 69 GG 16/6/00	means any owner or owners of land to which the Proposed Structure Plan relates that has or have submitted that Proposed Structure Plan.
Public Amusement	means land and buildings used for the amusement or entertainment of the public, with or without charge.
Public Authority	shall have the same meaning given to it in and for the purposes of the Act.
Public Utility	means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications, or other similar services.

Public Worship - Place of	means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education, or a residential institution.
Radio, T.V. and Communication Installation AMD 92 GG 10/3/06	means any land or buildings used for the transmission, relay or reception of signals or pictures, both commercial and domestic, but does not include a communications antenna domestic.
Reception Centre	means land and buildings used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.
Recreation Public AMD 92 GG 10/3/06	means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are usually open to the public without charge.
Regulations AMD 69 GG 16/6/00; AMD 192 GG 30/05/17	means the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ;
Residential Building AMD 69 GG 16/6/00	means a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purposes of human habitation – (a) temporarily by two or more persons, or (b) permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel, or a residential school.
Residential Units AMD 29 GG 14/1/94	means the total number of residential structures, irrespective as to how such units are separately defined under the Residential Planning Codes and/or the Town Planning Scheme No 2 text that may be permitted on any one lot.
Restaurant	means a building wherein food is prepared for sale and consumption within the building and the expression shall include a licensed restaurant, and a restaurant at which food for consumption outside the building is sold where the sale of food for consumption outside the building is not the principal part of the business.
Rural Use	means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith: (a) the growing of vegetables, fruit, cereals, or food crops except for domestic purposes; (b) the rearing or agistment of goats, sheep, cattle, or beasts of burden; (c) the stabling, agistment or training of horses, or other ungulates; (d) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens; (e) the sale of produce grown solely on the lot.

Rural Workers Dwelling AMD 127 GG 14/12/04	means a dwelling: (a) which is on land upon which there is already erected a dwelling, and which is occupied by persons engaged in any of the following uses on that same land: Cottage Industry; Feedlot; Fish Farming; Horticultural Pursuit; Pig Farming; Poultry Farming; Rural Industry or Rural Use; and (b) which can also accommodate family members involved in the operation of an agricultural enterprise on that land.
Saw Mill AMD 88 GG 12/3/99	means any land or buildings where logs or large pieces of timber are sawn.
Service Station	means land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use; but does not include transport depot, panel beating, spray painting, major repairs or wrecking.
Shop	means a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector's yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.
Shopping Centre	means a group of shops, service offices and general offices and related activities, the group being in excess of 5000 square metres gross leasable area, developed as an integrated unit together with the required onsite parking facilities.
Showroom	means land and buildings wherein goods are displayed and may be offered for sale by wholesale and/or by retail excluding the sale by retail of: foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, medical or pharmaceutical products, china, glassware or domestic hardware, and items of personal adornment.
Stable AMD 92 GG 10/3/06	means any land, building or structure used for the housing, keeping and feeding of horses, asses and mules and associated incidental activities.
Stall-wayside AMD 92 GG 10/3/06	means a place, stand, vehicle or other thing which offers for sale to the general public, produce or any commodity which is grown or manufactured on the land/site, upon which the place, stand, or vehicle is located.
Street Alignment	means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed under Section 364 of the <i>Local Government Act, 1960</i> (as amended) means the new street alignment so prescribed.
Tavern	means land and buildings the subject of a Tavern Licence granted under the provisions of the <i>Liquor Act, 1970</i> (as amended).
Technical Guidelines AMD 82 GG 23/6/98; AMD 85 GG 19/1/99	means a set of precise statements of performance and quantitative design criteria and procedures for development that includes aspects of planning, roadworks, stormwater drainage, soil stability, erosion, water, power and sewerage reticulation, on-site effluent disposal, building design, tree preservation, environmental protection and such other matters as are considered desirable by Council.

Trade Display	means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.
Transport Depot AMD 67 GG 22/3/96	<p>means land or buildings designed or used for one or more of the following purposes:</p> <ul style="list-style-type: none"> (a) The parking or garaging of more than one commercial vehicle used or intended for use for the carriage of goods (including livestock) or persons. (b) The transfer of goods (including livestock) or passengers from one vehicle to another vehicle. (c) The maintenance, repair or refuelling of vehicles referred to in (a) or (b) above. <p>The above uses (a) to (c) inclusive, singularly or collectively may, with Council's planning consent, include as an incidental use overnight accommodation of patrons of the facilities.</p>
Vehicle Hire	means premises used or intended for use for the hiring out of motor vehicles and when conducted on the same site, the storage and cleaning of motor vehicles for hire but does not include mechanical repair or servicing of such vehicles.
Veterinary Establishment	means land and buildings used for, or in connection with, the treatment of sick animals and includes the accommodation of sick animals.
Viticulture AMD 92 GG 10/3/06	means the production of grapes.
Warehouse	means land and buildings wherein goods are stored and may be offered for sale by wholesale.
Wholesale	means the sale of any goods to any person or persons other than the ultimate consumer of those goods by a person or his trustee, registered as a 'wholesale merchant' for Sales Tax purposes under the provisions of the <i>Sales Tax Assessment Act No. 1, 1930</i> , (as amended).

APPENDIX 2 - SPECIAL USE ZONES

DESCRIPTION OF LAND	PERMITTED USE
<p>1. (a) Portion of Lot 8 in Diagram 67316, being Cockburn sound Location 214, 1051 and 2779 and portion of Cockburn Sound Location 326 and 422 South Western Highway, South Cardup.</p> <p>(b) Southern portion of Pt Lot 3 Diagram 32400 being portion Cockburn Sound Location 22 comprising an area of approximately 7.85 hectares, northern portion Lot 8 in Diagram 67316, being portion of Cockburn Sound Location 326 and 448, South Western Highway, South Cardup.</p> <p>(c) Southern portion Lot 6 in Diagram 64866 being portion Cockburn Sound Location 448 and 22 comprising an area of approximately 19.00 hectares, South Western Highway, South Cardup.</p> <p><i>AMD 30 GG 5/7/96</i></p>	<p>Extraction and processing of hard rock and clay.</p> <p>Waste disposal, composting and associated landfill activities.</p> <p>Waste disposal, composting and associated landfill activities.</p>
<p>2. Part Lot 50 of Cockburn Sound Location 345, Lot 6 of Cockburn Sound Location 22, part of Cockburn Sound Location 22, part of Cockburn Sound Location 521, Lot 10 and 12 of Cockburn Sound Location 521, and part of Lot 4 of Cockburn Sound Location 721, part of Lot 3 Kiln Road, Cardup.</p> <p><i>AMD 172 GG 07/02/14</i></p>	<p>Extraction and storage of Shale and Clay and manufacture, storage and distribution of Masonry and related products.</p>
<p>3. Various lots in Jarrahdale Road, Millars Road, Berwick Street, Lang Street and Brook Road, Jarrahdale, comprising:</p> <p>(a) Lots 4 to 7, 9 to 16, 18 to 22, 50, 51, 100 and 600 to 603 Cockburn Sound Location 277;</p> <p>(b) Lots 2 of Cockburn Sound Location 303 and Part Cockburn Sound Location 303;</p> <p>(c) Lot 10 of Cockburn Sound Locations 277 and 303;</p> <p>(d) Lot 500 of Cockburn Sound Locations 277 and 1153; and</p> <p>(e) Murray Locations 86 and 1338 and Cockburn Sound Location 282 and Part Cockburn Sound Location 663 being Lots 4, 5, 1338, 2495, 801, 804, 814*, 815* and 200 Jarrahdale Road and known as the Jarrahdale Heritage Park.</p> <p>*or any lots created by subdivision of Lots 814 and 815 Jarrahdale Road, Jarrahdale</p> <p><i>AMD 88 GG 12/3/99</i> <i>AMD 140 GG 12/03/10</i></p>	<p>Historic Precinct</p> <p>1. The following uses are Permitted (P) on all properties listed in the Description of Land column for this Special Use zone –</p> <p>Single House Car Park Civic Building Recreation – Public</p> <p>2. The following uses after being advertised in accordance with clause 6.3 of the Scheme may be permitted at the discretion of Council on all properties listed in the Description of Land column for this Special Use zone –</p> <p>Industry – Cottage Home Business Home Occupation Exhibition Centre Bed and Breakfast Aged and Dependent Persons Dwellings Holiday Accommodation</p> <p>3. The following uses after being advertised in accordance with clause 6.3 of the Scheme may be permitted at the discretion of Council on the properties described in (e) of the Description of Land column for this Special Use zone –</p> <p>Farriery Market Office Restaurant Shop Interpretive/Tourist Centre Child Minding Centre Educational Establishment Private Recreation</p>

DESCRIPTION OF LAND	PERMITTED USE
	<p>Saw Mill Industry – Light (see clause 5. below) Industry – Service (see clause 5. below)</p> <p>4. All development shall be restricted to designated areas within the Special Use zone in accordance with the Jarrahdale Heritage Park Master Plan (as amended) and shall comply with the Heritage Provisions of Part V of the Scheme.</p> <p>5. The development of “Industry – Light” and “Industry – Service” shall be restricted to small-scale light and service industrial uses such as, but not limited to, fine furniture manufacture, boutique breweries, fine food manufacture (ie cheeses, confectionary, preserves, bakery), art and craft workshops, clothing and footwear manufacture and printing at the discretion of the Council.</p> <p>6. All development on the eastern portion of Lot 814 Jarrahdale Road, Jarrahdale that is within the Gooralong Brook Water Reserve shall be referred to the Water Corporation for comment prior to final determination by the Council.</p>
<p>4. Part of Cockburn Sound Location 663 being Lots 807 to 812 Millars Road, Lots 816 to 821 Staff Street and within the area designated as the Woodlot Subdivision being Lots 820-826 Jarrahdale Road and Kingsbury Drive, Jarrahdale</p> <p><i>AMD 140 GG 12/03/10</i></p>	<p>Single House - (P) Industry – Cottage - (SA) Bed and Breakfast - (SA) Home Occupation - (AA) Home Business - (AA)</p>
<p>5. Portion of Lot 60 Robertson Road, Cardup</p> <p><i>AMD 180 GG 31/05/16</i></p>	<p>Concrete casting operations; manufacture and distribution of timber and related products.</p> <p>1. The permitted land uses may extend onto that portion of Bush Forever Site 361 which has been cleared as evidenced by aerial photography current at 28 February 2016 and generally at the boundary of existing fencing as shown on the attached plan but not within any other part of Bush Forever Site 361.</p> <p>2. In considering any development application, Council may require conditions addressing management of water quality, potential noise, dust, traffic, access and revegetation.</p> <p>3. No indigenous vegetation or trees shall be destroyed or damaged or cleared unless the clearing is authorised by a clearing permit obtained from the Department of Environment Regulation or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulations) of the <i>Environmental Protection Act 1986</i>. Planning approval may also be required to be obtained for the removal of any trees in accordance with Clause 7.13 of the Scheme.</p> <p>4. Fencing shall be erected along the perimeter of Bush Forever Site 361 to the satisfaction of the Council to prevent damage to vegetation from activities associated with the approved land use.</p>
<p>6. The southern portion of Pt Lot 54 Wright Road, Mundijong</p> <p><i>AMD 72 GG 26/10/97</i></p>	<p>Permitted Uses include:</p> <ul style="list-style-type: none"> Those use classes listed under Light Industry in Table 1 - Zoning Table, their permissibility being in accordance with the symbols cross referenced in Table 1 except that all ‘P’ uses become ‘AA’ uses, and the use classes of automotive wrecking, fast food/take away and dry cleaning are uses not permitted in this zone; and adding the following uses and their respective permissibility: <ul style="list-style-type: none"> Residential - Single – (P) Home Occupation – (AA).

DESCRIPTION OF LAND	PERMITTED USE
<p>6. The southern portion of Pt Lot 54 Wright Road, Mundijong (Continued)</p> <p><i>AMD 72 GG 26/10/97</i></p>	<p>The development of the land is subject to compliance with the following provisions:</p> <ol style="list-style-type: none"> 1. Subdivision and development shall be generally in accordance with the subdivision Guide Plan for this location, as endorsed by Council. The minimum lot should be 2,000m² with a minimum frontage of 25 metres. 2. <ol style="list-style-type: none"> (a) The land within 30 metres of the front lot boundary shall be used for residential purposes only, other than the circumstances described in Clause (ii)(b) of this schedule. In the case of a battleaxe lot, the front boundary for the effective area of the rear lot can be interpreted as a side boundary. (b) Light industrial development is not permitted within 30 metres of the front boundary unless the lot on which the development is proposed is greater than 6,000m² in area, in which case Council may approve development for light industrial purposes subject to adequate screening of the development along the street frontage. 3. Notwithstanding the provisions contained within this schedule, any development for residential purposes, shall be subject to those provisions of the scheme relating to Residential Zone. 4. Any development for light industrial purposes shall be subject to those provisions of the scheme relating to Light Industrial zone. Front and side setbacks, however, shall be as follows: <ul style="list-style-type: none"> - Minimum front setback: 30 metres or nine metres if the lot is greater than 6,000m² subject to clause 2(b) of this schedule. - Minimum side setback: 2.1 metres or the height of the wall, whichever is greater. 5. No person shall: <ul style="list-style-type: none"> - Develop or establish or allow to develop the land for light industrial purposes unless a residence is erected first. - Allow a house to be occupied by any person other than the owner or manager or an employee of the industrial use. - Establish or permit to establish more than one industry or business to operate from each lot, that is, factory units and/or the leasing of portion of the site is not permitted. - Develop or allow the develop of a residence without providing vehicle access to the rear of the lot with a minimum width of five metres. - Develop or allow the development of any use which results in generation of waste water, waste product of emission of any kind, unless written approval by Council is obtained and necessary environmental protection Authority works approval and licences have been obtained. The applicant is required to submit to Council a report containing details of the waste generation and its management for approval.

DESCRIPTION OF LAND	PERMITTED USE
<p>6. The southern portion of Pt Lot 54 Wright Road, Mundijong (Cont'd)</p> <p><i>AMD 72 GG 26/10/97</i></p>	<p>6. No development or use of land or buildings shall be commenced without the prior written approval by Council and the Council may impose any conditions it deems necessary, including but not restricted to specific reference to siting and fencing of the industrial development to assist in screening it from view from Wright Road and other abutting roads and properties.</p> <p>7. All landscaping, and remnant vegetation shall be maintained by the landowner and shall not be removed unless prior written approval by Council is obtained or the vegetation is dead, diseased or hazardous.</p> <p>8. Council may require the landowner of a subdivided lot within the Estate, as a condition of development for any building licence issued, to plant vegetation to its specification for screening purposes and require the owner to maintain these trees.</p> <p>9. Stormwater drainage from roofed and paved areas being disposed of on site to the satisfaction of Council.</p> <p>10. Only one advertising sign shall be permitted to be installed on a property within the Special Use zone and shall conform with the following:</p> <ul style="list-style-type: none"> • the maximum size shall be 1.5 metres in width and metre in height with the top of the sign being no higher than 1.5 metres above ground level; • the sign frame shall be constructed out of 100mm x 100mm timber, be of natural timber colour and be constructed to comply with the drawing attached; • the sign shall be located at the front boundary of the lot and be parallel to it; and • no neon, electric or other signage (including signs on sheds or buildings) shall be permitted on lots within the Special Use zone. <p>11. On-site effluent disposal shall be limited to high performance environmental systems (alternative treatment units) acceptable to Council and the Health Department of Western Australia and the Environmental Protection Authority.</p> <p>12. The keeping of livestock shall only be permitted on lots over 4,000m² in area and will be limited to class I stocking rates as prescribed in Council's Rural Strategy and will be subject to compliance with the Rural Strategy provisions relating to stocking.</p> <p>13. The subdivider shall prepare and implement a fire management plan that identified the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the bush fires Board of WA after consultation with the local authority.</p> <p>14. The land identified on the endorsed Subdivision Guideline Plan as public open space shall be ceded free of cost and without any payment of compensation by the Crown for the purpose of reserve for recreation.</p> <p>15. There shall be a general presumption against further subdivision of the land contrary to the endorsed Subdivision Guideline Plan to ensure the integrity and theme of the composite residential/light industrial estate is not compromised.</p>

DESCRIPTION OF LAND	PERMITTED USE
<p>6. The southern portion of Pt Lot 54 Wright Road, Mundijong (Cont'd)</p> <p><i>AMD 72 GG 26/10/97</i></p>	<p>16. Stormwater and nutrient management for the area shall use water sensitive design and comply with the guidelines for drainage and nutrient management in the Rural Strategy.</p> <p>17. The washing of automotive vehicles shall be limited to those vehicles being utilised as part of the permitted use being undertaken on a property and shall be subject to the proponent complying with clause v) of this amendment.</p>
<p>7. Various lots in Jarrahdale Road, Millars Road, Berwick Street, Lang Street and Brook Road, Jarrahdale, comprising:</p> <p>(a) Lots 4 to 7, 9 to 16, 18 to 22, 50, 51, 100 and 600 to 603 Cockburn Sound Location 277;</p> <p>(b) Lots 2 of Cockburn Sound Location 303 and Part Cockburn Sound Location 303;</p> <p>(c) Lot 10 of Cockburn Sound Locations 277 and 303;</p> <p>(d) Lot 500 of Cockburn Sound Locations 277 and 1153; and</p> <p>(e) Murray Locations 86 and 1338 and Cockburn Sound Location 282 and Part Cockburn Sound Location 663 being Lots 4, 5, 1338, 2495, 801, 804, 814*, 815* and 200 Jarrahdale Road and known as the Jarrahdale Heritage Park.</p> <p>*or any lots created by subdivision of Lots 814 and 815 Jarrahdale Road, Jarrahdale.</p> <p><i>AMD 140 GG 12/3/10</i></p>	<p>Historic Precinct</p> <p>1. The following uses after being advertised in accordance with clause 6.3 of the Scheme may be permitted at the discretion of Council:</p> <p>Car Park Civic Building Cottage Industry Farriery Market Office Public Recreation Residential Restaurant Shop Studio Museum Interpretive/Tourist Centre</p> <p>2. All development shall be restricted to designated areas within the Special Use zone at the discretion of Council and shall comply with the Heritage Provisions of Part V of the Scheme.</p>
<p>9. Lot 2 of Serpentine AA Lot 20 and Lot 60 of Serpentine AA Lot 21, Norman Road, Mundijong</p>	<p><i>DELETED AMD 180 GG 31/05/16</i></p>
<p>11. Lot 181 Kargotich Road, Mundijong</p> <p><i>AMD 93 GG 21/1/00</i></p>	<p>Permitted Uses Include -</p> <p>a) Dwelling; and b) Home Occupation</p> <p>and the following land uses at Council's discretion:</p> <p>a) Stables; b) All other uses are not permitted unless Council determines that for land within the Priority Habitat Conservation Area identified on the Subdivision Guide Plan, a particular land use is consistent with the conservation objectives of the zone.</p> <p>1. Subdivision and development shall be generally in accordance with the Subdivision Guide Plan for this location, as endorsed by Council.</p> <p>2. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines, for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government Agencies that the use does not involve excessive nutrient application or clearing of land.</p> <p>3. Dwelling houses on each lot within the subdivision shall be provided with a water supply of minimum capacity of 92 000 litres which may be supplied from underground supplies or rainwater storage system to the satisfaction of Council.</p> <p>4. No development other than fencing, shall be permitted outside the area defined as the "building envelope" on the Subdivision Guide Plan.</p>

DESCRIPTION OF LAND	PERMITTED USE
<p>11. Lot 181 Kargotich Road, Mundijong (Continued)</p> <p><i>AMD 93 GG 21/1/00</i></p>	<ol style="list-style-type: none"> 5. Within the Priority Habitat Conservation Area depicted on the approved Subdivision Guide Plan, the planting of non-indigenous vegetation and removal of any vegetation including the understorey, from any area outside of the identified building envelope shall be prohibited, unless written approval is obtained from Council. 6. The keeping of horses, sheep, goats or other grazing animals shall be prohibited on the lots identified in the Priority Habitat Conservation area as depicted on the Subdivision Guide Plan. The keeping of animals on the land not identified in the Priority Habitat Conservation Area shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types. 7. Keeping of cats shall be prohibited. 8. Keeping of dogs shall be prohibited except where the building envelope is appropriately fenced to contain the dog(s). 9. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot (s) to a new owner. 10. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 11. Delineation of lot boundaries within the Priority Habitat Conservation Area shall not comprise fencing, however, pegs and/or cairns or other similar measures are acceptable. 12. No building shall be constructed within this zone of materials, the colour or texture of which in the opinion of the Council is undesirable for the locality. 13. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 14. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the approved uses. 15. The land is situated within the catchment of the Peel-Harvey estaurine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection and for irrigated and non-irrigated land.

DESCRIPTION OF LAND	PERMITTED USE
<p>11. Lot 181 Kargotich Road, Mundijong (Continued)</p> <p><i>AMD 93 GG 21/1/00</i></p>	<p>16. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment, and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush fires Board of WA.</p> <p>17. The subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.</p> <p>18. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>19. Within the priority habitat Conservation Area depicted on the approved Subdivision Guide Plan, the planting of non-indigenous vegetation and removal of any vegetation including the under storey, from any area outside the identified building envelope shall be prohibited, unless written approval is obtained from Council.</p>
(a) SPECIFIED AREA OR LOCALITY	(B) SPECIAL PROVISIONS TO REFER TO (A)
<p>12. Lot 24 Beenyup Road, Byford</p> <p><i>AMD 137 GG 6/6/06</i></p>	<p>Intent/Objective of zoning: Landscape Protection</p> <p>Permitted (P) uses:</p> <p>a) Single House;</p> <p>and the following land uses at Council's discretion (AA);</p> <p>a) Home Occupation</p> <p>b) Home Business</p> <p>c) Ancillary Accommodation</p> <p>All other uses are prohibited.</p> <p>1. Subdivision and Development shall generally be in accordance with the Subdivision Guide Plan for this location as endorsed by Council.</p> <p>2. No indigenous vegetation or trees shall be destroyed or damaged or cleared, unless the clearing is authorized by a clearing permit obtained from the Department of Environment, or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulations) of the Environmental Protection Act 1986. Planning approval may also be required to be obtained from the Council for the removal of any trees in accordance with the Provisions of Clause 7.13 of the Scheme.</p> <p>3. The subdivider shall prepare a Stormwater Management Plan to address erosion, nutrient and drainage issues during and post construction.</p> <p>4. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p>

DESCRIPTION OF LAND	PERMITTED USE
<p>12. Lot 24 Beenyp Road, Byford (Cont'd)</p> <p>AMD 137 GG 6/6/06</p>	<p>5. No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>6. All buildings and effluent disposal systems to be located within the building envelopes to be determined upon application for subdivision unless otherwise approved in writing by the Council.</p> <p>7. All new buildings and structures to be constructed in accordance with the "extreme" rating requirements as specified in AS 3959-1999 "Construction of buildings in bushfire-prone areas".</p> <p>8. Notwithstanding the obligations of the subdivider under Clause 5.12.9e) of the Scheme, the subdivider shall drain the land and provide drainage detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easement and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.</p> <p>9. Planning consent is required for the construction of any dwelling, outbuilding, cut and fill and driveway prior to the commencement of such work, and will include a plan to the satisfaction of Council which shall show site contours, existing trees and strands of vegetation and a water quality management plan. Such consent will only be granted where Council is satisfied that such construction accords with the landscape and conservation objectives of the locality and achieves erosion control, low visual impact, passive solar design and bushfire protection.</p> <p>10. The subdivider providing a reticulated water supply to the northern most lot to the satisfaction of the Water Corporation.</p> <p>11. No dwelling house on the two southern most lots shall be occupied unless a roof water tank having a capacity of not less than 90,000 litres, or some other approved supply of domestic water of no less capacity is provided.</p> <p>12. The subdivider shall plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>13. The subdivider shall either maintain the trees and shrubs planted until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>14. In the Priority Conservation Area, delineated on the approved subdivision guide plan, no planting of non-indigenous species is permitted.</p>

DESCRIPTION OF LAND	PERMITTED USE
<p>12. Lot 24 Beenyup Road, Byford (Cont'd)</p> <p>AMD 137 GG 6/6/06</p>	<p>15. Keeping of cats shall be prohibited unless they are kept at all times within the confines of a dwelling or a cat run which has been approved by the Shire.</p> <p>16. Keeping of dogs shall be prohibited except where the building envelope is appropriately fenced to contain the dog(s).</p> <p>17. Building Envelopes shall be defined at the time of subdivision and be of a size sufficient to include all buildings and the required fuel reduction zone around buildings. The location and area of building envelopes shall be to the satisfaction of the Council and may be varied at the discretion of Council.</p> <p>18. The keeping of horses, sheep, goats or other grazing animals is not permitted.</p> <p>19. Delineation of lot boundaries within the Priority Conservation Area shall not comprise fencing, however, pegs and/or cairns or other similar measures are acceptable.</p> <p>20. The finish and materials of any structure shall comply with the provisions of the Shire's Landscape Protection Policy (as amended) and precludes the use of white, off-white and cream roofing in addition to zincalume roofing.</p> <p>21. The final boundaries of the new lots and building envelopes are to be determined by survey in order to provide the least disturbance of existing vegetation.</p> <p>22. An environmental management plan being developed and implemented by the subdivider for the priority conservation area to the satisfaction of Council. This must include vegetation management identification of areas of value, weed control and revegetation; fire management and strategies to manage other threatening processes identified in the planning process.</p> <p>23. No activity is to be undertaken that will adversely impact the quality of surface or ground waters.</p> <p>24. No activities are to be undertaken or permitted to occur that damage the bushland values within the priority conservation area or the adjacent watercourse.</p> <p>25. Weed control and revegetation works be undertaken by the subdivider in accordance with the environmental management plan.</p> <p>26. Vegetation within the Priority Conservation Area is to be rehabilitated to reinstate the locally native bushland within the general area depicted on the subdivision guide plan.</p> <p>27. The subdivider preparing a deed and caveat to be placed over all lots requiring subsequent owners to comply with the environmental management plan for the Priority Conservation Area.</p> <p>28. The developer shall ensure that any offer and acceptance form for the sale of any land in the subdivision shall include special conditions as follows: -</p> <p style="padding-left: 40px;">a) The vendor advises, and the purchaser acknowledges that special conditions apply to the building of houses and other buildings on the land. The conditions include but are not limited to the following: -</p>

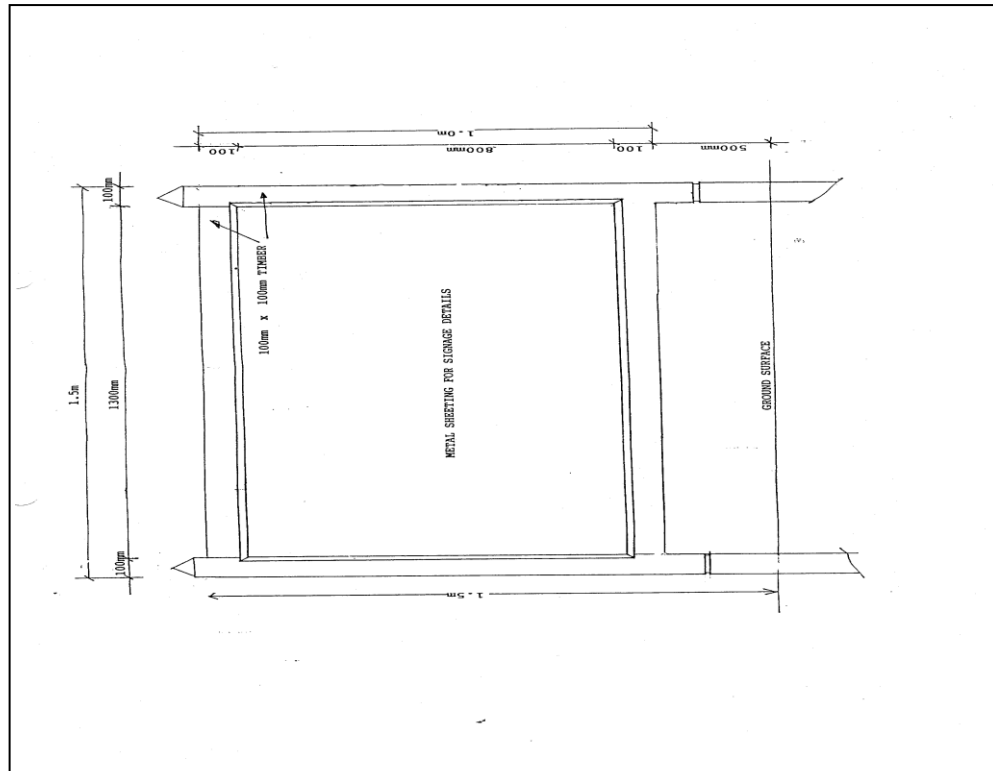
DESCRIPTION OF LAND	PERMITTED USE
<p>12. Lot 24 Beenyup Road, Byford (Cont'd)</p> <p><i>AMD 137 GG 6/6/06</i></p>	<ul style="list-style-type: none"> i) prohibition of all development, fencing and internal firebreaks within the Priority Conservation Area ii) limiting the size and controlling the location of the building envelopes and that minimizes the impact on the amenity of adjacent residents iii) tree preservation provisions iv) prohibition of stock including horses v) limit the level of cut and fill for construction vi) building design performance standards including: solar design, fire sensitive design and natural external colour tones vii) fire management requirements; viii) drainage and nutrient management standards; and ix) environmental management requirements. <p>29. Any lighting at the entrance to the property or along the battleaxe legs shall have low level illumination hooded/and/or oriented so as not to cause glare or light spill on any adjoining property due to landscape and amenity protection for adjoining landowners.</p> <p>30. The Detention/Nutrient Stripping Basin shall be located at least 30 metres from the minor watercourse.</p>
<p>13. Lot 199 Jarrahdale Road, Jarrahdale</p> <p><i>AMD 179 GG 18/12/15</i></p>	<p>The following development controls apply to use and development of the land.</p> <p>1. General Provisions</p> <p>1.1 A Subdivision and Development Guide Plan shall be submitted to and approved by Council and endorsed by the Western Australian Planning Commission (WAPC) prior to any commencement of subdivision or development. Within 10 days of adopting the Subdivision and Development Guide Plan the local government is to forward a copy of the Subdivision and Development Guide Plan to the WAPC for endorsement.</p> <p>1.2 The Subdivision and Development Guide Plan shall delineate the boundaries of each of the following Special Use Precincts:</p> <ul style="list-style-type: none"> i) Commercial/Tourism; and ii) Rural <p>1.3 The subdivision and development shall be generally in accordance with the general provisions and respective Special Use provisions for each precinct.</p> <p>1.4 Any variation to the Subdivision and Development Guide Plan shall be submitted to the local government for approval and endorsed by the WAPC. Within 10 days of adopting any variation to the Subdivision and Development Guide Plan to the WAPC for endorsement.</p>

DESCRIPTION OF LAND	PERMITTED USE
<p>13. Lot 199 Jarrahdale Road, Jarrahdale (Cont'd)</p> <p><i>AMD 179 GG 18/12/15</i></p>	<p>1.5 The Subdivision and Development Guide Plan must be accompanied by a Bush Fire Hazard Assessment in accordance with the Planning for Bush Fire Protection Guidelines (refer to Appendix 1).</p> <p>1.6 The Subdivision and Development Guide Plan and subdivision and development of land must be in accordance with the WAPC's Planning for Bush Fire Guidelines, which includes but is not limited to:</p> <ul style="list-style-type: none"> a) Identifying appropriate hazard separation zones and building protection zones; b) Construction to AS3959-2009 (noting (c) below); c) No residential development within the bush fire attack level (BAL) zones BAL-FZ or BAL-40; and d) Consideration of ember protection features incorporated in all dwelling design within the precinct. <p>1.7 Regardless of whether the land has been designated as bush fire prone, any residential buildings to be erected within this Special Use zone shall comply with the requirements of AS3959-2009.</p> <p>1.8 A Local Water Management Strategy to address issues including but not limited to – flood protection measures for future development, erosion control internally and to adjacent road reserves, surface water management and nomination of proposed drainage easements shall be prepared prior to an application being made for subdivision or development approval.</p> <p>1.9 All development shall be set back from the Gooralong Brook, as required under any relevant legislation or policy including the Local Planning Scheme and State Planning Policy 2.9 – Water Resources.</p> <p>1.10 A Landscape and Vegetation Management Plan shall be prepared prior to application being made for subdivision or development approval.</p> <p>1.11 Reticulated water supply shall be provided to all of the proposed lot(s) at the time of subdivision and/or development to the satisfaction and specifications of the Water Corporation. As part of the reticulated water system, fire hydrants shall be provided to the specifications of the Department of Fire and Emergency Services.</p> <p>1.12 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Local Authority.</p>

DESCRIPTION OF LAND	PERMITTED USE
<p>13. Lot 199 Jarrahdale Road, Jarrahdale (Cont'd)</p> <p>AMD 179 GG 18/12/15</p>	<p>The use of "non-standard" effluent disposal systems may be required and in any event, the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level unless otherwise approved by the Local Authority; and ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing drains, water courses or water bodies; and iii) The areas around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowners and be maintained to the satisfaction of the Local Authority; and iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area. <p>1.13 No indigenous vegetation or trees shall be destroyed, damaged or cleared, unless the clearing is authorized by a clearing permit obtained from the Department of Environment and Conservation, or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulations) of the Environmental Protection Act 1986. Planning approval may also be required to be obtained from Council for the removal of any trees in accordance with the Scheme provisions.</p> <p>1.14 The keeping of horses, sheep, goats or other grazing animals is not permitted.</p> <p>1.15 Keeping of cats shall be prohibited unless they are kept at all times in the confines of any dwelling or a cat run which has been approved by the Shire.</p> <p>1.16 Post and wire stand fencing shall be provided on the western boundary of Lot 199 abutting the Serpentine National Park and on the northern boundary of Lot 199.</p> <p>1.17 Planning consent is to be obtained from Council prior to the commencement of any development in this precinct.</p> <p>2. Commercial/Tourism Precinct</p> <p>2.1 Design Guidelines may be recommended as a condition of subdivision or imposed as part of the development approval.</p> <p>2.2 Reticulated water supply shall be provided to all of the proposed lot(s) at the time of subdivision and/or development to the satisfaction and specifications of the Water Corporation. As part of the reticulated water system, fire hydrants shall be provided to the specifications of the Department of Fire and Emergency Services.</p>

DESCRIPTION OF LAND	PERMITTED USE
<p>13. Lot 199 Jarrahdale Road, Jarrahdale (Cont'd)</p> <p>AMD 179 GG 18/12/15</p>	<p>2.3 Land use permissibility within this precinct shall be in accordance with the following use permissibility. All other uses are prohibited within the Zone.</p> <ul style="list-style-type: none"> - Holiday Accommodation - (AA) - Exhibition Centre - (AA) - Restaurant - (AA) - Industry-Cottage - (AA) - Bed and Breakfast - (AA) - Interpretive/Tourism Centre - (AA) - Car Park - (IP) - Caretaker's Dwelling - (IP) - Civic Buildings - (SA) - Consulting Rooms - (SA) - Reception Centre - (SA) - Health Studio (SA) - Recreation Public (SA) - Child Minding Centre (SA) - Club Premises (SA) - Convenience Store (SA) - Market (SA) <p>All other uses are not permitted.</p> <p>3. Rural Precinct</p> <p>3.1 There shall be a general presumption against further subdivision of the land to ensure that the integrity and conservation value of the site is protected.</p> <p>3.2 Permissibility of uses within this precinct include:</p> <ul style="list-style-type: none"> - Single House - (P) - Ancillary Accommodation - (IP) - Home Office - (P) - Home Occupation - (AA) - Home Business - (AA) - Industry-Cottage - (AA) - Bed and Breakfast - (AA) - Holiday Accommodation - (SA) <p>All other uses are not permitted.</p>

FIGURE 1
ADVERTISING SIGN PERMITTED DIMENSIONS - SPECIAL USE ZONE - Appendix 2 - 6 (x)



APPENDIX 3 - SPECIAL RESIDENTIAL ZONE

1,2 & 3 were deleted by a previous amendment.

	DESCRIPTION OF LAND	SPECIAL PROVISIONS
4.	Chestnuts Estate Lot 1, Cockburn Sound Location 537 and portion of Cockburn sound Location 283 corner of Atkins and Chestnut Roads, Jarrahdale.	<p>4.1 Subdivision</p> <ul style="list-style-type: none"> (i) Subdivision shall generally accord with the endorsed Subdivisional Guide Plan. (ii) No lot shall be less than 4000 sqm in area. <p>4.2 Land Use</p> <ul style="list-style-type: none"> (i) Within this estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied that the land use does not involve excessive nutrient application or the clearing of the land or will not adversely affect the amenity and character of the estate and the adjoining Jarrahdale township. (ii) Only one residential dwelling shall be permitted on each lot. (iii) Intensive agricultural and horticultural pursuits and the keeping of hooved animals including horses, cattle, sheep, goats, pigs shall be prohibited. the breeding of animals for sale is also prohibited. (iv) The keeping of domestic cats is not permitted. <p>4.3 Building Envelopes</p> <ul style="list-style-type: none"> (i) Notwithstanding Clause 5.8.6(b) of the Scheme Text any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the endorsed Subdivisional Guide Plan. <p>4.4 Building Design and Development</p> <ul style="list-style-type: none"> (i) In order to conserve the character and amenity of the Jarrahdale locality all residential dwellings and outbuildings shall be designed and constructed in materials that will complement the Jarrahdale township to the satisfaction of the Council. This shall preclude zincalume roofs and walls. the siting, building mass, landscaping and external treatment (including materials, colours and the quality of finish) of development shall ensure that buildings, ancillary structures and other works are of high quality and are not in conflict with the character of the locality. Fencing to be post and rail or post and wire, no solid fencing. (ii) Application for building licence for a residential dwelling and/or outbuilding shall be accompanied by a certificate from a qualified engineer advising that: <ul style="list-style-type: none"> i) an assessment has been carried out on the soil conditions of the site on which the structure is to be erected; ii) the foundation design for the structure is adequate having regard to the soil conditions. (iii) On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Council and the department of Health WA. The use of 'nonstandard' effluent disposal systems may be required and in any event the following requirements shall be satisfied;

4.	Chestnuts Estate Lot 1, Cockburn Sound Location 537 and portion of Cockburn sound Location 283 corner of Atkins and Chestnut Roads, Jarrahdale. (Cont'd)	<p>i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock and;</p> <p>ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing/proposed drains; water courses or water bodies;</p> <p>iii) the area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowner and be maintained to the satisfaction of the Local Authority.</p> <p>iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area; and</p> <p>v) If necessary soil amendment around and under each disposal area.</p> <p>4.5 Tree Preservation</p> <p>(i) No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, and for fence.</p> <p>Council shall seek to protect the "Tree Preservation Area(s)" depicted on the endorsed Subdivisional Guide Plan from clearing and may require, if and where necessary, planting of replacement trees to the satisfaction of the Council.</p> <p>(ii) The developer of the estate shall within the "Tree Preservation Area(s)" depicted on the endorsed Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>(iii) The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area(s)" to the satisfaction of the Council until the land as a whole or in lots is sold. thereafter the new landowner(s) shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the developer to the satisfaction of the Council.</p> <p>(iv) At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>4.6 Land Degradation</p> <p>(i) Where in the opinion of the Council the activities carried out on, or use of any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the land,</p> <p>(ii) Where notice has been served on a landowner as in Clause 4.6(i) above, the Council may also require the land be fully rehabilitated within three months of the serving of the notice.</p>
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4.	Chestnuts Estate Lot 1, Cockburn Sound Location 537 and portion of Cockburn sound Location 283 corner of Atkins and Chestnut Roads, Jarrahdale. (Cont'd)	<p>4.7 Fire Control</p> <ul style="list-style-type: none"> (i) Strategic Fire Breaks as nominated on the endorsed Subdivision Guide Plan, shall be established and constructed by the developer to a standard approved by the Council and Bush Fires Board of WA. (ii) The owner of any lot through which a Strategic Fire Break passes shall be responsible for maintaining that Strategic Fire Break to a standard approved by the Council and the Bush Fires Board. (iii) The owner of any lot through which a Strategic Fire Break passes, shall provide ready access to the Strategic Fire Break at all times for fire fighting purposes and the landowners' obligations shall include keeping the Strategic Fire Break land in a condition required by the Council and Bushfires Board to allow fire fighting vehicles to pass over it in safety at any time. (iv) Any other fire prevention measures that may be required by the Council for the estate will be at the landowner's cost in proportion of the landholdings to the whole of the estate. (v) As part of the reticulated water supply system the developer shall service the estate with fire hydrants which shall be to the specifications and satisfaction of the Bushfires Board of WA. <p>4.8 Drainage</p> <ul style="list-style-type: none"> (i) Stormwater drainage from the individual lots shall be contained on-site. (ii) The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to approving the request. <p>4.9 Water Supply</p> <ul style="list-style-type: none"> (i) All lots shall be provided with a reticulated water supply to the satisfaction and specifications of the Water Authority.
5.	Portion of Lot 40 and Lot 41 Abernethy Road, Byford on Certificate of Title Volume 1801, Folio 674	<p>5.1 Notwithstanding the provisions of Table I - Zoning Table, Caretaker's Dwelling shall be an "IP" use.</p> <p>5.2 Every application for a building licence shall be accompanied with a certificate from a suitably qualified engineer advising that:</p> <ul style="list-style-type: none"> (a) assessment of the ground on which the structure is to be erected has been carried out; and (b) foundation design for the structure is adequate.

5.	Portion of Lot 40 and Lot 41 Abernethy Road, Byford on Certificate of Title Volume 1801, Folio 674 (Cont'd)	<p>5.3 Stables shall be constructed in accordance with Council's Health and Building By-laws and Policies and shall be registered with Council.</p> <p>5.4 Every lot shall have a manure bin made from an impermeable material.</p> <p>5.5 A reticulated water supply from the Water Authority of Western Australia's network shall be provided to each lot.</p> <p>5.6 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Local Authority and the Environmental Protection Authority. The use of 'non-standard' effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level and; ii) At least a 100 metre horizontal separation is achieved between the disposal system and existing drains, water courses or water bodies; iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowner and be maintained to the satisfaction of the Local Authority; and iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area. <p>5.7 The land is situated within the Serpentine Groundwater Area and a well license for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores.</p> <p>5.8 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to approving the request.</p> <p>5.9 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landowners cost in proportion of the landholdings to the whole of the estate.</p> <p>5.10 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council who shall have regard to the recommendations of the Environmental Protection Authority.</p> <p>The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p>
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5.	Portion of Lot 40 and Lot 41 Abernethy Road, Byford on Certificate of Title Volume 1801, Folio 674 (Cont'd)	<p>5.11 No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or house driveways.</p> <p>5.12 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.</p> <p>5.13 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" and vegetation retained on each lot to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p> <p>5.14 Within this estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>5.15 Notwithstanding Clause 5.8.6(b) of the Scheme Text any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p> <p>5.16 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture type.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice. When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p>
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5.	Portion of Lot 40 and Lot 41 Abernethy Road, Byford on Certificate of Title Volume 1801, Folio 674 (Cont'd)	<p>5.17 At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>5.18 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose such conditions as the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>5.19 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult with the Environmental Protection Authority before any approval is granted</p> <p>5.20 As part of the reticulated water supply system the developer shall provide at his expense below ground fire hydrants which shall be to the specifications and satisfaction of the Western Australian Fire Brigade.</p>
6.	Portion of Lot 40 Abernethy Road, Byford, on Certificate of Title Volume 1801 Folio 673	<p>6.1 Notwithstanding the provisions of Table 1 - Zoning Table, Caretaker's Dwelling shall be an "IP" use.</p> <p>6.2 Every application for a building licence shall be accompanied with a certificate from a suitably qualified engineer advising that:</p> <p>(a) assessment of the ground on which the structure is to be erected has been carried out; and</p> <p>(b) foundation design for the structure is adequate.</p> <p>6.3 Stables shall be constructed in accordance with Council's Health and Building By-laws and Policies and shall be registered with Council.</p> <p>6.4 Every lot shall have a manure bin made from an impermeable material.</p> <p>6.5 A reticulated water supply from the Water Authority of Western Australia's network shall be provided to each lot.</p>

6.	Portion of Lot 40 Abernethy Road, Byford, on Certificate of Title Volume 1801 Folio 673 (Cont'd)	<p>6.6 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Local Authority and the Environmental Protection Authority.</p> <p>The use of "non-standard" effluent disposal systems may be required and in any event, the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> (i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level; and (ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing drains, water courses or water bodies; and (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowner and be maintained to the satisfaction of the Local Authority; and (iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area. <p>6.7 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores.</p> <p>6.8 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to approving the request.</p> <p>6.9 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landowner's cost in proportion of the landholdings to the whole of the estate.</p> <p>6.10 Stormwater shall be contained on-site to the satisfaction and specifications of the Council who shall have regard to the recommendations of the Environmental Protection Authority. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p> <p>6.11 No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or house driveways.</p>
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6.	Portion of Lot 40 Abernethy Road, Byford, on Certificate of Title Volume 1801 Folio 673 (Cont'd)	<p>6.12 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.</p> <p>6.13 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" and vegetation retained on each lot to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p> <p>6.14 Within this estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>6.15 Notwithstanding Clause 5.8.6(b) of the Scheme Text any residence and all other outbuildings shall be constructed within the Building Envelope shown on the Subdivision Guide Plan.</p> <p>6.16 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture type.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p> <p>6.17 At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p>
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6.	Portion of Lot 40 Abernethy Road, Byford, on Certificate of Title Volume 1801 Folio 673 (Cont'd)	<p>6.18 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose such conditions as the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>6.19 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult with the Environmental Protection Authority before any approval is granted.</p> <p>6.20 As part of the reticulated water supply system the developer shall provide at his expense below ground fire hydrants which shall be to the specifications and satisfaction of the Western Australian Fire Brigade.</p>
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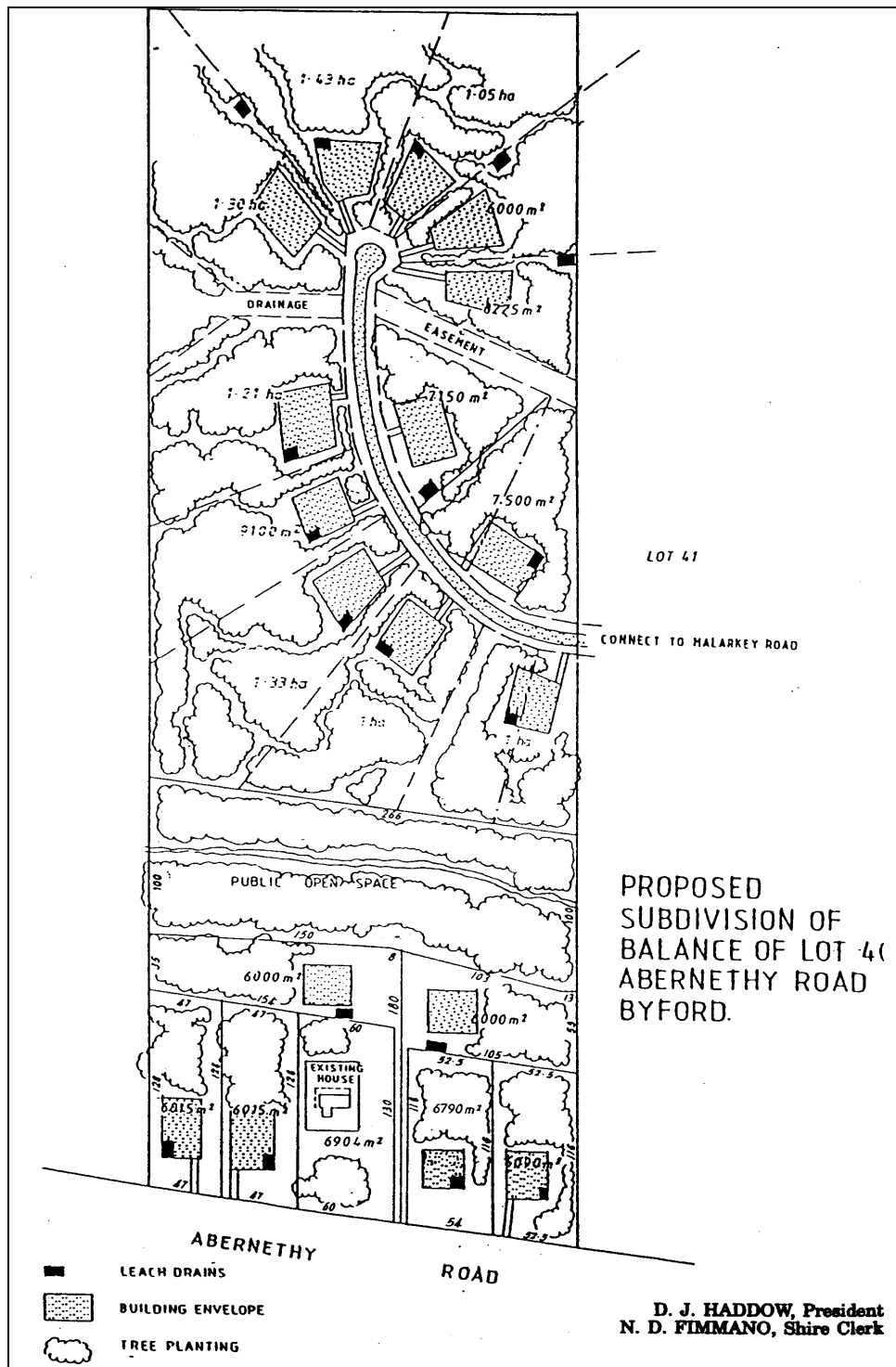


FIGURE 2
Subdivision Guide Plan - Portion of Lot 40 Abernethy Road, Byford, on Certificate of Title
Volume 1801 Folio 673

APPENDIX 4 - SPECIAL RURAL ZONE

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
1. Byford Trotting Complex Serpentine AA Lots 4 & 5 as delineated on the Scheme Map.	1.1 Composite Stabling for Horses and Residential
2. Part Serpentine AA Lots 1 & 2, as delineated on the Scheme Map.	2.1 Composite Stabling for Horses and Residential
3. Part Cockburn Sound Location 179 as delineated on the Scheme Map	3.1 Composite Stabling for Horses and Residential
4. "Darling Downs" Canning Locations 977, 401, Part 146, Part 22, Part 336 & Serpentine AA Lot 6 as delineated on the Scheme Map	<p>4.1 Prior to Council clearance of any subdivisional Diagram or Plan of Survey, contribution of Development Costs shall be made to Council.</p> <p>4.2 The Development Costs referred to in Clause 4.1 are defined as follows:</p> <p>(a) improvement to the Public Open Areas including; Club Room facilities, one bore and pump and associated reticulation, planting trees, an access drive to the site from Evening Peal Court, children's playground equipment, any ancillary items in association with those listed;</p> <p>(b) town planning scheme amendment costs and legal fees; and</p> <p>(c) any of the development cost items may be deleted or adjusted at the discretion of Council.</p>
5. "Eton Hills" Serpentine AA Lot 82 as delineated on the Scheme Map	<p>5.1 No building shall be constructed within 80 metres of the South-Western Highway.</p> <p>5.2 All trees with a trunk girth of 0.5 metres or greater, measured one metre above natural ground level, shall be retained unless their removal is authorised by Council.</p> <p>5.3 Authorisation of Council is deemed to be granted for trees which have to be removed to make way for firebreaks, house driveways, house construction or boundary fences.</p>
6. "Summerfields" Serpentine AA Lots 64, 65, 66 & 123, as delineated on the Scheme Map	<p>6.1 No building shall be constructed within 80 metres of the South-Western Highway.</p> <p>6.2 All trees with a trunk girth of 0.5 metres or greater, measured one metre above natural ground level, shall be retained unless their removal is authorised by Council.</p> <p>6.3 Authorisation of Council is deemed to be granted for trees which have to be removed to make way for firebreaks, house driveways, house construction or boundary fences.</p>
7. "Millbrook" Cockburn Sound Locations 250, 497, 512 & Part 37 as delineated on the Scheme Map	<p>7.1 No tree or sapling over three metres high shall be removed without the prior written consent of the Council.</p> <p>7.2 For trees and saplings which have to be removed to make way for regulation firebreaks, house driveways and housing constructions, the written consent of the Council is deemed to have been granted.</p>
8. "Soldiers Road" Serpentine AA Lots 31, 32 & 34 as delineated on the Scheme Map AMD 53 GG 12/3/96	<p>8.1 All trees with the colour notation Green as shown on the Plan of Subdivision to be retained unless their removal is authorised by Council.</p> <p>8.2 Special provisions relating to the subdivision of land with the Soldiers Road Special Rural Estate:</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>8. "Soldiers Road" Serpentine AA Lots 31, 32 & 34 as delineated on the Scheme Map (Cont'd)</p> <p>AMD 53 GG 12/3/96</p>	<p>Notwithstanding the following conditions subdivision and development of Lots 4 to 7, 16 to 27, 32, 34, 35 and 36 Karbro Drive and Lots 8 to 15 and Lot 34 Hopkinson Road, Cardup shall comply with the Planning guidelines for Nutrient Management, Serpentine-Jarrahdale, January 1993.</p> <p>Purchasers of the new lots shall be supplied with a copy of these Guidelines and special provisions which are to be attached to the relevant REIWA Contracts of Sale (Offer and Acceptance).</p> <p>8.2.1 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Local Authority and the Department of Environmental Protection. The use of non-standard effluent disposal systems shall be required to service development on all new lots.</p> <p>8.2.2 Within this Special Rural Estate landuses other than a single residence, that are permitted or may be permitted by the Council is satisfied following consultation with the Department of Environmental Protection that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>8.2.3 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building envelope shown on the Subdivision Guide Plan.</p> <p>8.2.4 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>8.2.5 The landowners shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landowners' cost in proportion of the land holdings to the whole of the estate. The developer at time of subdivision shall be responsible for the installation of fire breaks to the satisfaction of Council and the Bush Fires Board.</p> <p>8.2.6 The land for, and the provision of facilities for fire fighting purposes shall be provided by the developers of the estate-free of cost to Council. The location of the facilities shall be to the satisfaction of both the Council and the bush Fires Board and the facilities shall be constructed to the specifications and satisfaction of Council and the Bush Fires Board.</p> <p>8.2.7 The developer to make arrangements for long term fire protection, including ongoing maintenance within the subdivision to the satisfaction of and the Bush Fires board.</p> <p>8.2.8 The developer shall provide a fuel management plan for the estate to the specifications and satisfaction of Council and the bush Fires Board prior to clearance of final diagram of survey.</p> <p>8.2.9 Signs, hoardings or advertisements shall not be erected without prior written approval of the Council.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>8. "Soldiers Road" Serpentine AA Lots 31, 32 & 34 as delineated on the Scheme Map (Cont'd)</p> <p><i>AMD 53 GG 12/3/96</i></p>	<p>The land is situated within the Perth Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p> <p>8.2.10 All buildings shall be set back a minimum of 20 metres from front and rear boundaries, and 10 metres from side boundaries.</p> <p>8.2.11 Prospective purchasers shall be advised in writing that on the lots marked with a small black star on the Subdivision Guide Plan, that no stock will be permitted.</p> <p>8.2.12 No lot within the subdivision area to be less than 2 hectares.</p>
<p>9. "Whitby Falls" Serpentine AA Lot 45, Part 25 & Part 27, Cockburn Sound Locations 165, Part 399, Part 389, Part 492 and Part 548 as delineated on the Scheme Map</p>	<p>9.1 In order to conserve the natural beauty of the hillslopes, the creek lines and the retention of the rural landscape of the subject land all trees shall be retained unless removal is authorised by Council.</p>
<p>10. "Tallangandra" Cockburn Sound Location 479 & Peel Estate Lots 824 & 827 corner of Utley, Hall and Wattle Roads, Serpentine, as delineated on the Scheme Map</p>	<p>10.1 No trees or shrubs shall be removed from within the setback area apart from those which have to be removed to make way for boundary fences, regulation firebreaks and house driveways.</p> <p>10.2 No more than 2 horses are permitted on each lot within the zone.</p> <p>10.3 All trees with a trunk girth of 500mm or greater, measured 1 metre above natural surface level shall be retained unless their removal is authorised by Council.</p> <p>10.4 All Christmas Trees, Salmon White Gums and Butter Gums are to be protected and Council may vary setback and firebreak requirements in order to preserve such trees, whether mature or saplings.</p>
<p>11. "Three Kangaroos Farm" Lots 4 & 9 of Cockburn Sound Location 502, South Western Highway, Byford as delineated on the Scheme Map.</p>	<p>11.1 Stormwater from within the zone is not to be discharged onto the Highway Reserve and is to be catered for either outside or through the Highway Reserve at the subdividers cost.</p> <p>11.2 Notwithstanding the provisions of the Zoning Table of the Scheme Text, the following uses are not permitted in this area:</p> <p>Child Minding Centre Civic Building Consulting Room Educational Establishment</p>
<p>12. "Oakford Estate" Those lots and part lots generally bounded by Rowley Road, Nicholson Road, Wolfe Road and Pony Place as depicted on the Scheme Map.</p> <p><i>AMD 92 GG 10/3/06</i></p>	<p>12.1 The siting of bores on each lot shall be carried out in consultation with the Water Authority, having regard to the position of effluent systems, the spacing of bores between neighbouring lots and the Water Authority bores.</p> <p>12.2 In the exercise of its discretion related to uses classified as 'AA' in this locality, Council shall not approve of any such use unless it is advised by the Water Authority that a licence would be issued for the use of groundwater in the amounts necessary to support the development.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>12. "Oakford Estate" Those lots and part lots generally bounded by Rowley Road, Nicholson Road, Wolfe Road and Pony Place as depicted on the Scheme Map.</p> <p><i>AMD 92 GG 10/3/06</i></p>	<p>12.3 No indigenous vegetation within the Landscape Preservation Area designated on the Subdivision Guide Plan shall be destroyed or cleared except where such indigenous vegetation is dead, diseased or where the clearing is for the purpose of a regulation firebreak.</p> <p>12.4 Council may, at its discretion, vary the position of any required firebreak to avoid destruction of vegetation or otherwise to take account of the physical features of the subject land.</p> <p>12.5 Council shall not approve any development unless it is satisfied that such development and works will not damage the existing indigenous vegetation or significantly alter the natural ground level or compromise the principles of the Jandakot groundwater pollution control area.</p>
<p>13. "Byford Hills" Part of Lot 2 of Cockburn Sound Location 462, Byford, as depicted on the Scheme Map</p>	<p>13.1 No horses or goats should be permitted on areas other than the upper plateau surface (Dwellingup and Yaragil units).</p> <p>13.2 The keeping of animals to be restricted to the Department of Agriculture's general carrying capacity recommendation of four dry sheep equivalent per hectare.</p> <p>13.3 The coverage of each individual lot by buildings shall not exceed three percent of the area of that lot.</p> <p>13.4 No Christmas tree, Salmon White Gum and Butter Gum may be removed unless otherwise approved by Council, and Council may vary setback and firebreak requirements in order to preserve such trees.</p> <p>13.5 All trees over 3 metres high within a defined building envelope and all trees with a trunk girth of 500mm or greater, measured 1 metre above natural ground level shall be retained unless otherwise authorised by Council.</p> <p>13.6 The authorisation of Council for the removal of trees, other than those referred to in item 14.4 of this Appendix, which are required to be removed to provide for regulation firebreaks, house driveways or housing construction, is deemed to have been granted.</p> <p>13.7 Strategic firebreaks shall be kept open at all times in a manner suitable for access by vehicles during emergency situations.</p> <p>13.8 Maintenance of strategic firebreaks to the satisfaction of Council and other fire prevention measures subsequently required by Council will be at the cost of land owners in proportion to their landholdings to the whole.</p> <p>13.9 On-site effluent disposal systems should be separated by at least 100 metres from any permanent watercourse.</p> <p>13.10 Watercourses flowing through private property shall not be dammed or otherwise have their natural flow altered or impeded without the approval of Council.</p> <p>13.11 Every application for a building licence shall be accompanied with a certificate from a suitable qualified engineer advising that:</p> <ul style="list-style-type: none"> (i) an assessment of the ground on which the structure is to be erected has been carried out; and (ii) the foundation design for the structure is adequate.

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
14. "Briggs Road" Serpentine Agriculture Area Lot 8 Briggs, Abernethy and Doley Road, Byford, as depicted on the Scheme Map	<p>14.1 Notwithstanding the provisions of Clause 5.9.6, buildings other than the main dwelling may be constructed outside the dwelling envelope designated on the approval plan of subdivision.</p> <p>14.2 Every application for a building licence shall be accompanied by a certificate from a suitably qualified engineer advising that:</p> <p>(a) an assessment of the ground on which the structure is to be erected has been carried out; and</p> <p>(b) the foundation design for the structure is adequate.</p> <p>14.3 Every lot shall have a manure bin made from an impermeable material.</p> <p>14.4 No more than two horses per lot are permitted unless the additional horses are stabled in an appropriate manner.</p> <p>14.5 Effluent disposal systems shall be set back a minimum of 75 metres from Beenyup Brook.</p> <p>14.6 The area around each effluent disposal system shall be well maintained with trees and shrubs.</p> <p>14.7 The application to pasture of natural or artificial fertiliser obtained from a source outside the property is not permitted.</p>
15. "Karnup Creek Farms" Lots 1 and 2 Karnup Road, Lots 3 to 9 Yangetti Road and Lots 10 to 17 Jarrah Road, Karnup as depicted on the Scheme Map	<p>15.1 All fencing shall be of post and rail or wire construction and asbestos fencing is not permitted.</p> <p>15.2 No trees or other vegetation shall be felled or cleared without the prior written approval of the Council, except that required for the erection of a dwelling or outbuilding approved by the Council, but this provision shall not preclude the establishment of adequate fire breaks as required by the Council and the Bush Fires Board of Western Australia.</p> <p>15.3 Stocking rates shall not exceed those recommended by the Department of Agriculture for this locality and stock shall not be kept in a manner which will result in soil erosion.</p>
16. "Kargotich Road" Peel Estate Lots 191, 192, 193 and Part 194 Kargotich and Thomas Roads, Oakford as depicted on the Scheme Map <i>AMD 9 GG 28/3/91</i>	<p>16.1 At the time of building application for each lot a landscaping plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>16.2 No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways.</p> <p>16.3 The following setbacks shall apply unless otherwise approved by Council:</p> <p style="padding-left: 40px;">Front: 20 metres Side and Rear: 15 metres</p> <p>16.4 The subdivider shall provide written notification to all purchasers of allotments within the subdivision of the existence and location of easements for drainage and SECWA purposes.</p> <p>16.5 Access to be provided for fire fighting purposes to the lots from Thomas Road by way of gates with a minimum opening of 4.2 metres.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>16. "Kargotich Road" Peel Estate Lots 191, 192, 193 and Part 194 Kargotich and Thomas Roads, Oakford as depicted on the Scheme Map (Cont'd)</p> <p><i>AMD 9 GG 28/3/91</i></p>	<p>16.6 Fencing to be erected around mature trees to the satisfaction of the Council to prevent damage to trees from animals, such as horses, goats and cattle.</p>
	<p>16.7 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.</p>
	<p>16.8 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Local Authority and the Environmental Protection Authority. The use of "non-standard" effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> (i) a 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level; (ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing drains, water courses or water bodies; (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowners and may be maintained to the satisfaction of the Local Authority; and (iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area.
	<p>16.9 The land is situated within the Perth Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores.</p>
	<p>16.10 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Environmental Protection Authority and the Council. The developer of the estate shall obtain the approval of the Environmental Protection Authority, the Water Authority and the Council for drainage proposals prior to commencement of site works.</p>
	<p>16.11 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p>
	<p>16.12 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landowners cost in proportion of the landholdings to the whole of the estate.</p>
	<p>16.13 The land for, and the provision of, an on-site static water facility of 50,000 litres capacity, fed by a bore and a windmill or suitable alternative for fire fighting purposes shall be provided by the developer of the estate free of cost to the Council. The location of the facility shall be to the satisfaction of both the Council and Bushfires Board and the facility shall be constructed to the specifications of the Bushfires Board.</p> <p>Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>16. "Kargotich Road" Peel Estate Lots 191, 192, 193 and Part 194 Kargotich and Thomas Roads, Oakford as depicted on the Scheme Map (Cont'd)</p> <p><i>AMD 9 GG 28/3/91</i></p>	<p>16.14 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority.</p> <p>16.15 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer to the satisfaction of the Council.</p> <p>16.16 Within this Special Rural estate landuses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the landuse does not involve excessive nutrient application or the clearing of the land.</p> <p>16.17 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p> <p>16.18 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture type.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>16.19 With the intention of preserving the existing natural vegetation and mature trees and preventing landuse practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>16.20 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult with the Environmental Protection Authority before any approval is granted.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>17. Abernethy and Hopkinson Roads, Oakford Lot 2, 6, 221 and 222 as delineated on Scheme Map.</p> <p><i>AMD 13 GG 3/3/95</i></p>	<p>17.1 The minimum lot size shall be 2 hectares.</p> <p>17.2 Subdivision shall generally be in accordance with the Subdivision Guide Plan.</p> <p>17.3 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Council. All lots shall be serviced by an 'Alternative Treatment System' (ATS), and in any event the following requirements shall be satisfied.</p> <p>17.4 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways.</p> <p>17.5 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivision Guide Plan plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Department of Environmental Protection. Tree planting shall occur and be undertaken to the satisfaction of Council prior to the endorsement of the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.</p> <p>17.6 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" and vegetation to be retained on each lot to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p> <p>17.7 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Department or Environmental Protection that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>17.8 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building envelope shown on the Subdivisional Guide Plan.</p> <p>17.9 To ensure adequate control of bushfires, the following requirements shall be implemented or provided by the developer of the estate:</p> <ul style="list-style-type: none"> (i) A Fire Management Plan to the satisfaction of the Shire of Serpentine-Jarrahdale and Bush Fires Board which addresses Council and environmental concerns and management objectives of remnant bushland, whilst reducing the bushfire threat to a manageable level. (ii) A perimeter firebreak cleared to a minimum of 5 metres width around the total site, and provision of a building envelope firebreak plan.

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>17. Abernethy and Hopkinson Roads, Oakford Lot 2, 6, 221 and 222 as delineated on Scheme Map. (Cont'd)</p> <p>AMD 13 GG 3/3/95</p>	<p>(iii) A strategic firebreak of 3 metres width between the building envelope and the native vegetation - any dead wood to be burnt or removed before release of title.</p> <p>(iv) Removal of understorey vegetation (excluding trees) from the entire building envelope on each lot.</p> <p>17.10 Signs hoardings or advertisements shall not be erected without the prior written approval of the Council.</p> <p>17.11 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours existing trees and stands of vegetation those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>17.12 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to fenced areas of the lot to the satisfaction of Council. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>No clearing outside the building envelopes of either trees or understorey shall be permitted.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Department of Environmental Protection and that such will not result in the removal or damage of the vegetation and, trees or result in soil erosion and dust pollution. As a condition of approval the Council may require the animals to be stabled or corralled.</p> <p>No stocking will be allowed in the bush behind the strategic firebreaks.</p> <p>Where in the opinion of Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to the dust pollution or soil erosion, notice may be served on the owner of the said land, requiring immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months or servicing the notice.</p> <p>17.13 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council who shall have regard to the recommendations of the Department of Environmental Protection. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to the commencement of site works.</p> <p>17.14 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>17. Abernethy and Hopkinson Roads, Oakford Lot 2, 6, 221 and 222 as delineated on Scheme Map. (Cont'd)</p> <p><i>AMD 13 GG 3/3/95</i></p>	<p>17.15 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>17.16 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p> <p>17.17 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water then can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p> <p>17.18 Fencing outside of the building envelope shall be subject to the prior approval of Council and will require to be justified and shall be stock proof.</p> <p>17.19 A sign (1m x 600mm) shall be created at the entrance to the subdivision detailing all rezoning conditions as advised by Council.</p>
<p>18. "Soldiers Road, Cardup" Lots Pt 1 and AA 116 as delineated on the Scheme Map.</p> <p><i>AMD 11 GG 5/11/93</i></p>	<p>18.1 The minimum lot size shall be two hectares.</p> <p>18.2 The total number of lots created shall not exceed 8 so that subdivision and development of the land shall not create a density of more than the equivalent of one standard single residential septic tank system per 2.2726 hectares based on the gross area of the land.</p> <p>18.3 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Council. The use of "non-standard" effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> (i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock; (ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing/proposed drains, water courses and/or water bodies; (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowners and be maintained to the satisfaction of the Local Authority;

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>18. "Soldiers Road, Cardup" Lots Pt 1 and AA 116 as delineated on the Scheme Map. (Cont'd)</p> <p>AMD 11 GG 5/11/93</p>	<p>(iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area; and</p> <p>(v) If necessary, soil amendment around and under each disposal area.</p> <p>18.4 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways.</p> <p>18.5 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivision Guide Plan plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of Council prior to the endorsement of the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.</p> <p>18.6 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" and vegetation to be retained on each lot to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p> <p>18.7 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>18.8 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p> <p>18.9 To ensure adequate control of bushfires, the following requirements shall be implemented or provided by the developer of the estate:</p> <p>(i) A Fire Management Plan to the satisfaction of the Shire of Serpentine-Jarrahdale and Bush Fires Board which addresses Council and environmental concerns and management objectives of remnant bushland, whilst reducing the bushfire threat to a manageable level;</p> <p>(ii) A perimeter firebreak cleared to a minimum of 5 metres width around the total site, and provision of a building envelope firebreak plan;</p> <p>(iii) A strategic firebreak of 3 metres width between the building envelope and the native vegetation - any dead wood to be burnt or removed before release of title;</p> <p>(iv) Removal of understorey vegetation (excluding trees) from the entire building envelope on each lot; and</p> <p>(v) Council shall provide land on the Reserve located on Part Lots 31 and 32 Karbro Drive Corner Soldiers Road, Cardup, for the purposes of provision by the developer of an on-site static water facility of 50,000 litres capacity, fed by a bore and windmill or suitable alternative, for fire fighting purposes. The facility shall be constructed to the specifications of the Bush Fires Board and the Council.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>18. "Soldiers Road, Cardup" Lots Pt 1 and AA 116 as delineated on the Scheme Map. (Cont'd)</p> <p><i>AMD 11 GG 5/11/93</i></p>	<p>18.10 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.</p> <p>18.11 At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>18.12 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>No clearing outside the building envelopes of either trees or understorey shall be permitted.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>No stocking will be allowed in the bush behind the strategic firebreaks.</p> <p>Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to the dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause, the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p> <p>18.13 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council who shall have regard to the recommendations of the Environmental Protection Authority. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p> <p>18.14 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p> <p>18.15 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>18. "Soldiers Road, Cardup" Lots Pt 1 and AA 116 as delineated on the Scheme Map. (Cont'd)</p> <p><i>AMD 11 GG 5/11/93</i></p>	<p>18.16 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Environmental Protection Authority before approval is granted.</p> <p>18.17 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines, 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p> <p>18.18 Fencing outside of the building envelope shall be subject to the prior approval of Council and will require to be justified and shall be stockproof.</p> <p>18.19 A sign (1m x 600mm) shall be created at the entrance to the subdivision detailing all rezoning conditions as advised by Council.</p>
<p>19. "Utley Road" Serpentine portion of Lot 825 as delineated on the Scheme Map</p> <p><i>AMD 12 GG 7/7/92</i></p>	<p>19.1 The minimum lot size shall be two hectares.</p> <p>19.2 No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or house driveways.</p> <p>19.3 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Council. The use of "non-standard" effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> (i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock; (ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing/proposed drains, water courses and/or water bodies. (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowners and be maintained to the satisfaction of the Local Authority; (iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area; and (v) If necessary, soil amendment around and under each disposal area. <p>19.4 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>19. "Utley Road" Serpentine portion of Lot 825 as delineated on the Scheme Map (Cont'd)</p> <p><i>AMD 12 GG 7/7/92</i></p>	<p>19.5 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" and vegetation to be retained on each lot to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p> <p>19.6 Within this Special Rural estate land uses other than a single residence, that area permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>19.7 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p> <p>19.8 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.</p> <p>19.9 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>19.10 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stables or corralled.</p> <p>Where in the opinion of Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to the dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p> <p>19.11 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council who shall have regard to the recommendations of the Environmental Protection Authority. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p> <p>19.12 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>19. "Utley Road" Serpentine portion of Lot 825 as delineated on the Scheme Map (Cont'd)</p> <p><i>AMD 12 GG 7/7/92</i></p>	<p>19.13 The landowner shall be responsible for the establishment and maintenance of firebreaks, in accordance with Councils standard fire break requirements, and any other fire prevention measures that may be required by the Council for the estate will be at the landowners cost in proportion of the landholdings to the whole of the estate.</p> <p>19.14 Council will provide land on the existing Reserve No 40340/1357 to the north of lot 825 for provision of an on-site static water facility of 50,000 litres capacity. This tank is to be fed by a bore and a windmill or suitable alternative for fire fighting purposes to be provided by the developer of the estate free of cost to the Council. The location of the facility shall be to the satisfaction of both the Council and Bush Fires Board and the facility shall be constructed to the specifications of the Bush Fires Board and the Council.</p> <p>19.15 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>19.16 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Environmental Protection Authority before approval is granted.</p> <p>19.17 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines, 1,500 kilolitres per year is allocated. The allocation of 1,500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p>
<p>20. Lots 175, 176 and 180 and portion Lot 3 on the corner of Kargotich and Rowley Roads, Oakford.</p> <p><i>AMD 18 GG 31/5/96</i> <i>AMD 120 GG 6/9/02</i></p>	<p>20.1 The Council will not recommend lot sizes of less than 2 hectares.</p> <p>20.2 No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required, for the purpose of a firebreak, dwelling, outbuilding, fence and/or house driveways.</p> <p>20.4 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Department of Environmental Protection. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the transfer of lot(s) to a new owner.</p> <p>20.5 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" and vegetation to be retained on each lot to the satisfaction of Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and replacement (if and where necessary of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>20. Lots 175, 176 and 180 and portion Lot 3 on the corner of Kargotich and Rowley Roads, Oakford.</p> <p><i>AMD 18 GG 31/5/96</i> <i>AMD 120 GG 6/9/02</i></p>	<p>20.6 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Department of Environmental Protection that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>20.7 A building envelope with an area not exceeding 2,000m² shall be defined in a position to be agreed by the Council in locations as generally depicted on the Subdivision Guide Plan and no building envelope shall be closer than 20 metres to the primary street boundary or Western Power Transmission Line Easement</p> <p>Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the approved Building Envelope.</p> <p>20.8 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>20.9 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>Council may approve the grazing of animals outside the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Department of Environmental Protection and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution.</p> <p>As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals of any portion of land in the estate is likely to contribute, or is contributing to the dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a land owner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of serving of the notice.</p> <p>20.10 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council who shall have regard to the recommendations of the Department of Environmental Protection. The subdivider of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p> <p>20.11 The drainage systems shall not be altered without the prior approval of Council.</p> <p>The drainage design should not preclude the requirements to contain a 1:100 year (1%) flood. Development of land fill on each lot shall, therefore have an area of not less than 2 000m² for a house and curtilage, with a minimum land level of not less than the accepted 1% probability flood level for that land.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>Lots 175, 176 and 180 and portion Lot 3 on the corner of Kargotich and Rowley Roads, Oakford. (Cont'd)</p> <p><i>AMD 18 GG 31/5/96</i> <i>AMD 120 GG 6/9/02</i></p>	<p>Council shall when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects of the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p> <p>20.12 The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fire Board of WA.</p> <p>20.13 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, trees and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit.</p> <p>20.14 The developer shall carry out a site investigation to determine the geotechnical properties of the soils. Such information shall form the basis of the design of the roads, drainage systems and site filling. A copy of the site investigation shall be lodged with Council prior to or at the same time as construction drawings are submitted for approval.</p> <p>20.15 Construction and specification of Bridle Paths and Public Access Way including bollards and gates to be to the satisfaction of Council.</p> <p>20.16 Prior to subdivision or development approval the developer shall provide evidence to demonstrate to the satisfaction of Council, on advice of the Department of Environmental Protection, that noise levels at new residences and other sensitive developments affected by traffic noise from the proposed Tonkin Highway extension are no greater than 60dB(A) Leq between 0700 and 2200 hours and 55dB(A) Leq between 2200 and 0700 hours.</p>
<p>21 "Coolabar Estate" Peel Estate Lots Pt 236, 237 and 238 Hopkinson and Orton Roads, Byford as delineated on the Scheme Map</p> <p><i>AMD 4 GG 23/8/91</i></p>	<p>21.1 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Council and the Environmental Protection Authority. The use of "non-standard" effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> (i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock; (ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing/proposed drains, water courses or water bodies. (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowner and be maintained to the satisfaction of the Local Authority; (iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area; and (v) If necessary, soil amendment around and under each disposal area. <p>21.2 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>21. "Coolabar Estate" Peel Estate Lots Pt 236, 237 and 238 Hopkinson and Orton Roads, Byford as delineated on the Scheme Map</p> <p><i>AMD 18 GG 31/5/96</i></p>	<p>21.3 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.</p>
	<p>21.4 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer to the satisfaction of the Council.</p>
	<p>21.5 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p>
	<p>21.6 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p>
	<p>21.7 At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p>
	<p>21.8 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p>
	<p>21.9 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>21 "Coolabar Estate" Peel Estate Lots Pt 236, 237 and 238 Hopkinson and Orton Roads, Byford as delineated on the Scheme Map</p> <p><i>AMD 18 GG 31/5/96</i></p>	<p>21.10 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p>
	<p>21.11 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landholders cost in proportion of the landholdings to the whole of the estate.</p>
	<p>21.12 The land for, and the provision of, an on-site static water facility of 50,000 litres capacity, fed by a bore and a windmill or suitable alternative for fire fighting purposes shall be provided by the developer of the estate free of cost to the Council. The location of the facility shall be to the satisfaction of both the Council and the Bush Fires Board and the facility shall be constructed to the specifications of the Bush Fires Board.</p>
	<p>21.13 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p>
	<p>21.14 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult with the Environmental Protection Authority before any approval is granted.</p>
	<p>21.15 Signs, hoarding or advertisements shall not be erected without the prior written approval of the Council.</p>
	<p>21.16 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p>
	<p>21.17 No lot within the subdivision area to be less than 2.0 hectares.</p>
	<p>21.18 All building shall be set back a minimum of 15.0 metres from any boundary or road.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>22. Hopkinson Road - 204, 205, 206</p> <p> <i>AMD 3 GG 16/8/91</i></p>	<p>22.1 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Local Authority and the Environmental Protection Authority. The use of non-standard effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <p style="padding-left: 40px;">(i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level and;</p> <p style="padding-left: 40px;">(ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing drains, water courses or water bodies;</p> <p style="padding-left: 40px;">(iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowner and be maintained to the satisfaction of the Local Authority; and</p> <p style="padding-left: 40px;">(iv) Prevention of direct movement of wastewater from the locality of each disposal area.</p> <p>22.2 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores.</p> <p>22.3 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to approving the request.</p> <p>22.4 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landowners cost in proportion of the landholdings to the whole of the estate.</p> <p>22.5 Any lots with frontages to an internal road shall only be permitted access to that road.</p> <p>22.6 The subdivider shall attach to any Offer and Acceptance document a copy of the provisions of this Amendment.</p> <p>22.7 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.</p> <p>22.8 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Environmental Protection Authority and the Council. The developer of the estate shall obtain the approval of the Environmental Protection Authority, the Water Authority and the Council for drainage proposals prior to commencement of site works.</p> <p>22.9 The land for, and the provision of, an on-site static water facility of 50,000 litres capacity, fed by a bore and a windmill or suitable alternative for fire fighting purposes shall be provided by the developer of the estate free of cost to the Council. The facility shall be constructed to the specifications and satisfaction of the Council and the Bush Fires Board.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>Hopkinson Road - 204, 205, 206 (Cont'd)</p> <p>AMD 3 GG 16/8/91</p>	<p>22.10 No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or house driveways.</p> <p>22.11 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivision Guide Plan.</p> <p>22.12 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" to the satisfaction of the Council until the land as a whole or in lots is sold.</p> <p>Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer to the satisfaction of the Council.</p> <p>22.13 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>22.14 Any residence or other outbuildings shall only be constructed within the Building Envelope shown on the Subdivision Guide Plan.</p> <p>22.15 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals in the notice for a period specified in the notice.</p> <p>22.16 At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>Hopkinson Road - 204, 205, 206 (Cont'd)</p> <p>AMD 3 GG 16/8/91</p>	<p>22.17 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit.</p> <p>The Council will have regard to limits on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>22.18 The land is situated within the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult with the Environmental Protection Authority before any approval is granted.</p>
<p>23 "Hopkinson Road Wungong" Lots 5, 10 and 13 as delineated on Scheme Map</p> <p>AMD 23 GG 1/5/92</p>	<p>23.1 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Council and the Environmental Protection Authority. The use of non-standard effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> (i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock. (ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing/proposed drains, water courses or water bodies. (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowner and be maintained to the satisfaction of the Local Authority; and (iv) Prevention of direct movement of wastewater from the locality of each disposal area. (v) If necessary, soil amendment around and under each disposal area. <p>23.2 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or driveways.</p> <p>23.3 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivision Guide Plan. Application and distribution of fertiliser to the land shall be subject to the prior approval of the Council.</p> <p>23.4 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer to the satisfaction of the Council.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>23. "Hopkinson Road Wungong" Lots 5, 10 and 13 as delineated on Scheme Map</p> <p><i>AMD 23 GG 1/5/92</i></p>	<p>23.5 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>23.6 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p> <p>23.7 At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>23.8 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>23.9 Council will approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>23.10 Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals in the notice for a period specified in the notice.</p> <p>23.11 When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p> <p>23.12 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p> <p>23.13 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p> <p>23.14 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landowners cost in proportion of the landholdings to the whole of the estate.</p> <p>23.15 Notwithstanding the provisions of the zoning table "Intensive Agriculture" is a use not permitted within the estate.</p> <p>23.16 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>23. "Hopkinson Road Wungong" Lots 5, 10 and 13 as delineated on Scheme Map</p> <p><i>AMD 23 GG 1/5/92</i></p>	<p>23.17 The land is situated within the Perth Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p> <p>23.18 All buildings and envelopes shall be set back a minimum of 20 metres from lot boundaries.</p> <p>23.19 Tree Planting Schedule contained in a letter from the Agriculture Department and as shown herein on the plan.</p>
<p>24. "Darling Downs (Stage 3)" Portion of Canning Locations 22 and 336 being Part Lot 13 Wungong South Road, Byford as delineated on the Scheme Map.</p> <p><i>AMD 5 GG 3/4/92</i></p>	<p>24.1 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Council and the Environmental Protection Authority. The use of non-standard effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> (i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock; (ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing/proposed drains, water courses or water bodies; (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowner and be maintained to the satisfaction of the Local Authority; (iv) Prevention of direct movement of wastewater from the locality of each disposal area; and (v) If necessary, soil amendment around and under each disposal area. <p>24.2 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or driveways.</p> <p>24.3 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivision Guide Plan.</p> <p>24.4 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer to the satisfaction of the Council.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>24. "Darling Downs (Stage 3)" Portion of Canning Locations 22 and 336 being Part Lot 13 Wungong South Road, Byford as delineated on the Scheme Map.</p> <p><i>AMD 5 GG 3/4/92</i></p>	<p>24.5 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>24.6 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p> <p>24.7 At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>24.8 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>Council will approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p> <p>24.9 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p> <p>24.10 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p> <p>24.11 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landowners cost in proportion of the landholdings to the whole of the estate.</p> <p>24.12 The land for, and the provision of, an on-site static water facility of 50,000 litres capacity, fed by a bore and a windmill or suitable alternative for fire fighting purposes shall be provided by the developer of the estate free of cost to the Council. The facility shall be constructed to the specifications and satisfaction of the Council and the Bush Fires Board.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>24. "Darling Downs (Stage 3)" Portion of Canning Locations 22 and 336 being Part Lot 13 Wungong South Road, Byford as delineated on the Scheme Map.</p> <p><i>AMD 5 GG 3/4/92</i></p>	<p>24.13 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>24.14 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Environmental Protection Authority before any approval is granted.</p> <p>24.15 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.</p> <p>24.16 The land is situated within the Perth Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p> <p>24.17 No lot within the subdivision area to be less than 2 hectares.</p> <p>24.18 All buildings shall be set back a minimum of 15.0 metres from any boundary or road.</p>
<p>25 Darling Downs (Stage 3) - Lot 529 Thomas Road, Byford, as delineated on the Scheme Map.</p> <p><i>AMD 33 GG 13/5/94</i></p>	<p>25.1 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Council and the Environmental Protection Authority. The use of 'non-standard' effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p> <ul style="list-style-type: none"> (i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock; (ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing/proposed drains, water courses or water bodies; (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowner and be maintained to the satisfaction of the Local Authority; (iv) Prevention of direct movement of wastewater from the locality of each disposal area; and (v) If necessary, soil amendment around and under each disposal area. <p>25.2 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>25. Darling Downs (Stage 3) - Lot 529 Thomas Road, Byford, as delineated on the Scheme Map.</p> <p><i>AMD 33 GG 13/5/94</i></p>	<p>25.3 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivision Guide Plan.</p>
	<p>25.4 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer to the satisfaction of the Council.</p>
	<p>25.5 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p>
	<p>25.6 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p>
	<p>25.7 At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p>
	<p>25.8 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p> <p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p>
	<p>25.9 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p>

APPENDIX 4 - SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>25. Darling Downs (Stage 3) - Lot 529 Thomas Road, Byford, as delineated on the Scheme Map. (Cont'd)</p> <p><i>AMD 33 GG 13/5/94</i></p>	<p>25.10 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p> <p>25.11 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the landowners cost in proportion of the landholdings to the whole of the estate.</p> <p>25.12 The land for, and the provision of, an on-site static water facility of 50,000 litres capacity, fed by a bore and a windmill or suitable alternative for fire fighting purposes shall be provided by the developer of the estate free of to the Council. The location of the facility shall be constructed to the specifications and satisfaction of the Council and Bush Fires</p> <p>Board and the facility shall be constructed to the specifications of the Bush Fires Board.</p> <p>25.13 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>25.14 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.</p> <p>25.15 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p>
<p>26 Utley Road, Serpentine - southern portion of Lot 825 as delineated on the Scheme Map</p> <p><i>AMD 35 GG 12/7/94</i></p>	<p>26.1 The minimum lot size shall be two hectares.</p> <p>26.2 No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or house driveways.</p> <p>26.3 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Council. The use of "non-standard" effluent disposal systems may be required and in any event the following requirements shall be satisfied:</p>

APPENDIX 4 – SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>26. Utley Road, Serpentine - southern portion of Lot 825 as delineated on the Scheme Map</p> <p>AMD 35 GG 12/7/94</p>	<p>(i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock;</p> <p>(ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing proposed drains, water courses and/or water body;</p> <p>(iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowners and be maintained to the satisfaction of the Local Authority;</p> <p>(iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area; and</p> <p>(v) If necessary, soil amendment around and under each disposal area.</p> <p>26.4 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of the Council prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.</p> <p>26.5 The developer of the estate shall maintain the trees and shrubs planted within the "Tree Planting Area" and vegetation to be retained on each lot to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter, the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p> <p>26.6 Within this Special Rural estate, land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>26.7 Notwithstanding Clause 5.9.5(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.</p> <p>26.8 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.</p> <p>26.9 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>26.10 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p>

APPENDIX 4 – SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>26. Utley Road, Serpentine - southern portion of Lot 825 as delineated on the Scheme Map</p> <p><i>AMD 35 GG 12/7/94</i></p>	<p>Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to the dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p> <p>26.11 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council who shall have regard to the recommendations of the Environmental Protection Authority. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.</p> <p>26.12 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.</p> <p>26.13 The landowner shall be responsible for the establishment and maintenance of firebreaks, in accordance with Council's standard firebreak requirements, and any other fire prevention measures that may be required by the Council for the estate will be at the landowners cost in proportion of the landholdings to the whole of the estate.</p> <p>26.14 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, trees and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.</p> <p>26.15 The land is situated within the catchment of the Peel-Harvey Estuarine system where nutrient control through conservation based fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Environmental Protection Authority and Department of Agriculture before approval is granted.</p>

APPENDIX 4 – SPECIAL RURAL ZONE (CONTINUED)

PROVISIONS RELATING TO SPECIFIED AREAS

DESCRIPTION OF LAND	LAND USE
<p>26. Utley Road, Serpentine - southern portion of Lot 825 as delineated on the Scheme Map</p> <p><i>AMD 35 GG 12/7/94</i></p>	<p>26.16 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used, is sufficient for domestic use and the irrigation of up to 0.1 hectares.</p> <p>26.17 The design should not preclude the requirement to contain a 1:100 year (1%) flood. Development of land fill on each lot shall, therefore have an area of not less than 2000m² for a house and curtilage, with a minimum land level of not less than the accepted 1% probability flood level for that land.</p> <p>26.18 The developer shall carry out a site investigation to determine the geotechnical properties of the soils. Such information shall form the basis of the design of the roads, drainage systems and site filling. A copy of the site investigation to determine the geotechnical properties of the soils. Such information shall form the basis of the design of the roads, drainage systems and site filling. A copy of the site investigation shall be lodged with Council prior to or at the same time as drawings are submitted for approval.</p> <p>26.19 All ATU/Ecomax systems only, and amended soils as necessary as determined by the Principal Environmental Health Officer by inspection.</p>
<p>27. Lot 207 (363) Kargotich Rd, Oakford</p> <p><i>AMD 201 GG 29/03/18</i></p>	<p>27.1 A Structure Plan shall be prepared over the land, including the identification of building envelopes and effluent disposal envelopes.</p>
<p>28. Lot 9001 (No. 15) Utley Road and Lot 9002 (No. 103) Wattle Road, Serpentine</p> <p><i>AMD 199 GG 24/08/18</i></p>	<p>28.1 A structure plan shall be prepared over the land, including the identification of building envelopes and/or building exclusion areas.</p> <p>28.2 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the local government. Animal stocking rates shall not exceed the stocking rates recommended by the Department of Primary Industries and Regional Development for the pasture type for the policy area.</p>
<p>29. Lots 50 & 100 and portion of Agricultural Area Lot 85 Gordon Road, Serpentine.</p> <p><i>AMD 195 GG 18/12/18</i></p>	<p>29.1 Building and effluent disposal envelopes to be located to the satisfaction of the Shire of Serpentine Jarrahdale.</p> <p>29.2 On-site sewage disposal systems to be setback greater than 100 metres from Serpentine River to the satisfaction of the Shire of Serpentine Jarrahdale. Lesser setbacks may be permitted in consultation with the Department of Water and Environmental Regulation and/or Department of Biodiversity, Conservation and Attractions and/or Department of Health, and where proposed, on-site sewage treatment system with nutrient removal may be required.</p> <p>29.3 The Serpentine River foreshore area is to be:</p> <ul style="list-style-type: none"> (a) delineated in accordance with methodology in 'Identifying and Establishing Foreshore Areas for Waterways (Department of Water, 2012)'; (b) ceded to the Crown; and (c) fenced to exclude livestock, re-vegetated and subject to weed management to the satisfaction of the Shire of Serpentine Jarrahdale. <p>29.4 An easement to permit public access between Gordon Road reserve and Serpentine River foreshore to be provided along the western boundary of lot 100.</p>

DESCRIPTION OF LAND	LAND USE
	<p>29.5. A landscape and vegetation management plan to be prepared and implemented to the satisfaction of the Shire of Serpentine Jarrahdale.</p> <p>29.6. A suitable public road access to the site to be provided in accordance with the Guidelines for Planning in Bushfire Prone Areas, and where this cannot be achieved, a public easement in gross is to be provided for use by the public and emergency services during an emergency.</p>

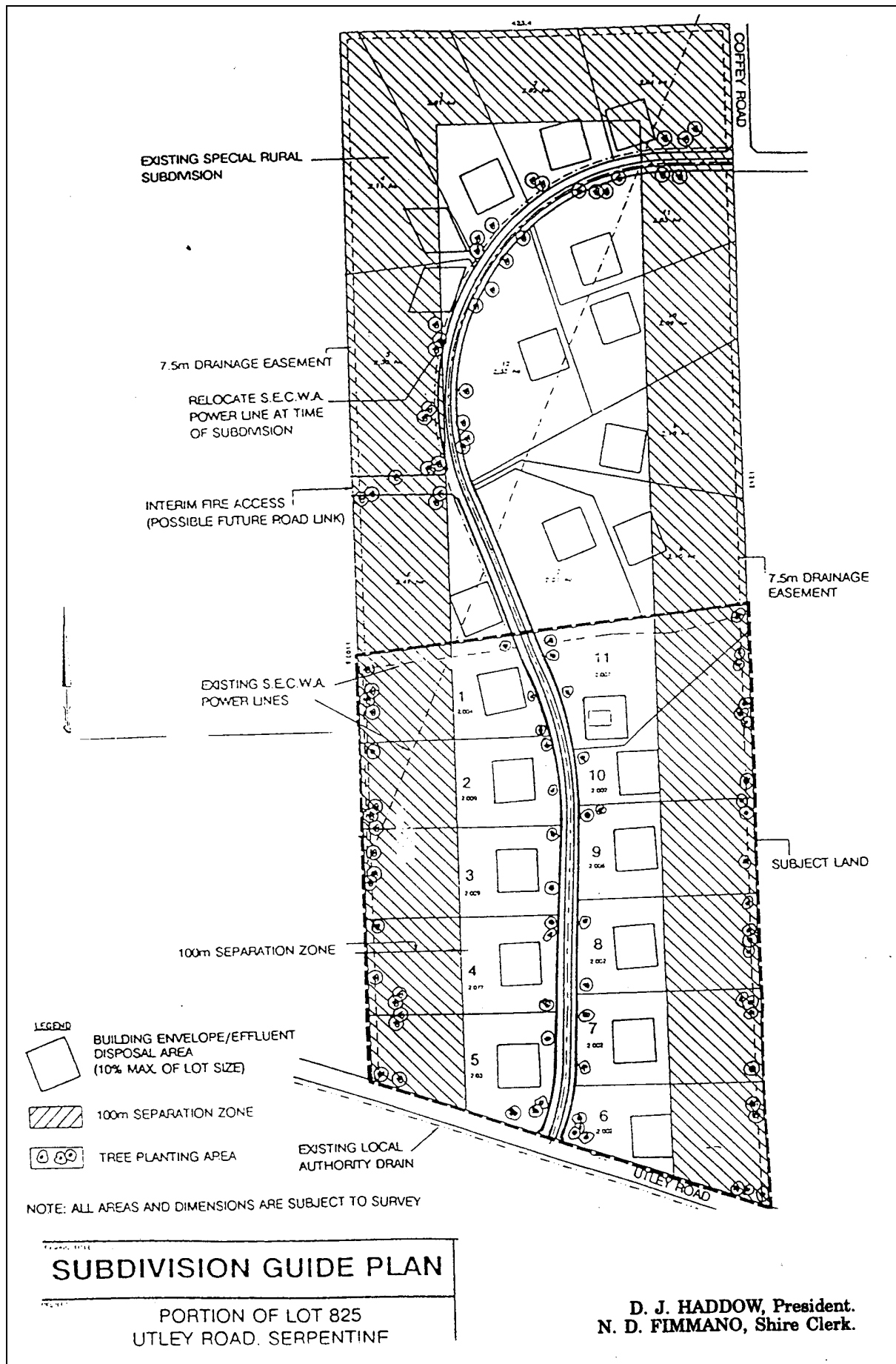


FIGURE 3
Subdivision Guide Plan - Utley Road, Serpentine - southern portion of Lot 825 as delineated on the Scheme Map

APPENDIX 4A - RURAL LIVING A ZONE

Provisions Relating to Specified Areas

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 1	1.	<p>Lot 6 and Part of Lot 305 of Portion of Serpentine Agricultural Area Lots 90 and 92 Hardey Road, Serpentine</p> <p>AMD 68 GG 12/5/98</p>	<p>1. Within the Rural Living Zone, the following landuses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single Dwelling • Public Recreation • Public Utility <p>Discretionary uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables - Rural Living A Zone - 1 hectare lots and above only <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or clearing of the land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of Western Australia with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Watery Authority of Western Australia By-laws applying to underground water supply and pollution control.</p> <p>4. Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.</p> <p>5. The subdivider shall plant indigenous vegetation in accordance with Council's <i>Planning Guidelines for Nutrient Management</i> and generally in accordance with the guide <i>Field Planting of Trees and Shrubs</i>. The specifications, density and distribution of planting shall be to the satisfaction of Council prior to the issue of clearances.</p> <p>Planting shall occur prior to clearance of the subdivision, season permitting, or as soon as possible thereafter. Where planting has not occurred at the time of release, a valid revegetation contract must be presented in addition to the standard revegetation maintenance bond per lot.</p> <p>6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Local Authority.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA1	1.	<p>Lot 6 and Part of Lot 305 of Portion of Serpentine Agricultural Area Lots 90 and 92 Hardey Road, Serpentine (Cont'd)</p> <p>AMD 68 GG 12/5/98</p>	<p>7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the Local Authority and the Bush Fires Board of Western Australia. This will involve a contribution to Fire Fighting Facilities in accordance with Council Policy.</p> <p>8. The subdivider shall implement a Works Plan for protection of landscape values and rehabilitation of disturbed areas to the specification and satisfaction of the Local Authority.</p> <p>9. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under provision 1.</p> <p>10. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposed for tree planting and maintenance.</p> <p>11. The land is situated within the catchment of the Peel-Harvey system where nutrient management and responsible use of fertiliser is encouraged. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.</p> <p>12. All lots are to have effluent disposal envelopes nominated. Such envelopes are to be nominated by the subdivider based on a geotechnical report from a reputed consultant which shows that each envelope will achieve the Health Dept of WA's minimum site requirements for unsewered subdivision as given in Appendix 1 of the Sewerage Policy - Perth Metropolitan Region. Depth to highest known groundwater levels is to be determined by excavation in each envelope, the survey for which is required to be carried out in late September when groundwater should be at or near its peak level.</p> <p>Whilst drainage solutions could achieve the minimum distance to highest groundwater from natural surface, subdivision clearance will be subject to demonstration that engineering drainage works were successful in achieving the required drop in water table below the natural surface.</p>
RLA 2		<p>Cockburn Sound Location 786, 787, 788 Karnup Road, Walker Road, Serpentine</p> <p>AMD 48 GG 3/11/95</p>	<p>1. Within the rural Living zone, the following land uses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture <p>All other uses classes are prohibited.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 2		<p>Cockburn Sound Location 786, 787, 788 Karnup Road, Walker Road, Serpentine (Cont'd)</p> <p>AMD 48 GG 3/11/95</p>	<p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> <ol style="list-style-type: none"> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area begin the required distance above the highest know water table. 3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fencing, drainage, systems and/or driveways, to accommodate a "Rural Use" or "Intensive Agriculture". 4. The subdivider shall, in accordance with the Subdivision Guide Plan and the schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss, thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 6. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fire Board of WA. 7. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australian By-Laws applying to underground water supply and pollution control. 8. Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps. 9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and vegetation o be removed and retained, and proposals for tree planting and maintenance. 10. The land is situated within the catchment of the Peel Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application type and distribution of fertiliser to the land shall be the subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 3		<p>Lot 27 Cockburn Sound Locations 43 & Pt 295 Nettleton Road, Byford.</p> <p>AMD 44 GG 17/5/96</p>	<p>1. Within the Rural Living zone, the following landuses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single Dwelling • Public Recreation • Public Utility <p>Discretionary Use (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables-Rural Living A Zone-1 hectare lots and above only. <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area begin the required distance above the highest know water table.</p> <p>3. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control.</p> <p>4. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under provision 1.</p> <p>5. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>6. The subdivider shall, in accordance with the Subdivision Guide Plan for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the Transfer of the lot(s) to a new owner.</p> <p>7. The subdivider shall either maintain the trees and shrubs planted until he land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority.</p> <p>8. Although the land is not situated within the catchment of the Peel-Harvey system Beenyp Brook flows into that system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental protection before approval is granted.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 3		<p>Lot 27 Cockburn Sound Locations 43 & Pt 295 Nettleton Road, Byford.</p> <p>(Cont'd)</p> <p>AMD 44 GG 17/5/96</p>	<p>9. The subdivider shall install fire breaks around each lot to the satisfaction of Council and the Bush Fires Boar of WA.</p> <p>10. No development other than post and rail fences shall be built within 50m on each side of Beenyup Brook as shown on the Subdivision Guide Plan as "NO DEVELOPMENT AREA".</p>
RLA 4		<p>Pt Cockburn Sound Location 794 Hall Road, Serpentine</p> <p>AMD 70 GG 2/8/96</p>	<p>1. Within the Rural Living zone, the following landuses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single Dwelling • Public recreation • Public Utility <p>Discretionary uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables - Rural Living A zone - 1 hectare lots and above only <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control.</p> <p>4. Notwithstanding the obligations of the subdivider under clause 5.12.9(e) of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps.</p> <p>5. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under provision 1.</p> <p>6. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 4		<p>Pt Cockburn Sound Location 794 Hall Road, Serpentine (Cont'd)</p> <p>AMD 70 GG 2/8/96</p>	<p>7. The subdivider shall, in accordance with the Subdivision Guide Plan for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>8. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority.</p> <p>9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p> <p>10. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fire Board of WA.</p> <p>11. The subdivider shall implement a Works Plan for protection of landscape values and rehabilitation of disturbed areas to the specification and satisfaction of the Local Authority.</p>
RLA 5		<p>SERPENTINE GREEN Pt Cockburn Sound Location 789 and Cockburn Sound 790 Hall Road, Serpentine.</p> <p>AMD 45 GG 6/10/95</p>	<p>1. Within the Rural Living zone, the following landuses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single Dwelling • Public Recreation • Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables-Rural Living A zone - 1 hectare lots and above only. <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area begin the required distance above the highest known water table.</p> <p>3. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 5		<p>SERPENTINE GREEN Pt Cockburn Sound Location 789 and Cockburn Sound 790 Hall Road, Serpentine. (Cont'd)</p> <p>AMD 45 GG 6/10/95</p>	<p>4. Notwithstanding the obligations of the subdivider under clause 5.12.9 e) of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps.</p> <p>5. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under provision 1.</p> <p>6. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>7. The subdivider shall, in accordance with the Subdivision Guide Plan for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the Transfer of the lot(s) to a new owner.</p> <p>8. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority</p> <p>9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p> <p>10. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>11. The subdivider shall implement a Works Plan for protection of landscape values and rehabilitation of disturbed areas (the sand excavation in the vicinity of Lots 13 and 14) to the specification and satisfaction of the Local Authority.</p>
RLA 6		<p>Lots 11, Pt 235, Pt 236 and 1264 Orton Road, Byford</p> <p>AMD 82 GG 23/6/98</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P);</p> <ul style="list-style-type: none"> • Residence • Public Recreation • Public Utility <p>Discretionary Uses (AA);</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 6		<p>Lots 11, Pt 235, Pt 236 and 1264 Orton Road, Byford. (Cont'd)</p> <p>AMD 82 GG 23/6/98</p>	<p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <ol style="list-style-type: none"> No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. No indigenous vegetation or trees shall be destroyed or cleared except; but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purposed of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA. Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposal for tree planting and maintenance. <p>In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 6		<p>Lots 11, Pt 235, Pt 236 and 1264 Orton Road, Byford (Cont'd)</p> <p><i>AMD 82 GG 23/6/98</i></p>	<p>9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.</p> <p>10. The keeping of animals above the stocking rate recommended by Agriculture WA for the applicable pasture type requires planning approval to be given by Council. Existing native vegetation and vegetation planted by the developer must be fenced from grazing to Council specifications prior to the keeping of any grazing animal on the lot.</p> <p>11. Direct access is to be restricted in accordance with the endorsed Subdivision Guide Plan. Any existing private access to Kargotich or Orton Road is to be closed once internal access is established and the crossover revegetated with indigenous species to the satisfaction of Council.</p> <p>12. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes, unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and by the Commission for whole or part of the area.</p> <p>13. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.</p> <p>14. The Subdivision Guide Plan referred to in Clause (12) shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p>
RLA 7	7.	<p>Cockburn Sound Location 434 Thatcher Road Byford as depicted on the Scheme Map</p> <p><i>AMD 66 GG 9/4/99</i></p>	<p>1. Notwithstanding the provisions of Table 1 - Zoning Table, the following land uses only are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home occupation • Child Mining Centre • Horse Stabling & Facilities <p>All other use classes are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 7	7.	<p>Cockburn Sound Location 434 Thatcher Road Byford as depicted on the Scheme Map (Cont'd)</p> <p>AMD 66 GG 9/4/99</p>	<p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways.</p> <p>4. Notwithstanding the controls specified by Provision 7.1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-Laws applying to underground water supply and pollution control.</p> <p>5. The subdivider shall drain the land and provide drainage reserves in accordance with the Subdivision Guide Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps.</p> <p>6. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for treeplanting and maintenance.</p> <p>7. The Subdivider shall, in accordance with the subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot to a new owner.</p> <p>8. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>9. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the Local Authority and the Bush Fire Service of WA.</p>
RLA 8		<p>Lots 5 and 239 Gossage Road, Peel Estate.</p> <p>AMD 85 GG 19/1/99</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted or are permitted at the discretion of the Council:</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Residence • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>All other uses are prohibited.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 8		<p>Lots 5 and 239 Gossage Road, Peel Estate. (Cont'd)</p> <p>AMD 85 GG 19/1/99</p>	<p>In exercising its discretion in respect to AA uses, the Council having regard to the planning guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <ol style="list-style-type: none"> No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purposes of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA. Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance. <p>In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 8		<p>Lots 5 and 239 Gossage Road, Peel Estate. (Cont'd)</p> <p>AMD 85 GG 19/1/99</p>	<p>9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.</p> <p>10. Direct access to Hopkinson Road shall be prohibited. Any existing private access to Hopkinson Road is to be closed once internal access is established and the crossover revegetated with indigenous species to the satisfaction of Council.</p> <p>11. Bridle paths to be constructed by the subdivider in accordance with the Subdivision Guide Plan, and shall include the main roads and drain reserve.</p> <p>12. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.</p> <p>13. A Subdivision Guide Plan for the subdivision of land into rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.</p> <p>14. The Subdivision Guide Plan referred to in Clause 12 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use of development of land to overcome problems which would occur, should the land be developed.</p>
RLA 9		<p>Pt Cockburn Sound Location 795 Hall Road, Serpentine</p> <p>AMD 97 GG 17/9/99</p>	<p>1. Within the Rural Living zone, the following landuses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single Dwelling • Public Recreation • Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 9		<p>Pt Cockburn Sound Location 795 Hall Road, Serpentine (Cont'd)</p> <p>AMD 97 GG 17/9/99</p>	<ol style="list-style-type: none"> 3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under provision 1. 4. The subdivider shall, in accordance with the Subdivision Guide Plan for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of the lot(s) to a new owner. 5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority. 6. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies, equipment, financial contributions towards fire fighting equipment in accordance with Council's policy and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the Local Authority and the Bush Fires Board. 7. Notwithstanding the obligations of the subdivider under clause 5.12.9 e) of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements and reserves required by the Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components. 8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 9. The land is situated within the catchment of the Peel Harvey estuarine system where active nutrient management and the responsible use of fertiliser application is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land. 10. The subdivider shall identify effluent disposal envelopes for each new lot and provide a geotechnical report to demonstrate that the identified envelopes can achieve the Health Department of Western Australia's minimum site requirements for unsewered subdivision to the satisfaction of Council. 11. All effluent disposal systems shall be fully contained within the effluent disposal envelopes approved for the lots by Council.

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 10		<p>Lot 3, Pt Peel Estate Lot 203 Thomas Road, Oakford</p> <p>AMD 38 GG 14/12/99</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted or are permitted as the discretion of the Council.</p> <p>Uses classes permitted (P);</p> <ul style="list-style-type: none"> • Residence • Public Recreation • Public Utility <p>Discretionary Uses (AA);</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use Stables <p>All other uses prohibited</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.</p> <p>4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>6. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>7. Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme the subdivider shall drain the land and provide. detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 10		<p>Lot 3, Pt Peel Estate Lot 203 Thomas Road, Oakford (Cont'd)</p> <p>AMD 38 GG 14/12/99</p>	<p>8. The time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specification of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.</p> <p>10. Direct access to Hopkinson Road shall be prohibited. Any existing private access to Hopkinson Road is to be closed once internal access is established and the crossover revegetated with indigenous species to the satisfaction of Council.</p> <p>11. Bridle paths to be constructed by the subdivider in accordance with the Subdivision Guide Plan and shall include the Main Roads and drain reserve.</p> <p>12. The Council shall not support any application for subdivision of the land in to Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.</p> <p>13. A Subdivision Guide for the subdivision of land into Rural Living A lot sizes shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirement of Clause 5.9.3</p> <p>14. The Subdivision Guide Plan referred to in Clause 12 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p>
RLA 11		<p>Lot 13 Keenan Street (Wungong South Road), Darling Downs</p> <p>AMD 32 GG 14/1/00</p>	<p>1. Within the Rural Living Zone, the following uses are permitted or are permitted at the discretion of Council:</p> <p>Permitted uses:</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses:</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Stables - 1 hectare lots and above only • Home Occupation • Child Minding Centre • Consulting Rooms • Corner Store <p>All other uses are prohibited</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 11		<p>Lot 13 Keenan Street (Wungong South Road), Darling Downs (Cont'd)</p> <p>AMD 32 GG 14/1/00</p>	<p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultations with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> <ol style="list-style-type: none"> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. No Indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1. 4. The subdivider shall, in accordance with the Subdivision Guide plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 6. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA. 7. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements required by Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps. 8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 11		Lot 13 Keenan Street (Wungong South Road), Darling Downs (Cont'd) <i>AMD 32 GG 14/1/00</i>	10. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation of Western Australia by-laws applying to underground water supply and pollution control.
RLA 12		Pt Lot 12 South Western Highway and Lot 1 Eleventh Road, Byford <i>AMD 94 GG 3/3/00</i>	<p>1. Within the Rural Living a Zone the following land uses are permitted or permitted at the discretion of Council:</p> <p>Use classes permitted (P) -</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Stables - 1 hectare lots and above only • Home Occupation • Child Minding Centre • Consulting Rooms • Corner Store <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultations with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.</p> <p>4. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>6. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 12		<p>Pt Lot 12 South Western Highway and Lot 1 Eleventh Road, Byford (Cont'd)</p> <p>AMD 94 GG 3/3/00</p>	<p>7. Notwithstanding the obligations of the subdivider (under Clause 5.12.9e) of the Scheme, the subdivider shall drain the land and provide drainage detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easement and reserves required by Council or the Water Corporation shall be provided to the Council or the Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.</p> <p>8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and the estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated pasture.</p> <p>10. The keeping of horses, sheep, goats and other grazing animals where permitted shall be subject to the prior approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture Western Australia for the applicable pasture types. Any approval to keep any grazing animal will require the fencing of all remnant vegetation and planted vegetation by the landowner to the satisfaction of Council.</p> <p>11. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Corporation By-laws applying to underground water supply and pollution control.</p> <p>12. Bridle paths to be constructed by the subdivider in accordance with the Subdivision Guide Plan.</p> <p>13. Development of dwellings on lots directly abutting the Wungong Reserve shall address the Reserve to the satisfaction of Council.</p>
RLA 13		<p>Lot 4 Kargotich Road, Peel Estate</p> <p>AMD 100 GG 14/3/00</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted. or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 13		<p>Lot 4 Kargotich Road, Peel Estate (Cont'd) AMD 100 GG 14/3/00</p>	<p>2. No dwelling, shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.</p> <p>4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>6. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>7. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for the ongoing maintenance of the drainage system components.</p> <p>8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 13		<p>Lot 4 Kargotich Road, Peel Estate (Cont'd)</p> <p>AMD 100 GG 14/3/00</p>	<p>10. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.</p> <p>11. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot 1 sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.</p> <p>12. The Subdivision Guide Plan referred to in Clause 10 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p> <p>13. Bridle paths shall be constructed by the subdivider in accordance with the Subdivision Guide Plan.</p> <p>14. Direct vehicle access is to be restricted in accordance with the endorsed Subdivision Guide Plan. Any existing private access to Kargotich Road is to be closed once internal access is established and the crossover revegetated with indigenous species to the satisfaction of Council.</p>
RLA 14		<p>Lot 106 South Western Highway, Serpentine</p> <p>AMD 43 GG 8/12/00</p>	<p>1. Within the Rural Living A Zone the following land uses are permitted or permitted at the discretion of the Council:</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single house • Public recreation • Public utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary accommodation • Stables - 1 hectare lots and above only • Home occupation • Rural Use/Intensive Agriculture • <p>All other use classes are prohibited</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultations with government agencies that the land does not involve excessive nutrient application or the clearing of land.</p> <p>2. All lots are to have suitably sized effluent disposal envelopes nominated. Such envelopes are to be nominated by the subdivider based on a geotechnical report from a reputed consultant which demonstrates that each envelope can achieve the Health Department's minimum site requirements for unsewered subdivision as given in Appendix 2 of the Government Sewerage Policy - Perth Metropolitan Region. Depth to the water table is to be determined in late winter when the ground water level is expected to be at its peak.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 14		<p>Lot 106 South Western Highway, Serpentine (Cont'd)</p> <p>AMD 43 GG 8/12/00</p>	<ol style="list-style-type: none"> 3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1. 4. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. Also, the subdivider shall provide tree planting to the satisfaction of the Council within the 15-metre landscape buffer adjacent to South Western Highway. 5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 6. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Fire and Emergency Services Authority. 7. Notwithstanding the obligations of the subdivider (under Clause 5.12.9e of the Scheme) the subdivider shall drain the land and provide drainage detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on the ground works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or the Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components. 8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 9. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Corporation By-laws applying to underground water supply and pollution control. 10. Direct access to South Western Highway shall be prohibited. Any existing private access to South Western Highway is to be closed once internal access is established and the crossover revegetated with indigenous species to the satisfaction of the Council.

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 15		<p>Lot 223 cnr Orton & Hopkinson Roads, Byford</p> <p>AMD 99 GG 28/11/00</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent, in writing, of the Council where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1</p> <p>4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>6. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>7. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for the ongoing maintenance of the drainage system components</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 15		<p>Lot 223 cnr Orton & Hopkinson Roads, Byford (Cont'd)</p> <p>AMD 99 GG 28/11/00</p>	<p>8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.</p> <p>10. Direct access to Hopkinson Road and/or Orton Road shall be prohibited. Any existing private access to Hopkinson Road and/or Orton Road is to be closed once internal access is established and the crossover revegetated with indigenous species to the satisfaction of Council.</p> <p>11. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.</p> <p>12. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.</p> <p>13. The Subdivision Guide Plan referred to in Clause 12 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p> <p>14. Bridle paths shall be constructed by the subdivider in accordance with the Subdivision Guide Plan.</p> <p>15. Width of the multiple use drainage corridor is to be to the satisfaction of the Western Australian Planning Commission in consultation with affected government agencies as determined at the subdivision stage, taking into account detailed engineering design requirements.</p>
RLA 16		<p>Location 783 Hall Road, Serpentine C/T 1367/288</p> <p>AMD 80 GG 5/5/98</p>	<p>1. Within the Rural Living zone, the following landuses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single Residence and Granny Flat • Public Recreation <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Rural Use/Intensive Agriculture • Community Facilities (e.g. Child Care, Playgroup, Community House) • Home Occupation/Cottage Industry • Market • School • Tourism (e.g. Farm Stays)

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 16		<p>Location 783 Hall Road, Serpentine C/T 1367/288 (Cont'd)</p> <p>AMD 80 GG 5/5/98</p>	<p>In exercising its discretion in respect to AA uses, the council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> <ol style="list-style-type: none"> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. The subdivider shall plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the Transfer of the lot(s) to a new owner. 4. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 5. The subdivider shall prepare and implement a fire management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the Council and the Bush Fires Board of WA. 6. The subdivider shall install fencing to the satisfaction of Council along all boundaries of the properties including P.A.W/P.O.S reserves, emergency access ways and road reserves. 7. Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide detention areas in accordance with a 'Drainage Concept Plan' provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation free of cost at the time of subdivision to provide for ongoing maintenance of the drainage system components. 8. All lots fronting the golf course to have houses facing the golf course with suitable caveats on title. 9. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control. 10. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under provision 1.

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 16		Location 783 Hall Road, Serpentine C/T 1367/288 (Cont'd) AMD 80 GG 5/5/98	<p>11. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retaining and proposals for tree planting and maintenance.</p> <p>12. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p>
RLA 17		Pt Lot 80 Thomas Road, Byford. AMD 121 GG 29/4/03	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Stables <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated sewerage to all lots within the subdivision.</p> <p>3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.</p> <p>4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan prepare a Schedule of Landscaping for this estate and plant indigenous trees and shrubs of a species and a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>6. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the Council and the Bush Fire Services.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 17		<p>Pt Lot 80 Thomas Road, Byford (Cont'd)</p> <p>AMD 121 GG 29/4/03</p>	<p>7. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of the on-ground-works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or the Water Corporation at the time of subdivision to provide for the ongoing maintenance of the drainage system components.</p> <p>8. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.</p> <p>10. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.</p> <p>11. A subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.</p> <p>12. The Subdivision Guide Plan referred to in Clause 10 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use of development of land to overcome problems which would occur, should the land be developed.</p> <p>13. Multiple use paths shall be constructed by the subdivider in accordance with the Subdivision Guide Plan.</p> <p>14. Direct vehicle access is to be restricted in accordance with the endorsed Subdivision Guide Plan.</p> <p>15. Only one horse per lot may be permitted by Council.</p> <p>16. The effective buffer between the stables on 4,000 square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be not less than 100 metres (including the road reserve) to Urban Development zoned land to the north.</p> <p>17. The proposed multiple use path at the rear of 4,000 square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be created and retained as a road reserve (unconstructed) for access by horse transport to the lots.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 17		Pt Lot 80 Thomas Road, Byford (Cont'd) AMD 121 GG 29/4/03	18. The drainage system is to be designed to maximise infiltration of roof and hard surfaces runoff as close to source as possible. Piped networks, where installed, are to be kept as small as practicable and incorporate gross pollutant and sediment trapping devices prior to outfall to infiltration areas incorporated into Public Open Space or Multiple Use Corridors.
RLA 18		Lot 220 Abernethy Road and Lot 1253 Orton Road, Oakford AMD 126 GG 4/11/03	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Stables – 1 Hectare and above only • Corner Store • Child Minding Centre <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation shall be cleared, except where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, dwelling, outbuilding, fence, drainage system, driveway, or to accommodate discretionary (AA) uses listed in Special Provision 1; prior to any such clearing, the developer of the estate/landowner shall seek and obtain the written consent of the Council.</p> <p>4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>6. The subdivider shall prepare and implement a Fire Management Plan, including the construction of the strategic firebreaks depicted on the Subdivision Guide Plan, water supplies and equipment and any other fire management requirements deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of Western Australia.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 18		<p>Lot 220 Abernethy Road and Lot 1253 Orton Road, Oakford (Cont'd)</p> <p>AMD 126 GG 4/11/03</p>	<p>7. Notwithstanding the obligations of the subdivider under Clause 5.12.9 (e) of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to commencement of on-the-ground works to the satisfaction of Council, Water Corporation and Waters and Rivers Commission. The Drainage Concept Plan shall also include a Geotechnical Report. Building and Effluent disposal sites of each proposed lot are to be detailed in the Drainage Concept Plan.</p> <p>8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>9. The land is situated within the catchment of the Peel-Harvey estuarine system where active nutrient management and responsible use of fertiliser is crucial to the health of the catchment and estuary. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land.</p> <p>10. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.</p> <p>11. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.</p> <p>12. The Subdivision Guide Plan referred to in Clause 10 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p> <p>13. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture Western Australia for the applicable pasture types. Any approval to keep any grazing animal will require fencing of all remnant vegetation and planted vegetation by the landowners to the satisfaction of Council.</p> <p>14. Multiple Use Paths shall be constructed to Council's satisfaction by the subdivider, in the locations shown on the Subdivision Guide Plan.</p> <p>15. No direct discharge of stormwater into watercourses or drains is permitted.</p>
RLA 19		<p>Lot 216 Nettleton Road, Byford.</p> <p>AMD 125 GG 9/12/03</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted or are permitted at the discretion of the Council:</p> <p>Use classes permitted (P) –</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 19		<p>Lot 216 Nettleton Road, Byford. (Cont'd)</p> <p>AMD 125 GG 9/12/03</p>	<p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Stables – 1 hectare lots and above only ▪ Home Occupation ▪ Rural Use/Intensive Agriculture <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council, having regard to the planning Guidelines for Nutrient management, shall only permit such uses when it is satisfied following consultation with the Department of Environmental Protection and the Water and Rivers Commission that the land use does not involve excessive nutrient application or clearing of land.</p> <ol style="list-style-type: none"> 2. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1. 3. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 4. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 5. The subdivider shall prepare a Stormwater Management Plan to address mosquito control, erosion, nutrient and drainage issues during and post construction. 6. The subdivider shall prepare a foreshore Management Plan for the Beenyp Brook Reserve within the lot, including any constructed wetlands and proposed method of mosquito control. The Reserve shall be created for the multiple use of waterway protection, drainage, wildlife protection, and passive complementary recreation. The Plan shall address vegetation management (including weed control) waterway restoration and infrastructure. 7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA. 8. Notwithstanding the obligations of the subdivider under Clause 5.12.9e) of the Scheme, the subdivider shall drain the land and provide drainage detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easement and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components.

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 19		<p>Lot 216 Nettleton Road, Byford. (Cont'd)</p> <p>AMD 125 GG 9/12/03</p>	<p>9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>10. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Corporation By-laws applying to underground water supply and pollution control.</p> <p>11. The number of lots north of Beenyup Brook not to exceed two.</p> <p>12. The lots north of Beenyup Brook to have building envelopes no greater than 1000m² on the southern boundary, to the satisfaction of the Western Australian Planning Commission.</p> <p>13. All development to comply with a Schedule of Materials and Finishes approved by the Shire of Serpentine-Jarrahdale.</p> <p>14. Provision of reticulated water to all lots in the subdivision.</p>
RLA 20		<p>Lot 2 Selkirk Road, Serpentine</p> <p>AMD 50 GG 16/4/04</p>	<p>1. Within the Rural Living Zone, the following land uses are permitted or permitted at the discretion of the Council –</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> Single house <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> Ancillary accommodation Keeping of stock for non-commercial purposes in accordance with Agriculture WA Stocking Rate Guidelines for Small Rural Holdings. <p>All other use classes are prohibited.</p> <p>2. No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. The subdivider shall prepare and receive the Council's approval to, a Stormwater Management Plan for Lot 2. This plan shall be implemented in accordance with the requirements of the Council's approval, as part of any site subdivisional works.</p> <p>4. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the development of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of firebreak, dwelling, outbuilding, fence, drainage system, house, driveways and/or to accommodate discretionary uses identified under provision 1.</p> <p>5. The subdivider shall prepare and receive the Council's approval to, a Revegetation Plan for Lot 2 which shall accord with the Shire's Planning Guidelines for Nutrient Management. This plan shall be implemented in accordance with the requirements of the Council's approval as part of any site subdivisional works.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 20		<p>Lot 2 Selkirk Road, Serpentine (Cont'd)</p> <p>AMD 50 GG 16/4/04</p>	<p>6. The subdivider shall maintain the trees and shrubs planted in accordance with the approved Revegetation Plan to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>7. At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>8. The drainage system shall not be altered without the prior approval of the Council in writing. In considering any proposal to obstruct or dam any part of the drainage system the Council shall have regard to the effect on the drainage system and the impact on the land and the environment in general, and shall consult with any appropriate authority prior to granting approval.</p> <p>9. a) Where, in the opinion of the Council, the continued presence of animals on any portion of land is likely to contribute, or is contributing to dust nuisance or soil degradation, notice may be served on the owner of the land, requiring immediate removal of those animals specified in the notice.</p> <p>b) Where notice has been served on the landowner in accordance with this clause the Council may also require the land to be rehabilitated to its satisfaction, within three (3) months of serving the notice.</p> <p>c) In the event that action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.</p> <p>10. The subdivider shall prepare and implement a Fire Management Plan that is applicable to the land within the estate to the specifications and satisfaction of the Shire and Fire and Emergency Services Authority of WA, prior to subdivision clearance.</p> <p>11. All buildings to be constructed in accordance with Australian Standard No. AS 3959 for Building in bushfire prone areas.</p> <p>12. All buildings to be constructed in accordance with Council's Landscape Protection Policy. (Appendix 5 of the Scheme).</p>
RLA 21		<p>Lots 66 and 100 South Western Highway, Byford</p> <p>AMD 115 GG 16/9/05</p>	<p>1. Within the 'Rural Living A' zone the following land uses are permitted, or are permitted at the discretion of the Council:</p> <p>Permitted Uses ('P')</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses ('AA')</p> <ul style="list-style-type: none"> ▪ Home Occupation ▪ Home Business ▪ Ancillary Accommodation ▪ The keeping of goats and sheep only <p>All other uses are prohibited.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 21		<p>Lots 66 and 100 South Western Highway, Byford (Cont'd)</p> <p>AMD 115 GG 16/9/05</p>	<p>In exercising its discretion in respect of 'AA' uses, the Council having regard to the 'Planning Guidelines for Nutrient Management' contained in the Shire of Serpentine-Jarrahdale Rural Strategy, shall only permit such uses where it is satisfied following consultation with relevant government agencies that the land use does not involve excessive nutrient application or clearing of land, or risk of damage to any on site vegetation.</p> <ol style="list-style-type: none"> 2. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate or landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the permitted or discretionary uses identified under special provision 1. 3. Notwithstanding special provision 2, vegetation within the areas designated as 'Strategic Revegetation' and/or 'Building Exclusion' on the endorsed Subdivision Guide Plan are not permitted to be removed. This strictly includes the 13 Marri (<i>Eucalyptus calophylla</i>) trees identified across the subject land as significant in the feeding cycle of the Red-Tail, Black and Baudin Cockatoos (<i>Calyptrorhynchus funereus latirostris</i>). Lots which contain these trees, or any areas of 'Strategic Revegetation' and/or 'Building Exclusion' are to have a suitable notification placed on the certificate of title (prior to creation) advising of this requirement to the satisfaction of the Council. 4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan, prepare and implement prior to clearance of subdivision a Landscape, Revegetation and Habitat Management Plan for the areas identified on the endorsed Subdivision Guide Plan as 'Strategic Revegetation' and 'Building Exclusion'. The plan is to specifically demonstrate the following to the satisfaction of the Council. <ol style="list-style-type: none"> i. For the areas designated as 'Strategic Revegetation'; suitable planting of indigenous trees, shrubs and ground cover species to the satisfaction of the Council to fulfil functions of nutrient stripping, ecological linkages and visual and noise screening in these areas; ii. For the areas designated as 'Building Exclusion', suitable planting of indigenous species to consolidate areas of remnant vegetation, and to reinforce nutrient stripping and ecological linkages in these areas to the satisfaction of the Council. <p>For both areas, the Plan is to include details of a plant schedule, nominating each species, the spacings of each species, the numbers of plants required and the size of each plant to be used at the time of planting, together with the anticipated height of each plant at maturity.</p> 5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 6. The subdivider shall prepare and implement a Fire Management Plan prior to clearance of subdivision that identifies and implements the construction requirements relative to strategic firebreaks, fire hydrants, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the Council and the Fire Emergency Services Authority.

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 21		<p>Lots 66 and 100 South Western Highway, Byford (Cont'd)</p> <p>AMD 115 GG 16/9/05</p>	<p>7. Notwithstanding the obligations of the subdivider under clause 5.12.9(e) of the Scheme, the subdivider shall prepare and implement a Drainage Management Plan prior to clearance of subdivision to the satisfaction of the Council. The Plan is to be prepared in accordance with best management practices for water sensitive urban design, focussing on nutrient stripping capabilities within the drainage system and the onsite detention and retention of drainage flows. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drainage system.</p> <p>8. At the time of submitting a building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which show site contours, building exclusion and revegetation areas, all existing trees and stands of vegetation, those trees and vegetation proposed to be removed and retained, and proposals for additional tree planting and maintenance.</p> <p>9. The keeping of goats and sheep where permitted pursuant to special provision 1 shall be subject to the prior approval of the Council. Approval shall not exceed the stocking rates recommended by Agriculture WA for the application pasture types. Where the keeping of goats or sheep are proposed, the landowner will be responsible for the fencing of any remnant vegetation (including that planted by the subdivider) to the satisfaction of the Council. No horses or other ungulates are permitted to be kept on any lots whatsoever.</p> <p>10. Any multiple use or pedestrian paths as may be required by the Council shall be constructed at the subdivider's cost prior to clearance of the subdivision.</p> <p>11. For those lots partially affected by the 300-metre poultry farm buffer extending into the northern portion of the subject land as indicated on the endorsed Subdivision Guide Plan, a suitable notification is to be placed on the certificate of title prior to creation of the lots advising that adverse impacts from the poultry farm operation may be experienced. Accordingly, no dwelling or habitable structure is permitted to be established within the 300-metre buffer area.</p> <p>12. With regard to subdivision, development and ongoing use of the subject land, the following conditions must be complied with to the satisfaction of Main Roads WA and the Council at all times:</p> <ol style="list-style-type: none"> No earthworks shall encroach onto South Western Highway reserve. No stormwater drainage shall be discharged onto South Western Highway reserve; No verge vegetation within the South-Western Highway or Thomas Road reserves shall be damaged; No direct vehicle access shall be permitted onto the South-Western Highway or Thomas Road reserves from the proposed lots abutting these reserves. <p>13. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>14. Prior to clearance of subdivision, Butcher Road is required to be suitably upgraded to the specifications and satisfaction of the Council. This includes upgrading of the intersection with Thomas Road.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 21		<p>Lots 66 and 100 South Western Highway, Byford (Cont'd)</p> <p>AMD 115 GG 16/9/05</p>	<p>15. Residential development to be constructed on the lots which abut Thomas Road shall incorporate noise attenuation measures in conformity with Australian Standard AS 2107:2000 (Acoustics—Recommended design sound levels and reverberation times for building interiors) to reduce the impact of traffic noise emanating from Thomas Road and this requirement to be enshrined by way of notification on the certificate of title under Section 12A of the Town Planning and Development Act 1928 (as amended).</p>
RLA 25		<p>Lot 15 Keenan Street, Darling Downs AMD 138 GG 10/6/08</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Stables - 1 Hectare and above only ▪ Corner Store ▪ Child Minding Centre <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation shall be cleared, except where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, dwelling, outbuilding, fence, drainage system, driveway, or to accommodate permitted (P) uses and discretionary (AA) uses listed in Special Provision 1; prior to any such clearing, the developer of the estate/landowner shall seek and obtain the written consent of the Council.</p> <p>4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 25		<p>Lot 15 Keenan Street, Darling Downs (Cont'd)</p> <p>AMD 138 GG 10/6/08</p>	<p>6. The subdivider shall prepare and implement an Emergency Management and Fire Management Plan, including a single lane bridge that is fire and flood proof over the drain to service the two southern most lots, the construction of the strategic firebreaks depicted on the Subdivision Guide Plan, water supplies and equipment and any other fire management requirements deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of Western Australia.</p> <p>7. Notwithstanding the obligations of the subdivider under Clause 5.12.9 (e) of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works to the satisfaction of Council, Water Corporation and Waters and Rivers Commission. The Drainage Concept Plan shall also include a Geotechnical Report. Building and effluent disposal sites of each proposed lot are to be detailed in the Drainage Concept Plan.</p> <p>8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>In addition to this, the site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>9. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area and until such time as the land is connected to scheme water.</p> <p>10. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.</p> <p>11. The Subdivision Guide Plan referred to in Clause 9 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p> <p>12. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture Western Australia for the applicable pasture types. Any approval to keep any grazing animal will require fencing of all remnant vegetation and planted vegetation by the landowners to the satisfaction of Council. Keeping of horses and other hard hoofed animals shall not be permitted on the land within the subdivision located south of Dalray Court.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 25		<p>Lot 15 Keenan Street, Darling Downs (Cont'd)</p> <p>AMD 138 GG 10/6/08</p>	<p>13. The subdivider shall prepare a foreshore management plan for the Birrega Drain Public Open Space reserve and the Wungong Brook Open Space reserve within the lot including any constructed wetlands to the satisfaction of the Shire, the Department of Environment and Water Corporation. The reserve shall be created for the multiple use of waterway protection and passive complementary recreation. The Plan shall address vegetation management (including weed control) waterway restoration and infrastructure.</p> <p>14. The subdivider placing a notification on the title of all lots stating that all development will be required to conform with the flood plain management strategy associated with the Southern River/Wungong Brook Flood Study.</p> <p>15. The subdivider shall construct the battleaxe driveway and a bridge over the Birrega drain, and if necessary, a bridge over the Wungong Brook to the satisfaction of the Shire and Water Corporation.</p> <p>16. The subdivider is to place a notification on the title of each lot advising potential purchasers that their property is located within an area that has been recognised as posing a "moderate to low" acid sulphate soils risk. Therefore, any proposal that may lead to the disturbance of acid sulphate soils associated with future development of the site should be planned and managed to avoid adverse effects on the natural and built environment including human health and activities.</p>
RLA 22		<p>Lot 1 Thomas Road/Butcher Road, Darling Downs.</p> <p>AMD 131 GG 21/10/05</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation <p>All other uses are prohibited.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative wastewater treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.</p> <p>4. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan prepare a Revegetation Plan in accordance with the Planning Guidelines for Nutrient Management and Council's Information Note PS03 - Landscaping and Revegetation and submit the plan for Council's approval, prior to subdivision of the land.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 22		<p>Lot 1 Thomas Road/Butcher Road, Darling Downs. (Cont'd)</p> <p>AMD 131 GG 21/10/05</p>	<p>5. The Revegetation Plan shall be implemented by the subdivider prior to subdivision of the land.</p> <p>6. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan prepare a Schedule of Landscaping for this estate and plant indigenous trees and shrubs, of a species and a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>7. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>8. The subdivider shall prepare and implement a Fire Management Plan prior the subdivision of the land that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the Council and the Fire and Emergency Services.</p> <p>9. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of the on-ground-works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or the Water Corporation at the time of subdivision to provide for the ongoing maintenance of the drainage system components. The Drainage Concept Plan shall be prepared to meet the requirements of Council's Local Planning Policy No. 6 - Water Sensitive Design and will maximise infiltration of roof and hard surfaces runoff as close to source as possible. Piped networks, where installed, are to be kept as small as practicable and incorporate gross pollutant and sediment trapping devices prior to outfall to infiltration areas.</p> <p>10. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>11. Relocation of building envelopes shall only be permitted where the sustainable site planning principles can be demonstrated to the satisfaction of Council.</p> <p>12. A Section 70A Notification being placed on the title advising prospective purchasers that the lots are affected from noise from the adjoining railway line.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 23		<p>Pt Lot 7 Thomas Road, Byford.</p> <p>AMD 134 GG 8/11/05</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Stables <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy shall only permit such uses when it is satisfied following consultation with Government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated water to all lots within the subdivision.</p> <p>3. The applicant making arrangements with and to the satisfaction of the Water Corporation of Western Australia for the provision of reticulated water to all lots within the subdivision.</p> <p>4. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent of the Council in writing, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.</p> <p>5. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan prepare a Schedule of Landscaping for this estate and plant indigenous trees and shrubs of a species and a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the Council and the Fire and Emergency Services.</p> <p>8. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan approved by the Shire and the Department of Environment, provided prior to the commencement of the on-ground works. Those easements and reserves required by Council or the Water Corporation shall be provided to the Council or the Water Corporation at the time of subdivision to provide for the ongoing maintenance of the drainage system components.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 23		<p>Pt Lot 7 Thomas Road, Byford. (Cont'd)</p> <p>AMD 134 GG 8/11/05</p>	<p>9. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>10. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Commission for whole or part of the area.</p> <p>11. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it, and the requirements of Clause 5.9.3.</p> <p>12. The Subdivision Guide Plan referred to in Clause 11 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, roadworks, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use of development of land to overcome problems which would occur, should the land be developed.</p> <p>13. Multiple use trails shall be constructed to the satisfaction of the local authority by the subdivider in accordance with the Subdivision Guide Plan.</p> <p>14. Direct vehicle access is to be restricted in accordance with the endorsed Subdivision Guide Plan with the exception of horse float access via the unmade road reserve to the rear of the lots.</p> <p>15. The effective buffer between the stables on the 4,000-square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be not less than 100 metres (including the road reserve) to the southern boundaries of the Urban Development to the north.</p> <p>16. The proposed multiple use trail at the rear of the 4,000-square metre Rural Living A lots providing the buffer to the Byford Trotting Complex is to be retained as an unmade road reserve and may be utilized for access by horse floats to the lots.</p> <p>17. The drainage system is to be designed to maximise infiltration of roof and hard surfaces runoff as close to source as possible. Piped networks, where installed, are to be kept as small as practicable and incorporate gross pollutant and sediment trapping devices prior to outfall to infiltration areas incorporated into Public Open Space or Multiple Use Corridors.</p> <p>18. The subdivider is to place a notification on the title of each lot advising potential purchasers that their property is located within an area that has been recognised as posing a "moderate to low" acid sulphate soils risk. Therefore, any proposal that may lead to the disturbance of acid sulphate soils associated with future development of the site should be planned and managed to avoid adverse effects on the natural and built environment, including human health and activities.</p> <p>19. The subdivider is to place a notification on the title of each lot advising potential purchasers that their property is located within the Serpentine Groundwater Area and a groundwater licence will be required before any abstraction can commence.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 22		<p>Lot 224 Orton Road, Oakford</p> <p>AMD 149 GG 28/8/07</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council:</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Rural Use ▪ Stables (horses are prohibited) <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an effluent disposal system as approved by the Department of Health with an adequate capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. Topsoil stripping, proof rolling and elevation of the land with a minimum of 1.2 metres of free draining, engineered sand fill, will be required for the entire building envelope in order to achieve a suitable site classification and meet the requisite building and environmental requirements for residential development and effluent disposal within the estate.</p> <p>4. No indigenous vegetation shall be cleared, except where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, dwelling, outbuilding, fence, drainage system, driveway or to accommodate discretionary (AA) uses listed in Special Provision 1; prior to any such clearing, the developer of the estate/landowner shall seek and obtain the written consent of Council.</p> <p>5. The subdivider shall place notifications on the certificates of title for each lot advising prospective purchasers that the keeping of horses is not permitted. The keeping of other stock shall be at the discretion of Council.</p> <p>6. The subdivider shall prepare and implement a Landscape/Revegetation Plan in accordance with the endorsed Subdivision Guide Plan for this estate including any modifications as deemed necessary by Council. This plan shall address the planting of indigenous trees and shrubs of a species and at a density, distribution and location to the satisfaction of Council, prior to the transfer of lot(s) to a new owner.</p> <p>7. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement of those trees and shrubs planted by the subdivider to the satisfaction of Council.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 22		<p>Lot 224 Orton Road, Oakford (Cont'd)</p> <p>AMD 149 GG 28/8/07</p>	<p>8. The subdivider shall prepare and implement a Fire Management Plan, including construction of the emergency access ways, the strategic firebreaks/multiple use network depicted on the endorsed Subdivision Guide Plan, water supplies and equipment and any other fire management requirements deemed necessary, to the specification and satisfaction of Council and the Fire and Emergency Services Authority of Western Australia.</p> <p>9. Notwithstanding the obligations of the subdivider under Clause 5.12.9(e) of the Scheme, the subdivider shall drain the land and provide detention areas generally in accordance with a Drainage Management Plan provided prior to the commencement of on-the-ground works to the satisfaction of Council and the Water Corporation. The Drainage Management Plan shall also include a Geotechnical Report. Building and effluent disposal sites of each proposed lot are to be detailed in the Drainage Management Plan. Any reserves or easements required to implement the plan shall be provided free-of-cost.</p> <p>10. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, proposed pad level, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>The site plan and proposed shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>11. The Council shall not support any application for subdivision of the land into Rural Living A sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Western Australian Planning Commission for whole or part of the area.</p> <p>12. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme and for the zone or zones affected by it and the requirements of Clause 5.9.3.</p> <p>13. The Subdivision Guide Plan referred to in Clause 11 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, road works, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p> <p>14. Horses are prohibited. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture Western Australia for the applicable pasture types to a dry stocking rate of 2 DSE and irrigated stocking rates will not be entertained. Any approval to keep any grazing animal will require fencing of all remnant vegetation by the landowners to the satisfaction of Council.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RL26	26.	Lot 1254 Abernethy Road, Oakford <i>AMD 157 GG 28/8/09</i>	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Rural Use ▪ Stables (refer clause 6 below) <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative effluent disposal system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment and Conservation.</p> <p>3. The subdivider shall undertake topsoil stripping, proof rolling and elevation of the land with a minimum of 1.2 metres of free draining, engineered sand fill, for the entire building envelope of each lot in order to achieve a suitable site classification and meet the requisite building and environmental requirements for residential development and effluent disposal.</p> <p>4. No indigenous vegetation shall be cleared, except where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, dwelling, outbuilding, fence, drainage system, driveway or to accommodate discretionary (AA) uses listed in Special Provision 1. Prior to any such clearing, the developer of the landowner shall seek and obtain the written consent of the Council.</p> <p>5. The subdivider shall place notifications on the certificates of title for each lot advising prospective purchasers of the restrictions relating to the keeping of horses.</p> <p>6. The keeping of horses is restricted to a maximum of one (1) horse per lot and such horse shall be required to be stabled overnight to the satisfaction of the Shire. Planning approval is required for this land use prior to commencement.</p> <p>7. The subdivider shall prepare and implement a Landscape/Revegetation Plan in accordance with the endorsed Subdivision Guide Plan for this estate including the planting of indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council, prior to the transfer of a lot(s) to a new owner.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RL26	26.	<p>Lot 1254 Abernethy Road, Oakford (Cont'd)</p> <p>AMD 157 GG 28/8/09</p>	<p>8. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement of those trees and shrubs, planted by the subdivider to the satisfaction of the Council.</p> <p>9. The subdivider shall prepare and implement a Fire Management Plan, including construction of the emergency access ways, the strategic firebreaks/multiple use network depicted on the endorsed Subdivision Guide Plan, water supplies and equipment and any other fire management requirements deemed necessary, to the specification and satisfaction of Council and the Fire and Emergency Services Authority of Western Australia.</p> <p>10. Notwithstanding the obligations of the subdivider under Clause 5.12.9(e) of the Scheme, the subdivider shall drain the land and provide detention areas generally in accordance with a Local Water Management Strategy (LWMS) prepared for the subdivision at the time of application for subdivision to the satisfaction of the Council and the Department of Water.</p> <p>The LWMS should demonstrate how the subject area will address water use and management. It should contain a level of information that demonstrates the site constraints and the level of risk to the water resources. The LWMS should include, but not be limited to:</p> <ul style="list-style-type: none"> a. A Geotechnical Report; b. Site characteristics, constraints and opportunities; c. Capacity of land to support proposed land use; d. Fit-for-purpose water use strategy; Issues to be determined at time of subdivision; e. Recommended monitoring and implementation framework; f. Building and effluent disposal envelopes and minimum pad heights; g. Any reserves or easements required. <p>11. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, proposed pad level, existing trees and strands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>The site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>12. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Western Australian Planning Commission for whole or part of the area.</p> <p>13. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it and the requirements of clause 5.9.3.</p> <p>14. The Subdivision Guide Plan referred to in Clause 12 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, road works, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RL26	26.	<p>Lot 1254 Abernethy Road, Oakford (Cont'd)</p> <p>AMD 157 GG 28/8/09</p>	<p>15. The subdivider shall upgrade by widening and sealing Abernethy Road along the full length of the property and construct the proposed road junctions at Abernethy Road and Kargotich Road, including preparation of design drawings, to the satisfaction of Council. The Casuarina trees lining both sides of Abernethy Road and Kargotich Road, shall be preserved from removal or damage. The subdivider shall be responsible for ensuring that no damage occurs to the Casuarina trees through works done by all service providers and contractors.</p> <p>16. The subdivider is to place a notification on the title of each lot advising potential purchasers that their property is located within an area that has been recognised as posing a "moderate to low" acid sulphate soils risk. Therefore, any proposal that may lead to the disturbance of acid sulphate soils associated with future development of the site should be planned and managed to avoid adverse effects on the natural and built environment, including human health and activities.</p> <p>17. The subdivider is to place a notification on the title of each lot advising potential purchasers that their property may be subject to periodic inundation in storm and flood events and dwellings should therefore be designed with flexibility and consideration for possibilities such as dwellings on stumps. In addition, purchasers are to be advised that direct stormwater connection into the Shire's roadside drainage system is not permitted.</p>
RLA27	27.	<p>Lot 8 Arnold Road, Serpentine</p> <p>AMD 158 GG 3/8/12</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council—</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Home Business <p>All other uses are prohibited.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative effluent disposal system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment and Conservation.</p> <p>3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the subdivider or landowner obtaining the prior written consent of the Council, where such vegetation is identified as structurally unsounded by an accredited arboriculturalist or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways or to accommodate an approved use.</p> <p>4. Prior to the clearance of the subdivision, the subdivider shall prepare a Building Envelope and Effluent Disposal Envelope Plan to the satisfaction of Council, with the location of the envelopes being determined based on geotechnical investigations undertaken by the subdivider. The effluent disposal envelopes are to be separate from the building envelopes and are to be 300m² in size. All buildings and effluent disposal systems to be located within the respective building envelopes and effluent disposal envelopes defined on the approved Building Envelope and Effluent Disposal Envelope Plan unless otherwise approved in writing by the Council.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA27	27	Lot 8 Arnold Road, Serpentine (Cont'd) <i>AMD 158 GG 3/8/12</i>	<p>5. The subdivider shall prepare and implement a Landscape and Vegetation Management Plan for the amendment area, including the portion of road reserve which abuts the subject site, including the planting of indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the council, prior to the transfer of a lot(s) to a new owner.</p> <p>6. The subdivider shall either maintain the trees and shrubs planted in accordance with the approved Landscape and Vegetation Management Plan until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>7. The subdivider shall prepare and implement a Fire and Risk Management Plan, including construction of the emergency access ways, the strategic firebreak/multiple use trail network depicted on the endorsed Subdivision Guide Plan, water supplies and equipment and other fire management requirements deemed necessary, to the specification and satisfaction of Council and the Fire and Emergency Services Authority of Western Australia.</p> <p>8. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specification of the Council which shall show site contours, proposed pad level, approved revegetation areas, existing trees and strands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>9. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Western Australian Planning Commission for whole or part of the area.</p> <p>10. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it and the requirements of clause 5.9.3.</p> <p>11. Multiple Use Trails within property shall be constructed by the subdivider prior to subdivision clearance in accordance with the endorsed Subdivision Guide Plan.</p> <p>12. The subdivider is to place a notification on the title of each lot advising potential purchasers that their property may be subject to periodic inundation in storm and flood events. In addition, purchasers are to be advised that direct stormwater connection into the Shire's roadside drainage system is not permitted.</p> <p>13. The subdivider is to place a notification on the title of each lot advising potential purchasers of the minimum pad height requirements for future dwellings and effluent disposal systems to ensure that an adequate separation distance to groundwater is maintained. The minimum pad heights are to be determined through geotechnical investigations undertaken by the subdivider.</p>
RLA28	28.	Lot 791 Walker Road, Serpentine <i>AMD 186 GG 9/1/15</i>	<p>1. Within the Rural Living A zone the following land uses are permitted, or are permitted at the discretion of the Council -</p> <p>Use Classes permitted (p) -</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA) –</p>
		Lot 791 Walker Road, Serpentine	

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA28	28.	(Cont'd) AMD 186 GG 9/1/15	<ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Business ▪ Home Occupation <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <ol style="list-style-type: none"> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health and has a phosphorous retention capacity appropriate for the site which conforms to relevant Department of Environment Regulation and Department of Water provisions. 3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the subdivider or landowner obtaining the prior written consent of the Council, where such vegetation is identified as structurally unsound by an accredited arboriculturalist or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, or to accommodate an approved use. 4. Prior to the clearance of the subdivision, the subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary to the specification and satisfaction of the local authority and the Department of Fire and Emergency Services. 5. The keeping of horses, sheep, goats, cattle or other grazing animals shall not be permitted. 6. At the time of submitting a building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shows site contours, existing trees and stands of vegetation. a building envelope, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 7. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Corporation By-Laws applying to underground water supply and pollution control. 8. All buildings and effluent disposal systems to be located within the building envelopes defined on the approved Building Envelope Plan unless otherwise approved in writing by the Council. 9. The subdivider shall prepare and implement a Landscape and Vegetation Management Plan to the satisfaction of Council, in accordance with the Subdivision Guide Plan.

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA29	29	Lot 304 Hardey Road, Serpentine	<ol style="list-style-type: none"> 1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the Council: <ul style="list-style-type: none"> Use classes permitted (P) <ul style="list-style-type: none"> ▪ Single House ▪ Public Utility Discretionary Uses (AA) <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Home Business ▪ All other uses are prohibited. 2. No dwelling shall be approved by the Council unless it is connected to an alternative effluent disposal system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment Regulation. 3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the subdivider or landowner obtaining the prior written consent of the Council, where such vegetation is identified as structurally unsounded by an accredited arboriculturalist or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways or to accommodate an approved use. 4. Prior to the clearance of the subdivision, the subdivider shall prepare a Building Envelope and Effluent Disposal Envelope Plan to the satisfaction of the Council, with the location of the envelopes being determined based on geotechnical investigations undertaken by the subdivider. The effluent disposal envelopes are to be separate from the building envelopes and are to be 300m² in size. All buildings are effluent disposal systems to be located within respective building envelopes and effluent disposal envelopes defined on the approved Building Envelope and Effluent Disposal Envelope Plan unless otherwise approved in writing by the Council. 5. The subdivider shall prepare and implement a Vegetation Master Plan for the amendment area, including the planting of indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the council, prior to the transfer of a lot(s) to a new owner. 6. The subdivider shall either maintain the trees and shrubs planted in accordance with the approved Vegetation Master Plan until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of these trees and shrubs planted by the subdivider to the satisfaction of the Council. 7. The subdivider shall prepare and implement a Fire Management Plan, including construction of a strategic firebreak and emergency access route, water supplies and equipment and other fire management requirements deemed necessary, to the specification and satisfaction of Council and the Department of Fire and Emergency Services. 8. All buildings/development being constructed in accordance with Australian Standard No. AS 3959 where identified within the approved Fire Management Plan.
RLA29	29		

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
		Lot 304 Hardey Road, Serpentine (Cont'd)	<p>9. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specification of the Council which shall show site contours, proposed pad levels, approved revegetation areas, existing trees and strands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>10. The Council shall not support any application to the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Western Australian Planning Commission for whole or part of the area.</p> <p>11. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it and the requirements of clause 5.9.3.</p> <p>12. The Subdivider is to place a notification on the title of each lot advising potential purchasers that their property may be subject to periodic inundation in storm and flood events. In addition, purchasers are to be advised that direct stormwater connection into the Shire's roadside drainage system is not permitted.</p> <p>13. The subdivider is to place a notification on the title of each lot advising potential purchasers of the minimum pad height requirements for future dwellings and effluent disposal systems to ensure that an adequate separation distance to groundwater is maintained. The minimum pad heights are to be determined through geotechnical investigations undertaken by the subdivider.</p>
RLA30	30	<p>Lots 487, 611 and 615 Arnold Road, Serpentine</p> <p>AMD 193 GG 29/01/19</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted or are permitted at the discretion of the Council-</p> <p>Permitted (P):</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Home Business <p>All other uses are prohibited.</p> <p>2. Lot sizes shall not be less than 1 hectare.</p> <p>3. A structure plan shall be prepared to guide subdivision and development of the land.</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
RLA 31	31	<p>Lot 9 Hardey Road, Serpentine.</p> <p>AMD 203 GG 14/06/19</p> <p>Corr Notice 20/11/2020</p>	<p>1. Within the Rural Living A zone, the following land uses are permitted, or are permitted at the discretion of the local government.</p> <p>Use Classes</p> <p>Permitted (P):</p> <ul style="list-style-type: none"> Residential - Single House Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> Residential - Ancillary Accommodation Home Occupation Home Business <p>Discretionary (SA):</p> <ul style="list-style-type: none"> Stable <p>All other uses are prohibited.</p> <p>2. A subdivision application shall address and/or be supported by the following:</p> <p>(i) Lot sizes shall be a minimum of 1 hectare.</p> <p>(ii) A Bushfire Management Plan, including a Bushfire Attack Level Contour Map, in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas.</p> <p>(iii) An emergency access easement in order to provide emergency access to Rangeview Loop to the north.</p> <p>(iv) The detailed design of the Arnold Road Main Drain and associated watercourse, having regard to the findings of the Environmental Assessment and Justification Report.</p> <p>(v) A Local Water Management Strategy to the satisfaction of the local government.</p> <p>(vi) A landscape management plan, which includes a tree survey/pick up, identifying the site, location and species of the trees.</p> <p>(vii) A civil engineering report that details the development standards and location of services, and specifically considers the adequacy of Hardey Road.</p>
RLA32	32	<p>Lot 4 (No. 331) Kargotich Road and Lot 2 (No. 1842) Thomas Road, Oakford.</p> <p>AMD 206 GG4/10/19</p>	<p>1. A structure plan shall be prepared over the specified area. In addition to the requirements of the Structure Plan Framework, the following specific items are to be addressed through structure planning:</p> <p>a) A Noise Management Plan in accordance with State Planning Policy 5.4 Road and Rail Transport Noise and Freight Consideration in Land Use Planning being prepared to address existing and future transport noise originating from Thomas Road;</p> <p>b) A Bushfire Management Plan, including a Bushfire Attack Level Contour Map, in accordance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas.</p> <p>c) A Local Water Management Strategy to the satisfaction of the local government.</p> <p>d) Lot sizes shall be a minimum of 1 hectare, unless connected to reticulated sewer.</p> <p>e) A future road connection to the lot directly abutting the</p>

APPENDIX 4A - RURAL LIVING A ZONE (Cont'd)

	NO.	SPECIFIED AREA OF LOCALITY	SPECIAL PROVISIONS TO REFER TO (a)
			<p>southern boundary of Lot 4 Kargotich Road, Oakford, currently Lot 207 Kargotich Road, Oakford and Byford Meadows Drive.</p> <p>2. If reticulated sewer is available to a lot the dwelling on that lot must be connected to it and cannot dispose of effluent onsite.</p>

APPENDIX 4B - RURAL LIVING B ZONE

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Cockburn Sound Location 792 corner Walker Road and Wattle Road, Serpentine</p> <p><i>AMD 51 GG 19/4/96</i></p>	<ol style="list-style-type: none"> 1. Within the rural Living zone, the following landuses are permitted at the discretion of the Council. <ul style="list-style-type: none"> Use classes permitted (P) <ul style="list-style-type: none"> ▪ Single Dwelling ▪ Public recreation ▪ Public Utility Discretionary uses (AA) <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Rural Use/Intensive Agriculture ▪ Stables <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control. 4. Notwithstanding the obligations of the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan of the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps. 5. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority. 7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires board of WA. 8. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under provision 1.

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Cockburn Sound Location 792 corner Walker Road and Wattle Road, Serpentine ((Cont'd)</p> <p><i>AMD 51 GG 19/4/96</i></p>	<p>9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>10. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environment Protection before approval is granted.</p>

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Cockburn Sound Location 793 Wattle Road, Serpentine as depicted on the Scheme Amendment Map</p> <p>AMD 49 GG 24/11/95</p>	<ol style="list-style-type: none"> 1. Within the rural Living zone the following land uses are permitted or are permitted at the discretion of the Council. <ul style="list-style-type: none"> Use classes permitted (P): <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility Discretionary Uses (AA): <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Rural Use/Intensive Agriculture ▪ Stables <p>All other use classes are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control. 4. Notwithstanding the obligations of the subdivider under Clause 5.12.9(e) of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan and/or Drainage Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps. 5. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 6. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1. 7. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority. 8. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires Board of WA.

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
Cockburn Sound Location 793 Wattle Road, Serpentine as depicted on the Scheme Amendment Map (Cont'd) AMD 49 GG 24/11/95	<p>9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting maintenance.</p> <p>10. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p>

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lots 1 and 182 Kargotich Road, Oakford</p> <p><i>AMD 57 GG 10/1/97</i></p>	<ol style="list-style-type: none"> 1. Within the Rural Living Zone, the following landuses are permitted or are permitted at the discretion of the Council. <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> ▪ Single Dwelling ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Rural Use/Intensive Agriculture <p>All other use classes are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control. 4. Drainage specifications, including downstream of the subdivision to Thomas Road new drain be resolved to the satisfaction of the Local Authority and nominated on the Plan of Subdivision. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps. 5. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, to accommodate a "Rural Use" or "Intensive Agriculture". 6. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 7. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of lots to a new owner. 8. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority.

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lots 1 and 182 Kargotich Road, Oakford</p> <p><i>AMD 57 GG 10/1/97</i></p>	<p>9. The subdivider shall prepare and implement a Fire Management Plan prior to commencement of subdivision, that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires Board of WA.</p>
<p>Lot 183 Kargotich Road, Oakford as delineated on the Scheme Amendment Map.</p> <p><i>AMD 63 GG 18/4/97</i></p>	<p>1. With the Rural Living zone, the following land uses are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>All other use classes are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control.</p> <p>4. Notwithstanding the obligations of the subdivider under Clause 5.12.9 (e) of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan and/or Drainage Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps.</p> <p>5. The subdivider shall, in accordance with the Subdivision Guide Plan for this estate, plan indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>6. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, house driveways and/or to accommodate the discretionary uses identified under Provision 1.</p> <p>7. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p>

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lot 183 Kargotich Road, Oakford as delineated on the Scheme Amendment Map. (Cont'd)</p> <p><i>AMD 63 GG 18/4/97</i></p>	<p>8. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires Board of WA. This will include contribution to Fire Fighting facilities in accordance with Council policy.</p> <p>9. At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>10. Notwithstanding the provisions of Clause 5.12.9(g), Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Department of environmental Protection and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion or dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled. Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p>
<p>Lot 187, corner of Thomas and Hopkinson Roads, Oakford</p> <p><i>AMD 36 GG 9/5/97</i></p>	<p>1. Within the Rural Living Zone, the following land uses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single Dwelling • Public Recreation • Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> • Ancillary • Accommodation • Home Occupation • Rural Use/Intensive • Agriculture <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the landuse does not involve excessive nutrient application or the clearing of the land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australian By-laws applying to underground water supply and pollution control.</p>

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lot 187, corner of Thomas and Hopkinson Roads, Oakford</p> <p>AMD 36 GG 9/5/97</p>	<ol style="list-style-type: none"> 4. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps. 5. The subdivider shall, in accordance with the Subdivision Guide Plan and the schedule of the landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority. 7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires Board of WA. 8. The subdivider is required to place memorials on the Land titles of each parcel of land affected by the 500m buffer at the time of subdivision, advising that: "The land lies within an existing Landfill Buffer zone and may be subject to some loss of amenity through odour, noise, dust, litter or reduced aesthetic value. 9. The subdivider is required to place memorials on the Land Titles of all of the lots at the time of subdivision advising that: "The water quality may not be suitable for human consumption and any person proposing to use the groundwater for such purposes will require such water to be analysed for quality of an appropriate standard". 10. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 11. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lot 184 Kargotich Rd Oakford</p> <p>AMD 87 GG 26/2/99</p>	<ol style="list-style-type: none"> 1. Within the Rural Living Zone, the following land uses are permitted at the discretion of the Council. <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive • Agriculture • Stables <p>All other use classes are prohibited</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land does not involve excessive nutrient application or the clearing of the land.</p> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-Laws applying to underground water supply and pollution control. 4. Notwithstanding the obligations of the subdivider under clause 5.12.9(e) of the scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan and/or Drainage Plan for the estate. Those easements required by the Council shall be provided to the Council free of costs at the time of subdivision to provide for the ongoing maintenance of the drains and sumps. 5. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage system, house, driveways and/or to accommodate the discretionary uses identified under provision 1. 6. The subdivider shall, in accordance with the Subdivision Guide Plan for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 7. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. <p>Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.</p>

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lot 184 Kargotich Rd Oakford (Cont'd)</p> <p>AMD 87 GG 26/2/99</p>	<p>8. At the time of building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>9. Notwithstanding the provisions of Clause 5.12.9(g), Council may approve the grazing of animals outside of the building envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Department of Environmental Protection and that such will not result in the removal or damage of the vegetation or result in soil erosion or dust pollution. As a condition of approval, the Council may require the animals to be stabled or corralled.</p> <p>Where in the opinion of the Council the continued presence of animals in any portion of the land in the estate is contributing to dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.</p> <p>When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.</p> <p>10. The subdivider shall prepare and implement a fire management plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the Local Authority and Bushfires Service of WA.</p> <p>11. The Land is situated within the catchment of the Peel - Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental protection before approval is granted.</p>

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lot 2 Kartogotich Road, Oakford</p> <p><i>AMD 98 GG 7/9/99</i></p>	<ol style="list-style-type: none"> 1. Within the Rural Living zone, the following land uses are permitted, or are permitted at the discretion of the Council: <p>Uses classes permitted (P):</p> <ul style="list-style-type: none"> • Single Dwelling • Public Recreation • Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorous retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation of Western Australia By-laws applying to underground water supply and pollution control. 4. Notwithstanding the obligations of the subdivider under clause 5.12.9(e) of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan and/or drainage Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps. 5. The subdivider shall, in accordance with the Subdivision Guide Plan for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council. 7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires Board of WA. This will include contribution to fire fighting facilities in accordance with Council policy. 8. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lot 2 Kartogotich Road, Oakford (Cont'd)</p> <p>AMD 98 GG 7/9/99</p>	<p>9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p> <p>10. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, house driveways and/or to accommodate the discretionary uses identified under Provision 1.</p> <p>11. Bridle paths to be constructed by the Subdivider and ceded free of cost to the Crown in accordance with the Subdivision Guide Plan.</p>
<p>Lot 188 Thomas Road, Oakford.</p> <p>AMD 86 GG 9/3/99</p>	<p>1. Within the Rural Living Zone, the following land uses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single Dwelling • Public Recreation • Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied, following consultation with Government Agencies, that the land use does not involve excessive nutrient application or the clearing of the land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. Notwithstanding the controls if specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation's By-laws applying to underground water supply and pollution control.</p> <p>4. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate.</p> <p>4. The subdivider shall, in accordance with the Subdivision Guide Plan, and the schedule of landscaping for the estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority.</p>

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lot 188 Thomas Road, Oakford. (Cont'd)</p> <p>AMD 86 GG 9/3/99</p>	<p>7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications of the local authority and the Bush Fires Board of WA.</p> <p>8. The subdivider is required to place memorials on the Land Titles of each parcel of land affected by the 500m buffer at the time of subdivision, advising that:</p> <p>"The land lies within an existing Landfill Buffer zone and may be subject to some loss of amenity through odour, noise, dust, litter or reduced aesthetic value."</p> <p>9. The subdivider is required to place memorials on the Land Titles of all of the lots at the time of subdivision advising that:</p> <p>"The groundwater quality may not be suitable for human consumption and any person proposing to use the groundwater for such purposes should have the groundwater scientifically if cent analysed to determine its quality".</p> <p>10. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>11. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p>
<p>Lot 216 Nettleton Road, Byford</p> <p>AMD 125 GG 9/12/03</p>	<p>1. Within the Rural Living B zone, the following land uses are permitted or are permitted at the discretion of the Council:</p> <p>Use classes permitted (P) –</p> <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Stables – 1 hectare lots and above only ▪ Home Occupation ▪ Rural Use/Intensive Agriculture <p>All other uses are prohibited</p> <p>In exercising its discretion in respect to AA uses, the Council, having regard to the planning guidelines for Nutrient management, shall only permit such uses when it is satisfied following consultation with the Department of Environmental Protection and the Water and Rivers Commission that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.</p>

APPENDIX 4B - RURAL LIVING B ZONE (Cont'd)

Provisions Relating to Specified Areas

SPECIFIED AREA OF LOCALITY (a)	SPECIAL PROVISIONS TO REFER TO (b)
<p>Lot 216 Nettleton Road, Byford (Cont'd)</p> <p><i>AMD 125 GG 9/12/03</i></p>	<ol style="list-style-type: none"> 3. The subdivider shall, in accordance with the endorsed Subdivision Guide Plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 4. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 5. The subdivider shall prepare a Stormwater Management Plan to address mosquito control, erosion, nutrient and drainage issues during and post construction. 6. The subdivider shall prepare a foreshore Management Plan for the Beenyup Brook Reserve within the lot, including any constructed wetlands and proposed method of mosquito control. The Reserve shall be created for the multiple use of waterway protection, drainage, wildlife protection, and passive complementary recreation. The Plan shall address vegetation management (including weed control) waterway restoration and infrastructure. 7. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA. 8. Notwithstanding the obligations of the subdivider under Clause 5.12.9e) of the Scheme, the subdivider shall drain the land and provide drainage detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easement and reserves required by Council or the Water Corporation shall be provided to the Council or Water Corporation at the time of subdivision to provide for ongoing maintenance of the drainage system components. 9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 10. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Corporation By-laws applying to underground water supply and pollution control.

APPENDIX 4C - FARMLET ZONE

Provisions Relating to Specified Areas

AMD 47 GG 9/12/94

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 785 Karnup Road</p> <p>AMD 54 GG 16/2/96</p>	<ol style="list-style-type: none"> 1. The following use classes are permitted (P): <ul style="list-style-type: none"> ▪ Single Dwelling ▪ Public Recreation ▪ Public Utility 2. The following use classes are discretionary (AA): <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home Occupation ▪ Rural Use ▪ Stables <p>In exercising its discretion in respect to "AA" uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of land.</p> 3. The subdivider shall, in accordance with the Subdivision Guide Plan for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the Transfer of the lot(s) to a new owner. 4. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Local Authority. 5. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, out-building, fence and/or house driveways and/or to accommodate the discretionary uses listed in provision (2). 6. Notwithstanding the controls specified by provisions (1) and (2) development and use of the land is subject to the provisions of the Water Authority of Western Australia By-Laws applying to underground water supply and pollution control. 7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the Local Authority and the Bush Fires Board of WA. 8. On those lots which contain remnant vegetation, fences shall be erected to protect trees and other vegetation from damage by grazing livestock. 9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of environmental Protection before approval is granted. 10. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 11. The subdivider shall drain the land in accordance with the Subdivision Guide Plan for the estate. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the on-going maintenance of the drains.

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>AA Lot 49 corner of Mundijong and Kargotich Roads, Mundijong</p> <p>AMD 39 GG 2/8/96</p>	<ol style="list-style-type: none"> 1. Within the Farmlet zone the following land uses are permitted or are permitted at the discretion of the Council. <ul style="list-style-type: none"> Use classes permitted (P): <ul style="list-style-type: none"> ▪ Single House ▪ Public Recreation ▪ Public Utility Discretionary uses (AA): <ul style="list-style-type: none"> ▪ Ancillary Accommodation ▪ Home occupation ▪ Rural Use/Intensive Agriculture ▪ Stables <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or clearing of land.</p> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, to accommodate a "Rural Use". 4. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 6. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fire Board of WA. 7. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-Laws applying to underground water supply and pollution control. 8. Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements required by Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps.

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>AA Lot 49 corner of Mundijong and Kargotich Roads, Mundijong</p> <p><i>AMD 39 GG 2/8/96</i></p>	<p>9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands or vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>10. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be the subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p> <p>11. Access to Mundijong Road from any lot depicted on the Subdivision Guide Plan shall be prohibited. Any existing private access to Mundijong Road is to be closed one internal access is established and the crossover revegetated with indigenous species to the satisfaction of Council.</p>
<p>Lot 781 Gull Road.</p> <p><i>AMD 74 GG 9/5/97</i></p>	<p>1. The following use classes are permitted (P):</p> <ul style="list-style-type: none"> • Single Dwelling • Public Recreation • Public Utility <p>2. The following use classes are discretionary (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use • Stables <p>In exercising its discretion in respect to 'AA' uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land does not involve excessive nutrient application or the clearing of land.</p> <p>3. The subdivider shall, in accordance with the Subdivision Guide Plan for this Estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of the lot(s) to a new owner.</p> <p>4. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planed by the subdivider to the satisfaction of the Local Government.</p> <p>5. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, out-building, fence and/or to accommodate the discretionary uses listed in Provision (2).</p> <p>6. Notwithstanding the controls specified by Provisions (1) and (2) development and use of the land is subject to the provisions of the Water Authority of Western Australian By-Laws applying to underground water supply and pollution control.</p> <p>7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements that may be deemed necessary, to the specifications and satisfaction of the Local Government and the Bush Fires Board of WA.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 781 Gull Road. (Cont'd)</p> <p><i>AMD 74 GG 9/5/97</i></p>	<ol style="list-style-type: none"> 8. On those lots which contain remnant vegetation, fences shall be erected to protect trees and other vegetation from damage by grazing livestock. 9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Consultation with the Department of Environmental Protection and Agriculture, Western Australia shall therefore be undertaken in regard to the application, type and distribution of fertiliser on the land. 10. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 11. The subdivider shall drain the land in accordance with the Subdivision Guide Plan for the Estate. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the on-going maintenance of the drains. 12. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system of the modified irrigation area being the required distance above the highest known water table.
<p>Lot 47 Mundijong Road, Mundijong</p> <p><i>AMD 71 GG 23/6/98</i></p>	<ol style="list-style-type: none"> 1. Within the Farmlet zone the following land uses are permitted or area permitted at the discretion of the Council. Use classes permitted (P); <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility Discretionary <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables All other uses are prohibited. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or clearing of land. 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, deceased or where the clearing is required for the purposed of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, to accommodate a "Rural Use". 4. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 47 Mundijong Road, Mundijong (Cont'd)</p> <p><i>AMD 71 GG 23/6/98</i></p>	<ol style="list-style-type: none"> 5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 6. The subdivider shall prepare and implement a Fire Management Plan that identifies and implements the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA. 7. Notwithstanding the obligations of the subdivider under clause 5.13.7e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with a Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council or the Water Corporation, including the Drainage Corridor as generally depicted on the Subdivision Guide Plan, shall be provided to the Council or Water Corporation free of cost at the time of subdivision to provide for ongoing maintenance of the drainage system components. 8. At the time of the building application for each lot a plan, of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance. 9. The land is situated within the catchment of the Peel-Harvey system where nutrient management and responsible use of fertiliser is encouraged. The application, type and distribution of fertiliser to the land shall be within limits set by the Department of Environmental Protection for irrigated and non-irrigated land. 10. Vegetation planted by the developer must be fenced from grazing livestock in order to protect trees and other vegetation from damage. 11. Access to Mundijong road from any lot depicted in the Subdivision Guide Plan shall be prohibited. Any existing private access to Mundijong Road is to be closed once internal access is established and the crossover revegetated with indigenous species to the satisfaction of Council.
<p>Lot 5 Randell Road, Mundijong</p> <p><i>AMD 90 GG 7/5/99</i></p>	<ol style="list-style-type: none"> 1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council. <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 5 Randell Road, Mundijong (Cont'd)</p> <p>AMD 90 GG 7/5/99</p>	<ol style="list-style-type: none"> <li data-bbox="592 383 1394 533">2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Dept of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. <li data-bbox="592 555 1394 678">3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage system and/or driveways, to accommodate a "Rural Use". <li data-bbox="592 701 1394 801">4. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to other transfer of a lot(s) to a new owner. <li data-bbox="592 824 1394 947">5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. <li data-bbox="592 969 1394 1093">6. The subdivider shall prepare and implement a Fire Management Plan that identified the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA. <li data-bbox="592 1115 1394 1261">7. Notwithstanding the obligations of the subdivider under Clause 5.13.7e of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements and reserves required by Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of drains and sumps. <li data-bbox="592 1283 1394 1406">8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance. <li data-bbox="592 1429 1394 1552">9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Consultation with the Department of Environmental Protection and Agriculture Western Australia shall therefore be undertaken in regard to the application, type and distribution of fertiliser on the land. <li data-bbox="592 1574 1394 1731">10. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted, shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation. <li data-bbox="592 1753 1394 1832">11. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-Laws applying to underground water supply and pollution control.

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 668 Gull Road, Serpentine</p> <p><i>AMD 112 GG 28/9/01</i></p>	<p>1 Within the Farm let zone the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2 No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Dept of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3 No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, to accommodate a "Rural Use".</p> <p>4 The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>5 The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>6 The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>7 Notwithstanding the obligations of the subdivider under Clause 5.13.7e of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements and reserves required by Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of drains and sumps.</p> <p>8 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 668 Gull Road, Serpentine (Cont'd)</p> <p>AMD 112 GG 28/9/01</p>	<p>9 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Consultation with the Department of Environmental Protection and Agriculture Western Australia shall therefore be undertaken in regard to the application, type and distribution of fertiliser on the land.</p> <p>10 The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted, shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types. Vegetation planted by the developer, and remnant revegetation must be fenced from grazing livestock in order to protect vegetation.</p> <p>11 Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-Laws applying to underground water supply and pollution control.</p> <p>12 Bridle paths to be constructed by the subdivider in accordance with the endorsed Subdivision Guide Plan.</p>
<p>Lot 4 Randell Road, Mundijong.</p> <p>AMD 123 GG 4/2/03</p>	<p>1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council, having regard to the Planning Guidelines for Nutrient Management, shall only permit such uses when it is satisfied following consultation with the Department of Environment, Water and Catchment Protection and any other relevant government agency that the land use does not involve excessive nutrient application or clearing of land.</p> <p>2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environment, Water and Catchment Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>3. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/ landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, to accommodate a "Rural Use".</p> <p>4. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 4 Randell Road, Mundijong. (Cont'd)</p> <p>AMD 123 GG 4/2/03</p>	<p>5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>6. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>7. Notwithstanding the obligations of the subdivider under Clause 5.13.7e of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements and reserves required by Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of drains and sumps.</p> <p>8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p> <p>9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Consultation with the Department of Environment, Water and Catchment Protection and Agriculture Western Australia shall therefore be undertaken in regard to the application, type and distribution of fertiliser on the land.</p> <p>10. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted, shall be subject to the prior written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA, for the applicable pasture types, and will be in accordance with Statement of Planning Policy Number 2. Vegetation planted by the developer, and remnant vegetation shall be fenced prior to the introduction of stock onto the property.</p> <p>11. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-Laws applying to underground water supply and pollution control.</p> <p>12. The access corridor depicted on the Subdivision Guide Plan shall be ceded to Council at the time of subdivision, in lieu of any requirement for construction of bridle accessways by the subdivider.</p>
<p>Pt Lot 2 Kargotich Road, and Lots 6 and 9 Scott Road, Mundijong.</p> <p>AMD 108 GG 1/11/05</p>	<p>1. Within the 'Farmlet' zone the following land uses are permitted, or are permitted at the discretion of the Council:</p> <p>Permitted Uses ('P')</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary uses ('AA'):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use • Stables <p>All other uses are prohibited.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Pt Lot 2 Kargotich Road, and Lots 6 and 9 Scott Road, Mundijong. (Cont'd)</p> <p>AMD 108 GG 1/11/05</p>	<p>In exercising its discretion in respect of "AA" uses, the Council having regard to the Planning Guidelines For Nutrient Management contained in the Shire of Serpentine-Jarrahdale Rural Strategy, shall only permit such uses where it is satisfied following consultation with relevant government agencies that the use does not involve excessive nutrient application of clearing of land, or risk or damage to any on site vegetation.</p> <ol style="list-style-type: none"> 2. No single house shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 3. All buildings and effluent disposal systems to be located within the building envelopes defined on the subdivision guide plan unless otherwise approved in writing by the Shire. 4. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the subdivider or landowner obtaining the prior written consent of the Council, where such vegetation is identified as structurally unsound by an arboriculturist or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the permitted or discretionary uses identified under special provision 1. 5. Notwithstanding special provision 4, no vegetation or trees shall be destroyed or cleared within the areas designated for revegetation on the endorsed subdivision guide plan or within the areas identified in the Revegetation and Rehabilitation Plan as required by special provision 6. 6. The subdivider shall, in accordance with the land capability assessment dated 10 February 2005, prepare and implement prior to clearance of subdivision a Revegetation and Rehabilitation Plan for the land to the satisfaction of the Council. <p>The plan is to specifically demonstrate the following:</p> <ol style="list-style-type: none"> i) Suitable planting of indigenous trees, shrubs and ground cover species over an area equivalent to at least 30 per cent of the total land parcel, and at a density which demonstrates to the satisfaction of the Council the long term lowering of the average annual maximum groundwater level across the land; ii) For the areas designated as multiple use corridor, drainage detention basin and drainage swale on the endorsed subdivision guide plan, the planting of appropriate riparian vegetation at a density to perform suitable nutrient stripping functions of generated water runoff in accordance with special provision 8 to the satisfaction of the Council. <p>The plan is to include details of a plant schedule, nominating each species, the spacings of each species, the numbers of plants required and the size of each plant to be used at the time of planting, together with the anticipated height of each plant at maturity.</p> <ol style="list-style-type: none"> 7. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss while still maintaining the objectives of the land capability assessment and Revegetation and Rehabilitation Plan. Thereafter, the landowners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Pt Lot 2 Kargotich Road, and Lots 6 and 9 Scott Road, Mundijong. (Cont'd)</p> <p><i>AMD 108 GG 1/11/05</i></p>	<p>8. The subdivider shall prepare and implement a Fire Management Plan prior to clearance of subdivision that identifies and implements the construction requirements relative to strategic firebreaks, fire hydrants, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the Council and the Fire Emergency Services Authority.</p>
	<p>9. Notwithstanding the obligations of the subdivider under clause 5.13(7)(e) of the Scheme, the subdivider shall prepare and implement a Nutrient and Drainage Management Plan for the land prior to clearance of subdivision to the satisfaction of the Council and Department of Environment. The plan is to be based on the land capability assessment dated 10 February 2005, and is to specifically identify nutrient stripping capabilities of the drainage system to meet the requirements of the Peel-Harvey Environmental Protection Policy and Statement of Planning Policy No. 2.1 (Peel-Harvey Catchment). The plan is to include details for the long term monitoring and maintenance of stormwater treatments located within the multiple use corridor and the subdivision generally, and is to be prepared in accordance with best management practices for water sensitive urban design to the satisfaction of the Council.</p>
	<p>10. At the time of submitting a building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shows site contours, any revegetation areas, the 30 metre foreshore reserve buffer to the 50 metre wide drainage corridor, drainage details, all existing trees and stands of vegetation, those trees and vegetation proposed to be removed and retained, and proposals for additional tree planting and maintenance.</p>
	<p>11. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types, and will be in accordance with Statement of Planning Policy No. 2.1 (Peel-Harvey Catchment). Vegetation planted by the subdivider, and all remnant vegetation must be fenced prior to the introduction of stock onto the property.</p>
	<p>12. All multi use trails as required by the Council in accordance with Local Planning Policy No. 9 (Multiple Use Trails within the Shire of Serpentine-Jarrahdale) shall be constructed at the subdivider's cost prior to clearance of the subdivision.</p>
	<p>13. The multiple use corridor as depicted on the endorsed subdivision guide plan shall be ceded to the Council at the time of subdivision as foreshore reserve of minimum width 50 metres.</p>
	<p>14. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Corporation and Department of Environment by-laws applying to underground water supply and pollution control.</p>
	<p>15. Council will not support subdivision in the area designated on the endorsed subdivision guide plan as subject to further investigation until such time as it can be demonstrated by the landowner that suitable environmental repair and improvement has been undertaken across the land to the satisfaction of Council. This is to be demonstrated through evidence of revegetation and rehabilitation which has taken place, the reduction in nutrient loads and export levels from the land and the extent to which the average annual maximum groundwater level has been reduced. The Council will only support further subdivision where environmental repair and improvement can be clearly demonstrated, and the endorsed subdivision guide plan has been modified accordingly.</p>
	<p>16. Subdivision of the land will not be supported by Council until such time that all existing timber mill operations have ceased permanently to the satisfaction of the Council.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 9 Gull Road, Serpentine</p> <p><i>AMD 136 GG 13/1/06</i></p>	<ol style="list-style-type: none"> 1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council. <ul style="list-style-type: none"> Use classes permitted (P) <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility Discretionary Uses (AA) <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use • Stables <p>All other uses are prohibited.</p> 2. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land. 3. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 4. All buildings and effluent disposal systems to be located within the building envelopes defined on the Subdivision Guide Plan unless otherwise approved in writing by the Council. 5. A minimum habitable floor level of 28.30m AHD is required for any new dwelling. 6. All new buildings and structures to be constructed in accordance AS 3959 - 1999 "Construction of buildings in bushfire-prone areas". 7. All development (i.e. filling, building, etc) is to be located outside of the floodway. 8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance. 9. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, to accommodate a "Rural Use". 10. The subdivider shall plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner. 11. The subdivider shall prepare and implement a foreshore management plan to the satisfaction of the Council.

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 9 Gull Road, Serpentine (Cont'd)</p> <p>AMD 136 GG 13/1/06</p>	<p>12. The subdivider shall either maintain the trees and shrubs planted until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>13. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>14. The subdivider preparing a drainage management plan outlining the flood flow escape route and designed to accommodate a 1 in 100-year ARI storm to the satisfaction of the Council. Additionally, as part of the drainage plan existing drains shall be modified to prevent direct drainage into the Serpentine River. Discharge to any Water Corporation drains must be compensated to pre-development levels. Design calculations and plans for the drainage of any development in this area will be required to be lodged with the Water Corporation for approval. The provision of reserves for the protection of existing Water Corporation drains will form part of the requirements for the drainage of this area.</p> <p>15. Notwithstanding the obligations of the subdivider under Clause 5.13.7e of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements and reserves required by Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of drains and sumps.</p> <p>16. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation. The subdivider to construct a stock proof fence along the northern boundary of Lot 9 Gull Road to protect the existing foreshore reserve.</p> <p>17. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation By-Laws applying to underground water supply and pollution control.</p> <p>18. Multiple Use Trails within the foreshore reserve to be constructed by the subdivider in accordance with the endorsed Subdivision Guide Plan.</p> <p>19. the subdivider providing a reticulated water supply to each lot to the satisfaction of the Water Corporation.</p> <p>20. The subdivider to upgrade the construction of Hall Road to the satisfaction of the Council.</p> <p>21. The subdivider preparing a conservation covenant for those areas of the lot identified on the subdivision guide plan to the satisfaction of Council.</p>
<p>Lot 54 Randall Road Mardella.</p> <p>AMD 141 GG 2/6/06</p>	<p>1. Within the Farmlet zone the following land uses are permitted or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single Houses • Public Recreation • Public Utility

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 54 Randall Road Mardella. (Cont'd)</p> <p>AMD 141 GG 2/6/06</p>	<p>Discretionary (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use • Stables <p>All other uses are prohibited.</p> <p>2. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with the Department of Environment and any other relevant government agency that the land use does not involve excessive nutrient application or clearing of land.</p> <p>3. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>4. All buildings and effluent disposal systems to be located within the building envelopes defined on the Subdivision Guide Plan unless otherwise approved in writing by the Shire.</p> <p>5. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, to accommodate a "Rural Use".</p> <p>6. The subdivider shall prepare and implement a Landscape and Vegetation Management Plan to the satisfaction of Council, in accordance with the Subdivision Guide Plan to plant a minimum of 20 percent of the land with indigenous trees, shrubs, groundcover and aquatic plants at a density of 1,700 stems per hectare in areas for visual screening and not less than 18,000 stems per hectare within and along watercourses and drainage lines, to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>7. The subdivider shall erect fencing adjacent to revegetation areas and either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of the fence adjacent to revegetation areas and those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>8. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic fire breaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>9. Notwithstanding the obligations of the subdivider under Clause 5.13.7e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with any drainage concept plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council, including a drainage corridor, shall be provided to the Council free of cost at the time of subdivision to provide for ongoing maintenance of the drainage system components.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 54 Randall Road Mardella. (Cont'd)</p> <p>AMD 141 GG 2/6/06</p>	<p>10. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>11. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types. Vegetation planted by the developer and remnant vegetation must be fenced from grazing livestock in order to protect vegetation.</p> <p>12. The subdivider to upgrade Randell Road and to construct a multiple use trail on the unconstructed road reserve adjacent to the property to the satisfaction of Council.</p> <p>13. A memorial shall be placed on the titles advising prospective purchasers that the lots may be affected by nuisances from the cheese factory and dairy.</p> <p>14. The owner of lot 2 shall ensure any noise from the cheese factory is contained within specified limits of the Herring Storer Acoustics report and the Environmental Protection (Noise) Regulations at all times to the satisfaction of the Shire.</p>
<p>Lot 1 Webb Road & Lot 499 Mundijong Road, Mundijong.</p> <p>AMD 143 GG 2/6/06</p>	<p>1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use classes permitted (P):</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA):</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use • Stables <p>All other uses are prohibited.</p> <p>2. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with the Department of Environment and any other relevant Government Agency that the land use does not involve excessive nutrient application or clearing of land.</p> <p>3. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment and with the base of the system or the modified irrigation area being the required distance above the highest known water table.</p> <p>4. All buildings and effluent disposal systems to be located within the building envelopes or outside the exclusion zones defined on the amended Subdivision Guide Plan unless otherwise approved in writing by the Shire.</p> <p>5. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is certified as structurally unsound by an accredited arboriculturalist or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, or to accommodate an approved use.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 1 Webb Road & Lot 499 Mundijong Road, Mundijong. (Cont'd)</p> <p>AMD 143 GG 2/6/06</p>	<p>6. The subdivider shall prepare and implement a Landscape and Vegetation Management Plan to the satisfaction of Council, in accordance with the Subdivision Guide Plan to plant a minimum of 20% of the land with indigenous trees, shrubs, ground cover and aquatic plants at a density of 1700 stems per hectare in areas for visual screening and not less than 18000 stems per hectare within and along water courses and drainage lines, to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p> <p>7. The subdivider shall maintain vegetation on road reserves and any crown land within the Subdivision Guide Plan area for a minimum of two summers following planting by the subdivider until the required stem densities are established and the stems of taller plants have reached a minimum height of 50 centimetres.</p> <p>8. The subdivider shall erect internal fencing adjacent to revegetation areas and either maintain the trees and shrubs planted until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of the fence adjacent to revegetation areas and those trees and shrubs planted by the subdivider to the satisfaction of the Council and prevent the entry of stock into deep rooted vegetation areas.</p> <p>9. Prior to the clearance of the subdivision, the subdivider shall prepare and implement a Fire Management Plan which includes and identifies the construction requirements relative to strategic fire breaks, water supplies, equipment and any other fire management requirements that may be deemed necessary to the specification and satisfaction of the Local Authority and the Fire and Emergency Service Authority.</p> <p>10. Notwithstanding the obligations of the subdivider under Clause 5.13.7e of the Scheme the subdivider shall drain the land and provide detention areas in accordance with any Drainage Concept Plan provided prior to the commencement of on-the-ground works. Those easements and reserves required by Council including a Drainage Corridor, shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of drainage system components.</p> <p>11. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>12. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted shall be subject to the prior written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types. Vegetation planted by the developer and remnant vegetation must be fenced from grazing livestock in order to protect vegetation.</p> <p>13. The subdivider to upgrade Webb Road, construct a road through to Randell Road, construct a bridge or culvert over the drain, and construct multiple use trails to the satisfaction of Council.</p> <p>14. The existing boundary fence along the northern boundary of the property adjacent to the shire road reserve that contains a portion of the trotting track, is to be upgraded by the subdivider at the subdivider's cost prior to the subdivision of land adjacent to the road reserve.</p> <p>15. A Section 70A notification being placed on the titles of Lots 1 — 8 (inclusive) advising prospective purchasers that the lots will be affected by noise and vibration associated with the future Tonkin Highway.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 1 Webb Road & Lot 499 Mundijong Road, Mundijong. (Cont'd)</p> <p><i>AMD 143 GG 2/6/06</i></p>	<p>16. A notification under S129BA of the Transfer of Land Act shall be placed on the deposited plan as a restrictive covenant for the benefit of Main Roads WA to prohibit any vehicle access to the Tonkin Highway from any lots abutting the Tonkin Highway.</p> <p>17. No dwelling shall be approved by the Council on proposed lots 1 to 8 (inclusive) until Council is satisfied that each dwelling has been designed and constructed so as to ensure that indoor noise levels of affected noise sensitive dwellings accord with the recommended 'satisfactory' design sound levels for building interiors specified in AS 2107:2000 (Acoustics – Recommended design sound levels and reverberation times for building interiors).</p>
<p>Lot 12 Gull Road, Serpentine. <i>AMD 154 GG 20/2/09</i></p>	<p>1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council.</p> <p>Use Classes Permitted (P)</p> <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use • Stables <p>All other uses are prohibited.</p> <p>2. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such land uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of the land.</p> <p>3. No dwelling shall be approved by the Council unless it is connected to an domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment and Conservation, and with the base of the system or the modified irrigation area being the required distance above the 10 year flood level and the highest known water table.</p> <p>4. All buildings and effluent disposal systems to be located within the building envelopes defined on the Subdivision Guide Plan unless otherwise approved in writing by the Council.</p> <p>5. A minimum habitable floor level of 27.00m AHD is required for any new dwelling.</p> <p>6. All new buildings and structures to be constructed in accordance with AS 3959-1999 "Construction of buildings in bushfire-prone areas".</p> <p>7. All development including filling and building is to be located outside of the floodway.</p> <p>8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 12 Gull Road, Serpentine.</p> <p><i>AMD 154 GG 20/2/09</i></p>	<p>9. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage system and/or driveways, to accommodate a "Rural Use".</p> <p>10. The subdivider shall plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of lot(s) to a new owner.</p> <p>11. The subdivider shall prepare and implement prior to subdivision, a landscape and foreshore management plan to the satisfaction of Council in consultation with the Department of Water.</p> <p>12. The subdivider shall either maintain the trees and shrubs planted until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.</p> <p>13. The subdivider shall prepare and implement a Fire Management Plan prior to subdivision that identifies the need for and the construction requirements relevant to strategic firebreaks, non-reticulated water supplies and equipment and any other fire management requirements that may be deemed necessary to the specification and satisfaction of the local authority and the Bush Fires Board of WA.</p> <p>14. The subdivider preparing a Drainage and Nutrient Management Plan outlining the flood flow escape route and designed to accommodate a 1 in 100-year ART storm to the satisfaction of Council. Additionally, no additional stormwater created as a result of the proposed subdivision and development shall be discharged to the Serpentine River.</p> <p>15. Notwithstanding the obligations of the subdivider under Clause 5.13.7(e) of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements and reserves required by Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of drains and sumps.</p> <p>16. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation. The subdivider to construct a stock proof fence along the northern boundary of proposed Lot 3 to protect the existing foreshore reserve.</p> <p>17. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation By-Laws applying to the underground water supply and pollution control.</p> <p>18. Multiple Use Trails within the foreshore reserve adjacent to the property to be constructed by the subdivider prior to subdivision in accordance with the endorsed Subdivision Guide Plan.</p> <p>19. The subdivider to upgrade Gull Road where it abuts Lot 12 to the satisfaction of Council.</p>

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 5 Karnup Road, Serpentine AMD 160 GG 04/02/11</p>	<ol style="list-style-type: none"> <li data-bbox="592 383 1393 808">1. Within the Farmlet Zone the following land uses are permitted, or are permitted at the discretion of the Council - Use Classes permitted (P) – <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility Discretionary Uses (AA) – <ul style="list-style-type: none"> • Ancillary Accommodation • Holiday Accommodation • Home Occupation • Restaurant (existing heritage cottage adjacent to Karnup Road only) • Rural Use • Stables All other uses are prohibited. <li data-bbox="592 831 1393 954">2. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land. <li data-bbox="592 976 1393 1133">3. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorous retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. <li data-bbox="592 1155 1393 1301">4. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the subdivider or landowner obtaining the prior written consent of the Council, where such vegetation is identified as structurally unsound by an accredited arboriculturalist or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, or to accommodate an approved use. <li data-bbox="592 1323 1393 1469">5. Prior to the clearance of the subdivision, the subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary to the specification and satisfaction of the local authority and the Fire Emergency Service Authority. <li data-bbox="592 1491 1393 1592">6. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types. <li data-bbox="592 1615 1393 1738">7. At the time of submitting a building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shows site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. <li data-bbox="592 1760 1393 1839">8. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Corporation By-Laws applying to underground water supply and pollution control. <li data-bbox="592 1861 1393 1939">9. All building and effluent disposal systems to be located within the building envelopes defined on the Subdivision Guide Plan unless otherwise approved in writing by the Council. <li data-bbox="592 1962 1393 2007">10. The subdivider shall prepare and implement a Landscape and Vegetation Management Plan to the satisfaction of Council. <li data-bbox="592 2029 1393 2074">11. The existing heritage cottages adjacent to the Karnup Road frontage are to be retained and protected from damage at all times.

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>Lot 782 Walker Road, Serpentine AMD 166 GG 09/12/11</p>	<ol style="list-style-type: none"> 1. Within the Farmlet Zone the following land uses are permitted, or are permitted at the discretion of the Council— Use Classes permitted (P)— <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility Discretionary Uses (AA)— <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use • Stable (refer to clause 6 below) All other uses are prohibited 2. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land. 3. No dwelling shall be approved by the Council unless it is connected to an alternative domestic waste water treatment system as approved by the Department of Health with an adequate phosphorous retention capacity, as determined by the Department of Environment, and with the base of the system or the modified irrigation area being the required distance above the highest known water table. 4. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the subdivider or landowner obtaining the prior written consent of the Council, where such vegetation is identified as structurally unsound by an accredited arboriculturalist or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways, or to accommodate an approved use. 5. Prior to the clearance of the subdivision, the subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary to the specification and satisfaction of the local authority and the Fire and Emergency Service Authority. 6. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted shall be subject to the prior, written approval of Council. The keeping of horses is restricted to a maximum of two (2) horses per lot and shall be required to be stabled overnight to the satisfaction of the Shire. Approval to keep other animals shall not exceed the stocking rates recommended by Department of Agriculture and Food for the applicable soil types. 7. At the time of submitting a building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shows site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance. 8. Notwithstanding the controls specified by provision 1, development and use of the land is subject to the provisions of the Water Corporation By-Laws applying to underground water supply and pollution control. 9. All buildings and effluent disposal systems to be located within the building envelopes defined on the approved Building Envelope Plan unless otherwise approved in writing by the Council. 10. The subdivider shall prepare and implement a Landscape and Vegetation Management Plan to the satisfaction of Council, in accordance with the Subdivision Guide Plan.

APPENDIX 4C - FARMLET ZONE - (CONTINUED)

Provisions Relating to Specified Areas

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
	<p>11. The Multiple Use Trail within the Walker Road, road reserve shall be constructed by the subdivider prior to subdivision clearance in accordance with the endorsed Subdivision Guide Plan.</p> <p>12. The subdivider to upgrade Walker Road where it abuts Lot 782 to the satisfaction of Council.</p>
<p>Lots 47, 48 & 809 Shanley Road, Mardella.</p> <p>AMD 205 GG 14/06/19</p>	<p>1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the local government:</p> <p>Use Classes:</p> <p>Permitted (P):</p> <ul style="list-style-type: none"> • Residential - Single House • Residential - Ancillary Accommodation • Stable • Home Occupation • Home Office • Equestrian Activity • Public Utility <p>Discretionary (AA):</p> <ul style="list-style-type: none"> • Home Business • Rural Use • Intensive Agriculture • Private Recreation. <p>2. In exercising its discretion in respect to AA uses, the Council, having regard to the Planning Guidelines for Nutrient Management, shall only permit such uses when it is satisfied, following consultation with government agencies, that the land use does not involve excessive nutrient application or clearing of land.</p> <p>3. A Structure Plan shall be prepared over the specified area. In addition to the requirements of the Structure Plan Framework, the following specific items are to be addressed through structure planning:</p> <ul style="list-style-type: none"> (i) The identification of building envelopes and/or building exclusion areas. (ii) A Local Water Management Strategy to the satisfaction of the local government, which is to include the identification of appropriate water monitoring mechanisms. (iii) A Level 2 Flora Survey over the vegetation contained within the unmade road reserve along the southern boundary of the subject lots. (iv) A Noise Management Plan in accordance with State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning (2009). (v) A Nutrient and Irrigation Management Plan addressing fertilizer applications and treatment of storm water, as well as requirements to be addressed by individual lot owners to comply with at future subsequent stages of development. (vi) A Weed Management Plan as approved by the local government, which is to specifically address the eradication of 'Cotton Bush'. (vii) The extent of land required by Main Roads Western Australia for the extension of Tonkin Highway. <p>4. The land is situated within the Serpentine Groundwater Area and a well license for a bore must be obtained from the Department of Water and Environmental Regulation. The siting of bores shall be to the requirements of the Department having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores.</p>

APPENDIX 4D - CONSERVATION ZONE

Provisions relating to Specified Areas

AMD 55 GG 25/8/95

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>1. Portion of Pt Lot 1 and portions of Pt Lot 2 Lowlands Road, Mardella</p> <p>AMD 95 GG 16/3/01</p>	<p>1. All development and land use shall be in conformity with the Management Plan adopted by Council dated 24 May 1999 (or as amended) for the "The Lowlands/Riverlea Conservation Area".</p> <p>2. The following land uses are permitted or are permitted at the discretion of Council:</p> <p>Use Classes permitted (P):</p> <ul style="list-style-type: none"> • Single House • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Environmental Research Centre • Holiday Accommodation • Caretaker's Dwelling <p>All other uses are prohibited.</p> <p>3. Council will not support subdivision of land in those circumstances where the proposed lots will result in the clearing and degradation of the remnant vegetation as identified in the adopted Management Plan.</p> <p>4. The clearing of land is not permitted without the prior approval of the Council. Clearing of land is to provide for permissible/discretionary land uses referred to under provision 2. and shall be in conformity with the adopted Management Plan.</p> <p>5. All development shall be sympathetic with the surrounding landscape amenity and designed and constructed to the requirements and satisfaction of Council.</p> <p>6. All development shall be connected to an alternative wastewater treatment system as approved by the Council, the Health Department of WA and the Department of Environmental Protection.</p> <p>7. Appropriate fire management measures being developed and implemented as part of the adopted management plan for the subject land.</p>
<p>2. Portion of Lot 1 Elliot Road, Keysbrook.</p> <p>AMD 95 GG 16/3/01</p>	<p>1. All land use and development shall be in conformity with the Management Plan adopted by Council dated 24 May 1999 (or as amended) for the "The West Kingia Conservation Area".</p> <p>2. The following land uses are permitted or are permitted at the discretion of Council:</p> <p>Use Classes permitted (P):</p> <ul style="list-style-type: none"> • Single House • Public Utility <p>Discretionary Uses (AA)</p> <ul style="list-style-type: none"> • Environmental Research Centre • Holiday Accommodation • Caretaker's dwelling <p>All other uses are prohibited.</p>

APPENDIX 4D - CONSERVATION ZONE (Cont'd)

Provisions relating to Specified Areas

AMD 55 GG 25/8/95

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>2. Portion of Lot 1 Elliot Road, Keysbrook. (Cont'd)</p> <p style="text-align: center;"><i>AMD 95 GG 16/3/01</i></p>	<p>3. Council will not support subdivision of land in those circumstances where the proposed lots will result in the clearing and degradation of the remnant vegetation as identified in the adopted Management Plan.</p> <p>4. The clearing of land is not permitted without the prior approval of the Council. Clearing of land is to provide for permissible/discretionary land uses referred to under provision 2, and shall be in conformity with the adopted Management Plan.</p> <p>5. All development shall be sympathetic with the surrounding landscape amenity and designed and constructed to the requirements and satisfaction of Council.</p> <p>6. All development shall be connected to an alternative wastewater treatment system as approved by the Council, the Health Department of WA and the Department of Environmental Protection.</p> <p>7. Appropriate fire management measures being developed and implemented as part of the adopted management plan for the subject land.</p>
<p>3. Lot 564 Scrivener Road, Serpentine</p> <p style="text-align: center;"><i>AMD 181 GG 04/12/15</i></p>	<p>1. All development and land use shall be in conformity with the Management Plan adopted by Council dated September 2013 (or as amended) for Lot 564 Scrivener Road, Serpentine.</p> <p>2. The following land uses are permitted:</p> <p style="margin-left: 40px;">Use Classes permitted (P):</p> <ul style="list-style-type: none"> • Single House • Public Utility <p style="margin-left: 40px;">All other uses are prohibited.</p> <p>3. Council will not support subdivision of land in those circumstances where the proposed lots will result in the clearing and degradation of the remnant vegetation as identified in the adopted Management Plan.</p> <p>4. The clearing of land is not permitted without the prior approval of the Council. Clearing of land is to provide for permissible land uses referred to under Provision 2 and shall be in conformity with the adopted Management Plan.</p> <p>5. Any proposed development shall be accompanied by a Fire Management Plan approved and implemented to the satisfaction of the Council.</p> <p>6. All development shall be connected to an alternative wastewater treatment system as approved by the Council.</p> <p>7. Appropriate fire management measures are to be developed and implemented as part of the adopted management plan for the subject land.</p>

APPENDIX 4D - CONSERVATION ZONE (Cont'd)

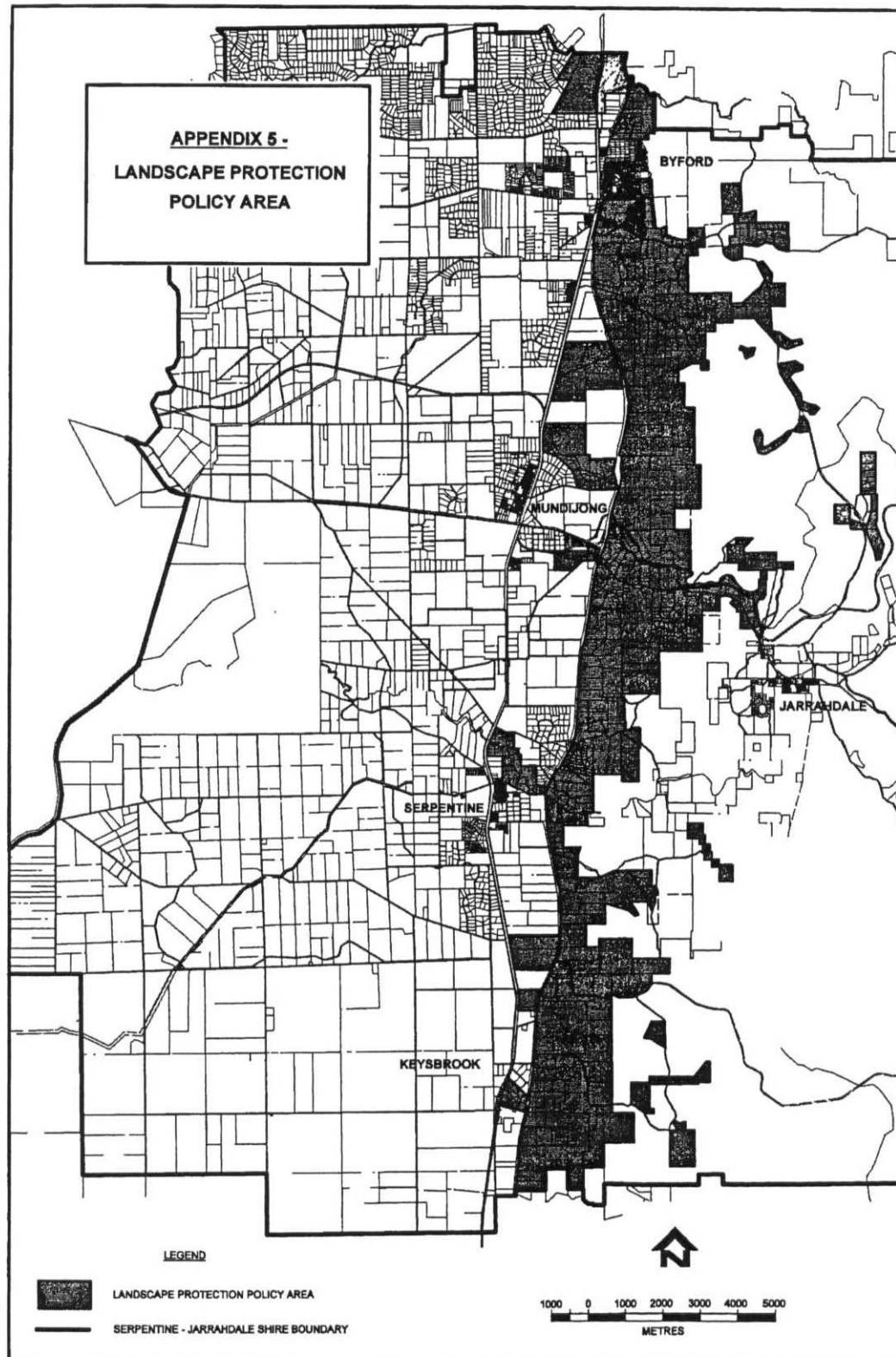
Provisions relating to Specified Areas

AMD 55 GG 25/8/95

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
<p>4. Lot 341 Balmoral Road, Jarrahdale</p> <p>AMD 185 GG 28/10/16</p>	<ol style="list-style-type: none"> 1. All development and land use shall be in conformity with the Management Plan adopted by Council dated July 2013 (or as amended) for Lot 341 Balmoral Road JARRAHDALE. 2. The following land uses are permitted: Use Classes permitted (P): <ul style="list-style-type: none"> • Single House • Public Utility The following land uses are permitted at Council's discretion (AA): <ul style="list-style-type: none"> • Environmental Research Centre • Holiday accommodation • Caretaker's dwelling • Environmental Rehabilitation Centre - (means any land or buildings used for the care and rehabilitation of wildlife native to Western Australia). All other uses are prohibited. 3. Council will not support subdivision of land in those circumstances where the proposed lots will result in the clearing and degradation of the native vegetation as identified in the adopted Management Plan. 4. The clearing of land is not permitted without the prior approval of the Council. Clearing of land is to provide for permissible land uses referred to under Provision 2 and shall be in conformity with the adopted Management Plan. 5. Appropriate fire management measures are to be implemented as part of the adopted Management Plan for the subject land. 6. Any proposed development shall be accompanied by a Fire Management Plan approved and implemented to the satisfaction of the Council. 7. Any proposed development shall be sited, designed and constructed to meet Australian Standard 3959: Construction of buildings in bushfire prone areas. 8. The grazing of stock shall be limited to the areas marked 'General Domestic and Cleared Area' as denoted in the adopted Management Plan. The keeping of animals shall not exceed the stocking rates recommended by the Department of Agriculture and Food for the applicable pasture types. 9. Permanent fencing shall be maintained to control grazing stock in accordance with the adopted Management Plan to protect the site's conservation values.

APPENDIX 5 - LANDSCAPE PROTECTION POLICY AREA

AMD 24 GG 13/10/92; AMD 129 GG 6/1/06



APPENDIX 6 - ADDITIONAL USES

-
- (a) Particulars of the Land
 - (b) Additional Use
 - (c) Conditions of Additional Use
-

1. (a) Lots 100, 101 and Part Lot 1 of Cockburn Sound Location 165 Corner South-Western Highway and Kerinan Street, Mundijong.

(b) Tavern.
2. (a) Lot 28 Kellet Drive, Oakford. *AMD 103 GG 4/5/01*

(b) Fish farming and the Commercial growing of plants/trees.
3. (a) Lot 27 of Serpentine Agriculture area Lot 67 corner South Western Highway and Feast Road, Serpentine *AMD 110 GG 5/1/01*

(b) Spring water bottling
4. (a) Portion of Lot 9014 Clondyke Drive, Byford *AMD 173 GG 30/11/12*

(b) Residential

(c) (i) Residential development shall be in accordance with R40 residential density code.

(ii) Noise issues are to be addressed in accordance with State Planning Policy No. 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning, or its equivalent successor Policy.

(iii) Development on the site is to facilitate the protection of significant remnant native vegetation.

(iv) Any residential development on that portion of land zoned Commercial shall only occur where it is progressed in conjunction with a commercial development.

(v) Residential development shall not occur without or before commercial development.

(vi) Residential development shall only be incidental to a predominant commercial use.

APPENDIX 7 - SCHEDULE OF PLACES OF NATURAL BEAUTY, HISTORIC BUILDINGS AND OBJECTS OF HISTORICAL OR SCIENTIFIC INTEREST

NO	DESCRIPTION OF PLACE, BUILDING OR OBJECT
1.	<p>WHITBY FALLS - GOVERNMENT RESERVE 7125</p> <p>Near the boundary between former Cockburn Sound Location 23 and 166.</p>
2.	<p>WHITBY FALLS COACH HOUSE</p> <p>(Originally known as The Jarrahdale Inn, built in 1873) Cnr. South-West Highway and Keirnan Street on Lot 100 Pt. of former Cockburn Sound Loc. 165.</p>
3.	<p>OLD SERPENTINE SCHOOL - GOVERNMENT RESERVE 5080</p> <p>(Including a large Moreton Bay Fig recently listed by the National Trust) Formerly Cockburn Sound Loc. 118.</p>
4.	<p>TURNER COTTAGE</p> <p>Near Cnr. South-West Highway and Wellard Street, Serpentine, Lot 23 of former Cockburn Sound Loc. 28.</p>
5.	<p>CARRALONG COTTAGE</p> <p>In the Serpentine Gorge near confluence of the Serpentine River and Carralong Brook. Cockburn Sound Loc. 79. (included in the backwaters of a future dam planned by W.A.W.A.)</p>
6.	<p>LOWLANDS - INCLUDING THOMAS PEEL'S HOUSE</p> <p>On the Serpentine River, West Serpentine. A large estate of 1657 ha. comprising Lot 2 of Cockburn Sound Loc. 16.</p>
7.	<p>JARRAHDAL E TIMBERTOWN : COMPRISING OLD SAWMILL, WORKERS COTTAGES, MILL MANAGERS HOUSE, COMPANY OFFICE, FORMER NURSING POST AND FORMER POST OFFICE.</p> <p>Incorporated in a general area north of Jarrahdale Road, South of Gorralong Brook, between the bridges on Jarrahdale and Millar Roads.</p> <p>Murray Locations 86, and 1338, Cockburn Sound Loc. 282 and Pt. of Cockburn Sound Loc. 663.</p>
8.	<p>FORMER CATHOLIC CONVENT AND CHURCH</p> <p>Atkins & Cousens Streets, Jarrahdale. Government Reserve 660 and Pt. Lot 2 in former Cockburn Sound Loc. 429.</p>
9.	<p>BUCKLAND'S COTTAGE</p> <p>(Renamed Millbrook Cottage) Jarrahdale Road, "Old Jarrahdale" Lot 4 of Cockburn Sound Loc. 411.</p>
10.	<p>CHESTNUTS</p> <p>Chestnut Road, to the south of Jarrahdale Cockburn Sound Loc. 105.</p>
11.	<p>JARRAHDAL E TAVERN</p> <p>(formerly The Murray Arms Hotel) Jarrahdale Road, Jarrahdale. Lot 11, in former Murray Loc. 86.</p>
12.	<p>BISHOP HALE'S COTTAGE</p> <p>Eastern Section of Gordon Road, Serpentine. Cockburn Sound Loc. 6.</p>
13.	<p>STONE RUINS</p> <p>(Longbottoms Cottage) Gordon Road, Serpentine, Cockburn Sound Loc. 27</p>

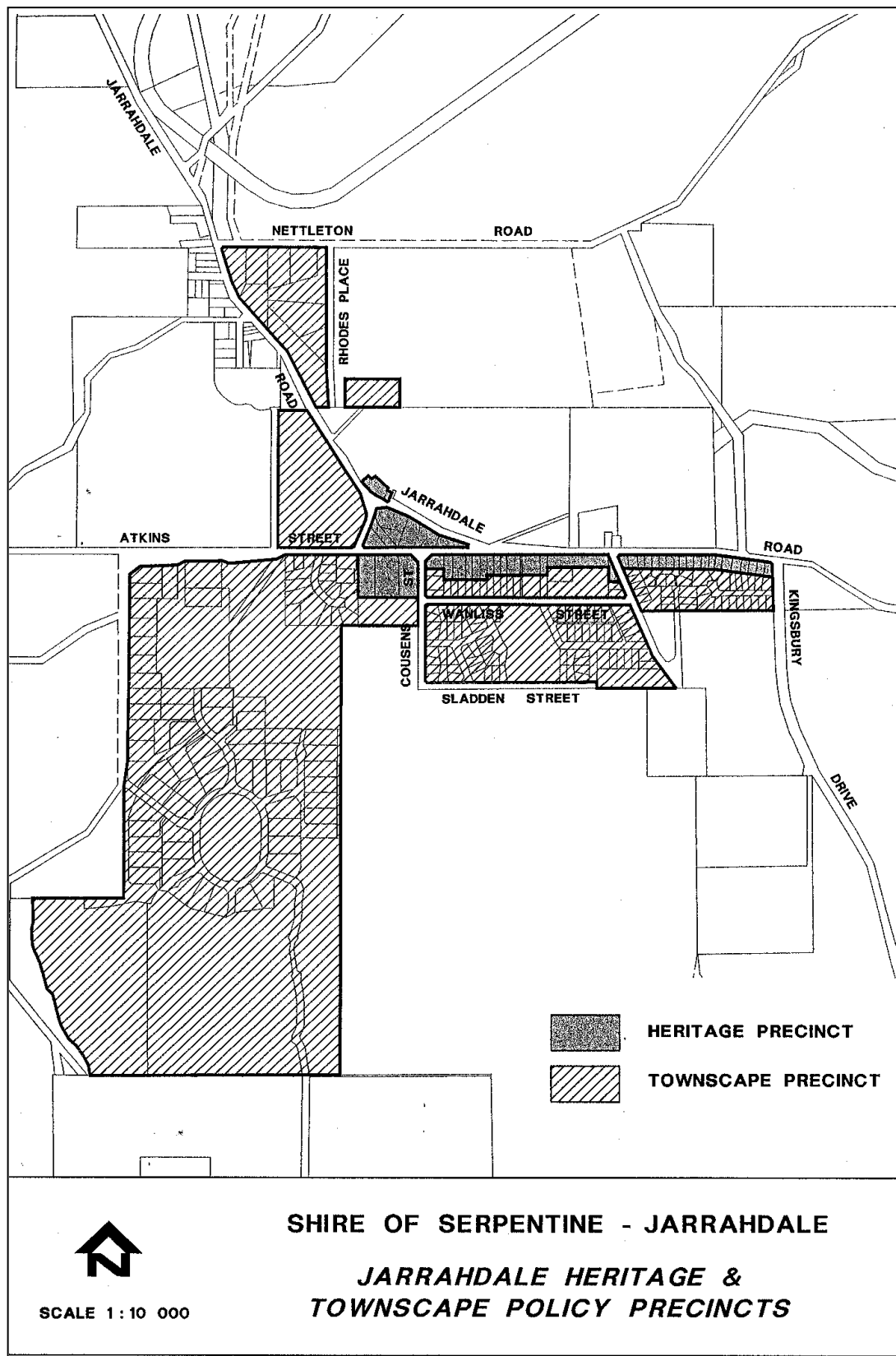
NO	DESCRIPTION OF PLACE, BUILDING OR OBJECT
14.	GOORALONG PARK & REMAINS OF FLOUR MILL Straddling Gooralong Brook, to the west of Jarrahdale and Chestnut Roads. Formerly Cockburn Sound Loc.'s 68 and 178.
15.	BALDWINS COTTAGE Southern corner of South-West Highway and Wellard Street, Serpentine. Cockburn Sound Loc. 156.
16.	MUNDIJONG TAVERN Paterson Street, Mundijong. Mundijong Townsite Lot 6.
17.	OLD MUNDIJONG HOTEL Now a private dwelling, Cnr. Paterson Street & Mundijong Road, Mundijong. Cockburn Sound Loc. 499.
18.	THE NOOK Roman Road, Mundijong. Lot 1, Cockburn Sound Loc. 548.
19.	MUNDIJONG RAILWAY STATION Railway reserve, Mundijong.
20.	KEYSBROOK FARM HOUSE South Western Highway, Keysbrook. Murray Loc. 67.
21.	OLD BOLINDA VALE FARMHOUSE South-Western Highway, Keysbrook. Murray Loc. 1157.
22.	ST STEPHENS CHURCH Cnr. South-Western Highway and Falls Road, Serpentine, north side of junction, formerly Pt. Cockburn Sound Loc. 116. Donated to the Anglican Diocese early this century.
23.	LAKE VIEW Kiln Road, Cardup. Lot 14, Cockburn Sound Loc. 186.
24.	MILLRACE FARMHOUSE Nettleton Road, Byford. Cockburn Sound Loc. 218
25.	WUNGONG FARM COTTAGE Near Wungong Brook on Canning Loc. 22
26.	BATEMAN HOMESTEAD Near Cnr. of Thomas and Kargotich Roads, Byford. Lot 4, Peel Estate Lot 203.
27.	LAZENBY'S OLD FARMHOUSE (Nairns) South bank Cardup Brook, Kiln Road, Byford. Cockburn Sound Loc. 22.
28.	BURNBRAE ORPHANAGE Now Aboriginal Rehabilitation centre, Nettleton Road, Byford. Now Reserve 2339, Reserve 33658, Cockburn Sound Loc. 209.
29.	YE OLD SERPENTINE INN Cnr. Richardson and Wellard Streets, Serpentine. Serpentine Town Lot 8.
30.	OLD CHEESE FACTORY Hall Road Serpentine. Pt. Lot 9, Serpentine A.A. Lot 86.
31.	YANGEDI SWAMP Cockburn Sound Loc. 16, Part Lots 4, 5, 6, 76, 77 and 80.
32.	RED GUM PATCH Cnr. Alice and Redcliffe Roads, Cardup.

NO **DESCRIPTION OF PLACE, BUILDING OR OBJECT**

33. MANJEDAL BROOK *AMD 187 GG 13/02/18*
From its source east of Nettleton Road along its length to the extension of Tonkin Highway.
34. ITALIAN PRISONER OF WAR CAMP
Cockburn Sound Loc. 774, Balmoral Road, Jarrahdale.
35. IVAN ELLIOT'S SHEARING SHED
Lot 2 Pt Peel Estate Lot 68, Hopeland Road, Keysbrook.
36. JARRAH ROAD SWAMP
Part Peel Estate lot 809, Jarrah Road, Serpentine.
37. FLORA ROADS - Soldiers Road/Paterson Street (Turner Road to Mundijong Road) and
Mundijong Road from Paterson Street to Lightbody Road.

APPENDIX 8 - PROPOSED HERITAGE AND TOWNSCAPE PRECINCTS

AMD 89 GG 6/8/99



APPENDIX 9 - DEVELOPMENT AREAS

AMD 113 GG 30/1/07; AMD 69 GG 16/6/00; AMD 152 GG 15/2/08; AMD 192 GG 30/05/17

Ref. No.	Area	Provisions
DA1	<p>Mundijong</p> <p>(Urban Development Zone)</p> <p><i>AMD 192 GG 30/05/17</i></p>	<ol style="list-style-type: none"> 1. A single District Structure Plan is to be adopted to guide subdivision and development and will cover the areas of Development Areas No. 1 and 2. Any Local Structure Plans subsequently adopted within the area of the District Structure Plan shall be subject to the provisions of the District Structure Plan. 2. The local government may adopt Design Guidelines and Detailed Area Plans for any development precincts as defined on the Structure Plan. All development in such precinct is to be in accordance with the adopted guidelines and plans in addition to any other requirements of the Scheme and where there is any inconsistency between the design guidelines or plans and the Scheme, the Scheme shall prevail. 3. No subdivision or development of incompatible land uses will be supported within the separation distances associated with: <ul style="list-style-type: none"> • Dairy on Lot 11 Taylor Road; • Dairy on Lot 123 Randell Street; • Poultry Farm on Lot 2 Adamson Street; • Poultry Farm on Lot 56 Shanley Road; • Garden and hire business on Lot 410 Watkins Road; • Stockfeeds on Lot 100 and 101 Keirnan Street; • Council's Pound on Reserve 37149 Watkins Road; • Council's Depot on Lots 48, 50, 221 and 222 Butcher Street; • Telecommunications Tower on Lot 180 Shanley Road; <p>until these uses cease or the separation distances are scientifically determined and approved by Council and the Department of Environment and Conservation. Separation distance requirements are to be determined in consultation with the Council and the Department of Environment and Conservation and are to be shown on the Structure Plan.</p> 4. In addition to the requirements of Part 4, Regulation 16 of the Deemed Provisions of this Scheme the following matters are to be addressed when preparing a Structure Plan(s) for the area to the satisfaction of Council on the advice from the relevant State Government agency:

Ref. No.	Area	Provisions
		<ul style="list-style-type: none"> • Development interface with Bush Forever Sites 360 and 362 and Manjedal Brook; • Preparation and implementation of an interim Management Plan for Bush Forever Sites 360 and 362. This Plan is to address management of the sites until the site is ceded to the Crown; • Bush fire risk and the preparation of an Emergency Management Plan; • Buffers associated with wetlands and Manjedal Brook; • An adequate buffer to all watercourses from the top of the bank to protect the beds and banks of the stream; • Water Sensitive Urban Design and Drainage Management; • Native remnant vegetation and fauna; • Acid Sulfate Soils; and • Cat control relevant to environmentally sensitive areas. <p>5. Noise buffers and noise attenuation measures to protect the freight corridors need to be developed as part of the Structure Plans and must be referred to the Sustainable Transport Committee of the Western Australian Planning Commission for comment before final approval of the Structure Plans.</p> <p>6. No dwelling or other noise-sensitive development shall be approved by the Council until the Council is satisfied that indoor noise levels of affected noise-sensitive development accords with AS 2107:2000 (Acoustic – recommended design levels and reverberation times for building interiors).</p>
DA 2	<p>Whitby</p> <p>(Urban Development Zone)</p> <p><i>AMD 153 GG 15/2/08</i></p>	<p>1. A single District Structure Plan is to be adopted to guide subdivision and development and will cover the areas of Development Areas No. 1 and 2. Any Local Structure Plans subsequently adopted within the area of the District Structure Plan shall be subject to the provisions of the District Structure Plan.</p> <p>2. The local government may adopt Design guidelines and Detailed Area Plans for any development precincts as defined on the Structure Plan. All development in such precinct is to be in accordance with the adopted guidelines and plans in addition to any other requirements of the Scheme and where there is any inconsistency between the design guidelines or plans and the Scheme, the Scheme shall prevail.</p> <p>3. No subdivision or development of incompatible land use will be supported within the separation distances associated with:</p>

Ref. No.	Area	Provisions
		<ul style="list-style-type: none"> • Extractive Industry on Lot 202 South Western Highway; • Extractive Industry on Lot 344 South Western Highway; • South Cardup Landfill on Lots 200 & 201 Shale Road; • Sawmill, manufacture and distribution of timber and related products on Lots 2, 20, 60 and 21 Norman Road; • Handley Park Motorcross track on Reserve 7125 South Western Highway. <p>until these uses cease or the separation distances are scientifically determined and approved by Council and the Department of Environment and Conservation. Separation distance requirements are to be determined in consultation with the Council and the Department of environment and Conservation and are to be shown on the Structure Plan.</p> <p>4. In addition to the requirements of Clause 5.18.2 of this Scheme the following matters are to be addressed when preparing a Structure Plan(s) for the area to the satisfaction of Council on the advice from the relevant State Government agency:</p> <ul style="list-style-type: none"> • Development interface with Bush Forever Site 354 and Manjedal Brook; • Preparation and implementation of an interim Management Plan for Bush Forever Site 354. This Plan is to address management of the site until the site is ceded to the Crown. • Bush fire risk and the preparation of an Emergency Management Plan; • Buffers associated with the Conservation Category Wetlands along the railway line and Manjedal Brook; • Buffers associated with wetlands and Manjedal Brook; • An adequate buffer to all watercourses from the top of the bank to protect the beds and banks of the stream; • Water Sensitive Urban Design and Drainage management; • Native remnant vegetation and fauna; • Acid Sulfate Soils; and • Cat control relevant to environmentally sensitive areas. <p>5. Noise buffers and noise attenuation measures to protect the freight corridors need to be developed as part of the Structure Plans and must be referred to the Sustainable Transport Committee of the Western Australian Planning Commission for comment before final approval of the Structure Plans.</p>

Ref. No.	Area	Provisions
		6. No dwelling or other noise-sensitive development shall be approved by the Council until the council is satisfied that indoor noise levels of affected noise-sensitive development accords with AS 2107:2000 (Acoustic - recommended design levels and reverberation times for building interiors).
DA 3	Byford (Urban Development Zone) <i>AMD 152 GG 15/2/08</i>	<p>1. The Byford Development Area is subject to the provisions of the Byford Structure Plan granted final approval by Council on 22 August 2005, as amended from time to time.</p> <p>2. Detailed Structure Plan Requirements</p> <p>a. The Byford Development area is divided into 12 precincts as shown on Plan No. 15A. A detailed Structure Plan is to be prepared in accordance with clause 5.18.2 of the Scheme for a precinct before Council will make recommendations to the Western Australian Planning Commission on subdivision with respect to land within that precinct. A detailed Structure Plan may be prepared in part, or for the whole of a precinct unless where specifically resolved otherwise by Council.</p> <p>b. Each detailed Structure Plan shall:</p> <ul style="list-style-type: none"> - Comply with the relevant provisions of the Byford Structure Plan; and - Demonstrate that the provisions of the Byford Townsite Drainage and Water Management Plan (2008) have been complied with. <i>AMD 164 GG 06/08/10</i>
DA 4	Lots 1 and 2 Rowley Road, Darling Downs <i>AMD 155 GG 20/2/09;</i> <i>AMD 192 GG 30/05/17</i>	<p>1. In addition to the requirements of Part 4, Regulation 16 of the Deemed Provisions of this Scheme the following matters are to be addressed when preparing the Structure Plan(s) for the area to the satisfaction of Council on advice from the relevant State Government Agency:</p> <ul style="list-style-type: none"> • Location Plan- adjacent land use, soil profile, linkages between neighbouring lots and environmentally sensitive areas; • Management of groundwater levels, including maintenance of ecosystem health and any proposed de-watering. Proposal should demonstrate no impact on groundwater dependent ecosystems. The following figures should be included: <ul style="list-style-type: none"> a. Existing surface level, existing groundwater levels; b. Final surface level, final groundwater levels (amount of fill required).

Ref. No.	Area	Provisions
		<ul style="list-style-type: none"> • Management of groundwater 'hotspots' and other specific site conditions including acid sulphate soils and the potential for and management of increased export of nutrient rich groundwater; • Detailed stormwater management design including the size, location and design of detention basins, integrating major and minor flood management capability and linking into the Wungong Urban Water Master Plan. This will include maps of areas inundated in 1 year, 5 year and 100 year ARI events, information outlining required storages, invert levels, top water and peak flow levels, and information required to ensure integration with upstream and downstream systems. Stormwater detention basins are not to be located within public open space areas. Stormwater management strategy to identify and address pre and post development flow rates within the Birrega Drain and associated drains located on and adjacent to Lots 1 and 2 Rowley Road; • Locations (mapped) and details of structural and non structural Best Management Practices to be implemented including maintenance requirements, expected performance and agreed ongoing management arrangements including costs; • Management measures to be implemented to achieve protection of waterways, wetlands (and their buffers), remnant vegetation and ecological linkages; • Purpose, design and management of any proposed constructed water body; • Management of subdivisional works (to ensure no impact on regional conservation areas, maintenance of any installed Best Management Practices and management of any dewatering and soil/sediment, including dust); • Implementation plan including roles; responsibilities, funding and maintenance arrangements. Contingency plans should also be indicated where necessary. Clearly outline the actions to be undertaken by the developer to meet the requirements for improved water management outcomes;

Ref. No.	Area	Provisions
		<ul style="list-style-type: none"> • Lot and road layout to be designed to enable predominantly east-west alignment of R20 lots and north-south alignment of R30 lots to provide linkages between the future development of Lots 1 and 2 and within the Wungong Master Plan area with particular reference to pedestrian links between Lots 1 and 2 and the proposed Village centre on the corner of Hopkinson and Rowley Roads; • The layout of lots, road reserves and public open space areas to accommodate the retention of existing vegetation as much as possible; • The realignment of Rowley Road along the northern and eastern boundaries of Lots 1 and 2; • All dwellings within the development are to incorporate energy and water efficiency measures. <p>2. Council, in considering the Structure Plan will have due regard to:</p> <ul style="list-style-type: none"> • The extent to which the proposal achieves and adheres to best management practices for the management of urban water and drainage consistent with the principles of Water Sensitive Urban Design; • The advice and recommendations of the Department of Water and the Water Corporation; and • Any other matters which Council considers relevant
DA 5	<p>Serpentine (Urban Development)</p> <p><i>AMD 162 GG 03/06/14</i></p>	<p>1. Subdivision and development within the Serpentine Development Area shall be undertaken in accordance with the structure Plan.</p>

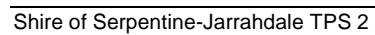
Ref. No.	Area	Provisions
DA 6	<p>Cardup Business Park- Cardup Siding Road – Lot 41 South Western Hwy – Lots 1,6 & 7 Robertson Road – Lots 10 & 60 Norman Road – Lot 21 (Urban Development Zone) <i>AMD 183 GG 03/06/14</i></p>	<ol style="list-style-type: none"> 1. Subdivision and development within the Development Area shall be subject to the provisions of Clause 5.18 of the Scheme, including the preparation of a Local Structure Plan. 2. The Local Structure Plan is to wholly cover Development Area 5 unless otherwise determined by the Shire. 3. In addition to the requirements of Clause 5.18.2 of the Scheme the following studies, strategies and plans are to be undertaken when preparing a Local Structure Plan for the Development Area: <ul style="list-style-type: none"> Water Management <ul style="list-style-type: none"> • A Local Water Management Strategy to be submitted and implemented to the satisfaction of the local government and the Department of Water. Environmental Management <ul style="list-style-type: none"> • An Environmental Assessment Report; • Detailed Environmental Site and Geotechnical Investigation; • Acid Sulfate Soils Report and Management Plan; • Rehabilitation Plan which includes rehabilitation measures to be undertaken for the conservation and rehabilitation of Bush Forever Site 361; • A Level 1 Flora and Fauna Survey; • A Wetland Management Plan which identifies buffer areas and identifies appropriate management responses to foreshore conservation; • Landscaping and Vegetation Retention Management Strategy; and • Sustainability Strategy. <p>The above documents are to be submitted and implemented to the satisfaction of the local government and where deemed appropriate to the satisfaction of the Department of Environment and Conservation.</p>

Ref. No.	Area	Provisions
DA 6	<p>Cardup Business Park- Cardup Siding Road – Lot 41 South Western Hwy – Lots 1,6 & 7 Robertson Road – Lots 10 & 60 Norman Road – Lot 21 (Urban Development Zone) <i>AMD 183 GG 03/06/14</i></p>	<p>Noise Management</p> <ul style="list-style-type: none"> • A Noise Management Assessment being submitted and implemented to the satisfaction of the local government. <p>Traffic and Access Management</p> <ul style="list-style-type: none"> • Engineering and Servicing Report; • Construction Management Plan; • Waste Management Strategy; and • A Traffic, Vehicular Access and Parking Strategy which identifies appropriate service corridors provided within the boundary of the development and any land reserves. <p>The above documents are to be submitted and implemented to the satisfaction of the local government and where deemed appropriate to the satisfaction of Main Roads WA.</p> <p>Design</p> <ul style="list-style-type: none"> • Structure Plan Design Explanatory Report; and • Estate Buffer Management Strategy. <p>Governance</p> <ul style="list-style-type: none"> • Estate Governance Framework established; • Economic Development Strategy; and • Community Access and Facilities Strategy. <p>Fire Management</p> <ul style="list-style-type: none"> • Fire Management Strategy being submitted and implemented to the satisfaction of the local government and the Fire and Emergency Services Authority. <p>Cultural Heritage</p> <ul style="list-style-type: none"> • A Cultural Heritage Management Plan being submitted and implemented to ensure the requirements of the <i>Aboriginal Heritage Act 1972</i> are met. <p>4. The Local government may adopt Design Guidelines and Detailed Area Plans for any development precinct as defined on the Local Structure Plan. All development in such precinct is to be in accordance with the adopted guidelines and plans in addition to any other requirements of the Scheme and where there is any inconsistency between the design guidelines or plans and the Scheme, the Scheme shall prevail.</p>

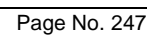
Ref. No.	Area	Provisions
DA 6	<p>Cardup Business Park- Cardup Siding Road – Lot 41 South Western Hwy – Lots 1,6 & 7 Robertson Road – Lots 10 & 60 Norman Road – Lot 21 (Urban Development Zone)</p> <p><i>AMD 183 GG 03/06/14</i></p>	<p>5. Subdivision of land shall be in accordance with the approved Local Structure Plan for the Development Area and the local governments Local Planning Policy relating to the Cardup Business Park as amended from time to time.</p>

Ref. No.	Area	Provisions
DA 6	<p>a) Part Lot 99 Kargotich Road (near intersection Kargotich Road).</p> <p>b) Lot 38 Bishop Road (Cnr Kargotich Road).</p> <p>c) Lots 1680, 525 & 405 Bishop Road.</p> <p>d) Lots 2, 6, 9 8, 7 & 402 Scott Road.</p> <p>e) Lot 4 Sparkman Road.</p> <p>f) Lot 2 Kargotich Road.</p> <p>g) Lots 11 & 1255 Mundijong Road.</p> <p>h) Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12 Pure Steel Lane.</p> <p>AMD 187 GG 13/02/18</p>	<ol style="list-style-type: none"> 1. Land use, development, and if necessary, subdivision are to be guided by local structure plan(s) prepared and approved pursuant to Schedule 2 Part 4 of the LPS Regulations. 2. Each Local Structure Plan will require the preparation of a Local Water Management Strategy and appropriate level Bushfire Risk Management Planning. 3. Each Local Water Management Strategy will be required to address the following matters: <ol style="list-style-type: none"> a) Hydrological assessment to demonstrate no adverse impact on Threatened Ecological Communities and Conservation Category Wetlands within and surrounding the subject land; b) Consideration of Commonwealth referrals for Threatened Ecological Communities within as well as adjoining the subject land; and c) The inclusion of Surveys for habitat of Black Cockatoo. 4. In addition to the considerations outlined in <i>Schedule 2, Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015</i>, the structure plan is to have regard to the following factors: <ol style="list-style-type: none"> a) Proposed extension of Tonkin Highway. b) Possible realignment of the Kwinana Freight line. c) Provision of a possible intermodal facility if found feasible by the Department of Transport. d) Conservation of Manjedal Brook. e) Preparation and implementation of a noise management strategy to the satisfaction of the Office of Environmental Protection which is cognisant of proposed and existing sensitive uses including those existing uses contained within the structure plan area. f) Provision of ecological corridors reflecting district drainage patterns, vegetation and wetland values within the amendment area. g) Inclusion of a 50 metre buffer around the Conservation Category Wetland unless a specific site study is undertaken and recommends a revision of this buffer distance. 5. Compliance with a Developer Contribution Plan prepared in accordance with clause 9.3. 6. A Wastewater Pump Station is planned in this locality and as a result, odour buffers will apply to sensitive land uses.

AMD 113 GG 30/1/07; AMD 152 GG 15/2/08; AMD 168 GG 21/01/2014



AMD 155 GG 20/2/09



APPENDIX 10 - BYFORD DEVELOPMENT CONTRIBUTION AREA – SCHEME DEVELOPMENT CONTRIBUTION

AMD 168 GG 21/01/14; AMD 192 GG 30/05/17

Development contribution area name	Byford
Reference number on Scheme Map(s)	DCA 1
Boundary of development contribution area	Refer Scheme Map(s)
Items	<p>Thomas Road between Tonkin Highway and the Perth to Bunbury railway reserve:</p> <ul style="list-style-type: none"> • Land required to achieve a 50 metre wide road reserve; • Earthworks for the unconstructed carriageway; • The construction and upgrade of one carriageway; • Associated drainage works including water sensitive urban design measures; • Traffic control devices including the following intersection treatments: <ul style="list-style-type: none"> (i) Kardan Boulevard – construction of a channelised intersection, slip lanes and associated works. (ii) San Simeon Boulevard – full cost of signalisation. (iii) Plaistowe Boulevard – construction of a channelised intersection slip lanes and associated works. (iv) Briggs Road - construction of a channelised intersection slip lanes and associated works. • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.
	<p>Abernethy Road between Tonkin Highway reserve and the Perth to Bunbury railway reserve (excluding that portion of Abernethy Road adjacent to the Byford Trotting Complex area where only half the road widening, construction and upgrade is the responsibility of the DCP):</p> <ul style="list-style-type: none"> • Land required to achieve a road reserve up to 30 metres in width; • Earthworks for the whole road reserve; • Complete road construction based on a single lane split carriageway with central median; • Associated drainage works including water sensitive urban design measures; • Traffic control devices including the following intersection treatments: <ul style="list-style-type: none"> (i) San Simeon – full cost of signalisation. (ii) Kardan Boulevard – full cost of roundabout. (iii) Doley Road – full cost of roundabout. (iv) Briggs Road – full cost of roundabout. (v) Warrington Road - full cost of roundabout.

	<ul style="list-style-type: none"> • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.
	<p>Orton Road New between Tonkin Highway and Soldiers Road:</p> <ul style="list-style-type: none"> • Land required to achieve a road reserve up to 30 metres in width; • Earthworks for the whole road reserve; • Complete road construction based on a single lane split carriageway with central median; • Associated drainage works including water sensitive urban design measures; • Traffic control devices including the following intersection treatments: <ul style="list-style-type: none"> (i) Doley Road – full cost of roundabout. (ii) Warrington Road - full cost of roundabout. (iii) Soldiers Road - full cost of roundabout. • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.
	<p>Kardan Boulevard between Thomas Road and Abernethy Road:</p> <ul style="list-style-type: none"> • Land required over and above a standard 20m road reserve to achieve a road reserve up to 30 metres in width; • Earthworks for the whole road reserve; • Complete road construction based on a single lane split carriageway with central median; • Associated drainage works including water sensitive urban design measures; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.
	<p>San Simeon Boulevard between Thomas Road and Abernethy Road:</p> <ul style="list-style-type: none"> • Land required over and above a standard 20m road reserve width to achieve a road reserve up to 30 metres in width; • Earthworks for the whole road reserve; • Complete road construction based on a single lane split carriageway with central median; • Traffic control devices including the following intersection treatments: <ul style="list-style-type: none"> (i) Larsen Road - full cost of roundabout. (ii) Byford Town Centre main street - full cost of roundabout. • Associated drainage works including water sensitive urban design measures; • Traffic control devices including two roundabouts; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.

	<p>Doley Road between Abernethy Road and Orton Road New:</p> <ul style="list-style-type: none"> • Land required to achieve a road reserve up to 30 metres in width; • Earthworks for the whole road reserve; • Complete road construction based on a single lane split carriageway with central median; • Associated drainage works including water sensitive urban design measures; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.
	<p>Warrington Road between Abernethy Road and Orton Road New:</p> <ul style="list-style-type: none"> • Earthworks for the whole road reserve; • Complete road construction based on an undivided single carriageway; • Associated drainage works including water sensitive urban design measures; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management. <p>Note: No land is required over and above a standard 20 metre road reserve for Warrington Road.</p>
	<p>Byford Central District Open Space Improvements:</p> <ul style="list-style-type: none"> • Earthworks; • Grassing; • Irrigation; and • Associated costs relating to construction including design and management.
	<p>West Byford Primary School/Kalimna District Open Space Improvements equivalent to 50% of the cost of the shared sporting oval:</p> <ul style="list-style-type: none"> • Earthworks; • Grassing; • Irrigation; and • Associated costs relating to construction including design and management.
	<p>Byford Primary School/The Glades District Open Space Improvements equivalent to 50% of the cost of the shared sporting oval:</p> <ul style="list-style-type: none"> • Earthworks; • Grassing; • Irrigation; and • Associated costs relating to construction including design and management.
	<p>Land for District Open Space, Public Open Space, and Drainage:</p> <p>All land required for district open space, public open space and/or drainage purposes.</p>
	<p>Water Monitoring:</p>

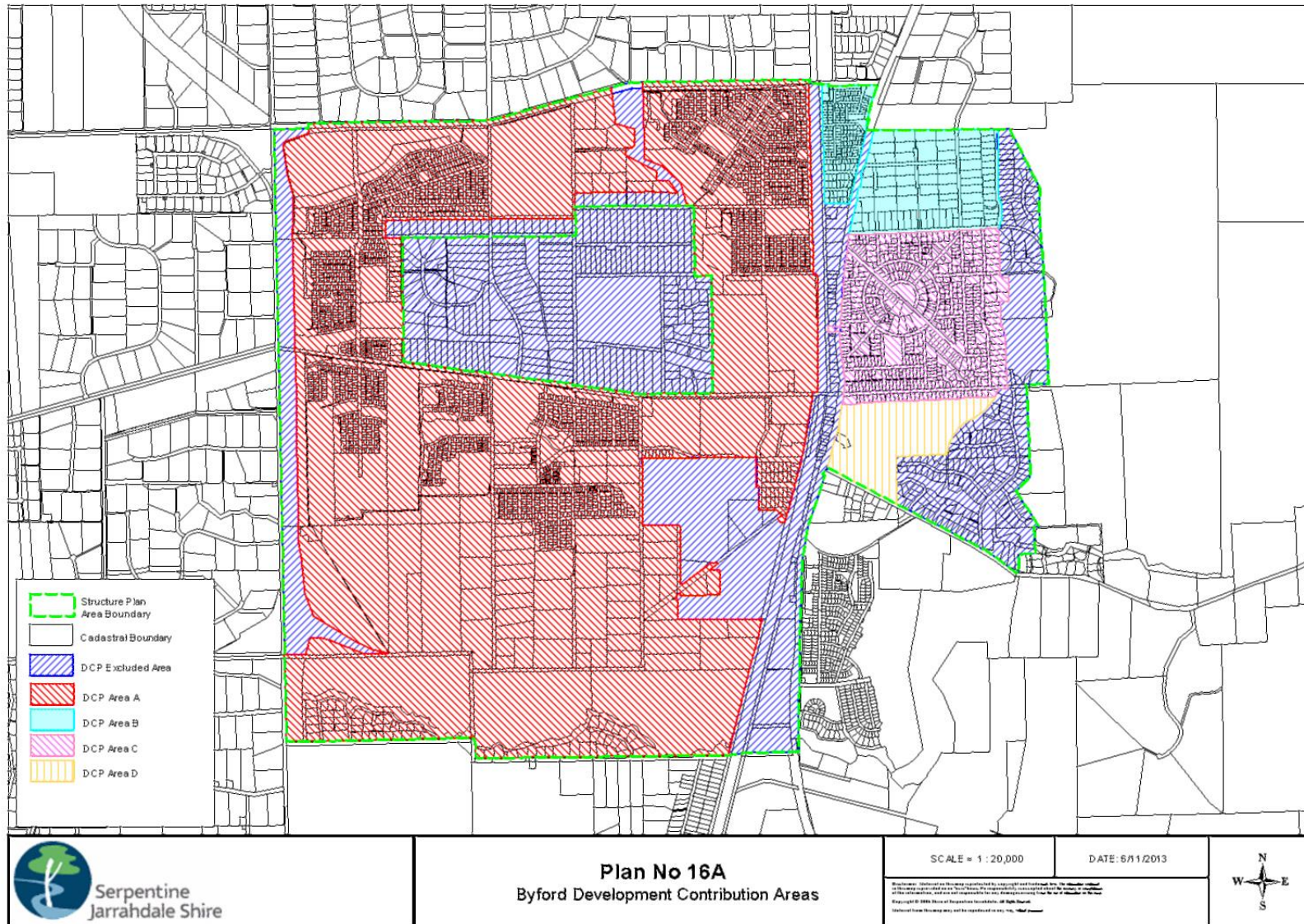
	All expended and estimated future costs for the post development water monitoring programme required by the Byford Townsite Drainage and Water Management Plan.																																																												
	<p>Administrative:</p> <p>All expended and estimated future costs associated with administration planning and development of the Byford District Structure Plan, District Water Management Plan/s, preparation and implementation of the Byford Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none">• Planning studies;• Traffic studies;• Drainage studies;• Road design costs where not allocated to specific roads items under the DCP;• Other related technical and professional studies;• Borrowing costs (including loan repayments); and• Scheme Management Costs (including administration and management of the DCP).																																																												
<p>Contribution methodology</p> <p>AMD 192 GG 30/05/17</p>	<p>The Byford development contribution area is divided into four precincts as shown on Plan 16A of Appendix 10.</p> <p>A Cost Contribution rate is to be calculated on a per lot/dwelling basis based on the estimated lot yield for those Precincts identified in Plan 16A and the infrastructure and land items outlined in the following table.</p> <table><tr><td>Precinct/Item</td><td>A</td><td>B</td><td>C</td><td>D</td></tr><tr><td>Thomas Road</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td></tr><tr><td>Abernethy Road</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td></tr><tr><td>Orton Road New</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td></tr><tr><td>Kardan Boulevard</td><td>✓</td><td></td><td></td><td></td></tr><tr><td>San Simeon Boulevard</td><td>✓</td><td></td><td></td><td></td></tr><tr><td>Doley Road</td><td>✓</td><td></td><td></td><td></td></tr><tr><td>Warrington Road</td><td>✓</td><td></td><td></td><td></td></tr><tr><td>District Open Space Improvements</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td></tr><tr><td>Land for Public Open Space and Drainage</td><td>✓</td><td>✓</td><td></td><td>✓</td></tr><tr><td>Water Monitoring</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td></tr><tr><td>Administrative Items</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td></tr></table>	Precinct/Item	A	B	C	D	Thomas Road	✓	✓	✓	✓	Abernethy Road	✓	✓	✓	✓	Orton Road New	✓	✓	✓	✓	Kardan Boulevard	✓				San Simeon Boulevard	✓				Doley Road	✓				Warrington Road	✓				District Open Space Improvements	✓	✓	✓	✓	Land for Public Open Space and Drainage	✓	✓		✓	Water Monitoring	✓	✓	✓	✓	Administrative Items	✓	✓	✓	✓
Precinct/Item	A	B	C	D																																																									
Thomas Road	✓	✓	✓	✓																																																									
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District Open Space Improvements	✓	✓	✓	✓																																																									
Land for Public Open Space and Drainage	✓	✓		✓																																																									
Water Monitoring	✓	✓	✓	✓																																																									
Administrative Items	✓	✓	✓	✓																																																									

	<p>A Cost Review is to be undertaken at least annually at which time the Contribution Rate will be established based on:</p> <ul style="list-style-type: none"> (a) Summary of Costs. (b) Estimated Future Lot Yield by approved Local Structure Plan by Precinct. (c) Estimated Future Lot Yield by intended local Structure Plan by Precinct. (d) Contribution Rate Per Lot By cost Item. (e) Contribution Rate Per Lot By Precinct. (f) Outstanding Cost of Completed Works (Expenditure on All Cost Items - Value of All Contributions Received). (g) Infrastructure Cost Escalator. (h) Land Value Escalator. (i) Administration Cost Escalator. (j) Precinct Daily Escalation Rate. <p>To ensure costs remain current between Cost Reviews all costs will be calculated on a daily basis based upon an annual escalation rate to be established through the Cost Review.</p> <p>The start date for daily escalation is the approval date for the prevailing Cost Review.</p> <p>The Contribution Rate is to be applied as follows where DER is the daily escalation rate and D is the number of days since the last cost review:</p> <ul style="list-style-type: none"> (i) <i>Standard residential subdivision or development</i> <p>The number of additional dwellings/lots being created at the time of subdivision/development multiplied by the applicable development contribution rate.</p> <p>(Precinct contribution rate per lot/dwelling x DER x D x number of additional lots or dwellings being created = Required development contribution)</p> (ii) <i>Non-standard residential subdivision or development (eg. Lifestyle village, retirement village, caravan park, park home estate or similar)</i> <p>The number of additional dwellings, residential units or similar created at the time of subdivision/development multiplied by the applicable development contribution rate.</p> <p>(Precinct contribution rate per lot/dwelling x DER x D x number of additional lots or dwellings being created = Required development contribution)</p> (iii) <i>Non-residential subdivision or development</i> <p>The R20 subdivision/development potential of the site (minus the equivalent of one lot or dwelling) multiplied by the applicable development contribution rate.</p> <p>(Precinct contribution rate per lot/dwelling x DER x D x R20 subdivision/development potential of the site – the equivalent of one lot or one dwelling = Required development contribution)</p>
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	<p>contribution)</p> <p>For private education establishments and associated development, provided a shared use agreement for public access to district open space is agreed to the satisfaction of the Shire, development contributions shall be levied at the 0.3 percent of the total development costs of the site, as agreed with the Shire based on the building licence application.</p> <p><i>(iv) Mixed-use development</i></p> <p>The R20 subdivision/development potential of the site, or the actual number of lots/dwellings being created at the time of subdivision/development, whichever is the greater (minus the equivalent of one lot or dwelling), multiplied by the applicable development contribution rate.</p> <p><u>Based on the R20 site calculation</u></p> <p>(Precinct contribution rate per lot/dwelling x DER x D x R20 subdivision/development potential of the site - the equivalent of one lot or one dwelling = Required contribution rate)</p> <p><u>Based on the number of dwellings</u></p> <p>(Precinct contribution rate per lot/dwelling x DER x D x actual number of residential lots/dwellings being created - the first dwelling being created = Required development contribution)</p>
Period of operation	20 years
Priority and timing of infrastructure provision	Refer development contribution plan report (as revised from time to time).
Review Process	The development contribution plan will be reviewed when considered appropriate, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing, but not exceeding a period of 5 years.

PLAN NO. 10A - BYFORD DEVELOPMENT CONTRIBUTION AREAS

AMD 113 GG 30/1/07; AMD 152 GG 15/2/08; AMD 168 GG 21/01/14



APPENDIX 10B – WEST MUNDIJONG DEVELOPMENT CONTRIBUTION AREA – SCHEME DEVELOPMENT CONTRIBUTION PLAN

AMD 187 GG 13/02/18

Development contribution area name	West Mundijong
Reference number on Scheme Map(s)	DCA 2
Boundary of development contribution area	Refer Scheme Map(s)
Relationship to other planning instruments	The development contribution plan generally aligns with the district and/or local structure plans (as approved) prepared for the development contribution area.
Items	<p>Mundijong Road between Kargotich Road and the Tonkin Highway reservation:</p> <ul style="list-style-type: none"> a) Land required to achieve a 40 metre wide road reserve; b) Earthworks for the whole road reserve; c) The construction and upgrade of one carriageway; d) Associated drainage works including water sensitive measures; e) Traffic control devices including two sets of traffic lights, intersection treatments incorporating slip lanes and associated works; f) Shared paths; g) Utility removal, relocation and insertion; and h) Associated costs including design, administration, and management.
	<p>Kargotich Road between the freight rail crossing and Mundijong Road:</p> <ul style="list-style-type: none"> a) Land required to achieve a 30 metre wide road reserve; b) Earthworks for the whole road reserve; c) Complete road construction based on a single lane split carriageway with central median. d) Associated drainage works including water sensitive measures; e) Traffic control devices including intersection treatments incorporating slip lanes and associated works; f) Shared paths; g) Utility removal, relocation and insertion; and h) Associated costs including design, administration, and management.
	Bishop Road between Kargotich Road and Tonkin Highway reservation:

	<ul style="list-style-type: none"> a) Land required to achieve a 30 metre wide road reserve; b) Earthworks for the whole road reserve; c) Complete road construction based on a single lane split carriageway with central median. d) Associated drainage works including water sensitive measures; e) Traffic control devices including one set of traffic lights, intersection treatments incorporating slip lanes and associated works; f) Shared paths; g) Utility removal, relocation and insertion; and h) Associated costs including design, administration, and management. 		
	Land for drainage: All land required for district drainage purposes.		
	<p>Administrative: Administrative items permitted by definition under Clause 9.3.1 and identified in more detail in the Development Contribution Plan Report, including:</p> <ul style="list-style-type: none"> • Costs to prepare and administer the Development Contribution Plan (including legal expenses, valuation fees, cost of design and cost estimates, consultant and contract services, financing costs, proportion of staff salaries, technical support, office expenses for the purpose of administering the plan and other technical consultant fees for other studies, plans, reports and project management associated with the development of land). • Cost to review estimates including the costs for appropriately qualified independent persons. • Costs to update the costs apportionment schedules, register of cost contributions, and infrastructure agreements. 		
Contribution methodology	<p>A Cost Contribution rate is to be calculated on a per hectare or square metre basis. The formula for equating cost contributions on a per hectare basis is as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 5px;">Total Cost / Total Developable Area =</td><td style="padding: 5px;">Rate per ha</td></tr> </table> <p>To ensure costs remain current between Cost Reviews all costs will be calculated on a daily basis based upon an annual escalation rate to be established through the Cost Review.</p> <p>The start date for daily escalation is the approval date for the prevailing Cost Review.</p>	Total Cost / Total Developable Area =	Rate per ha
Total Cost / Total Developable Area =	Rate per ha		
Period of operation	10 years		
Review Process	The Plan will be reviewed when considered appropriate, though not		

	<p>exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment area since the last review and the degree of development potential still existing.</p> <p>The estimated infrastructure costs contained in the Infrastructure Cost Contribution Schedule will be reviewed at least annually to reflect the changes in the funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
Priority and timing of infrastructure provision	Refer development contribution plan report.

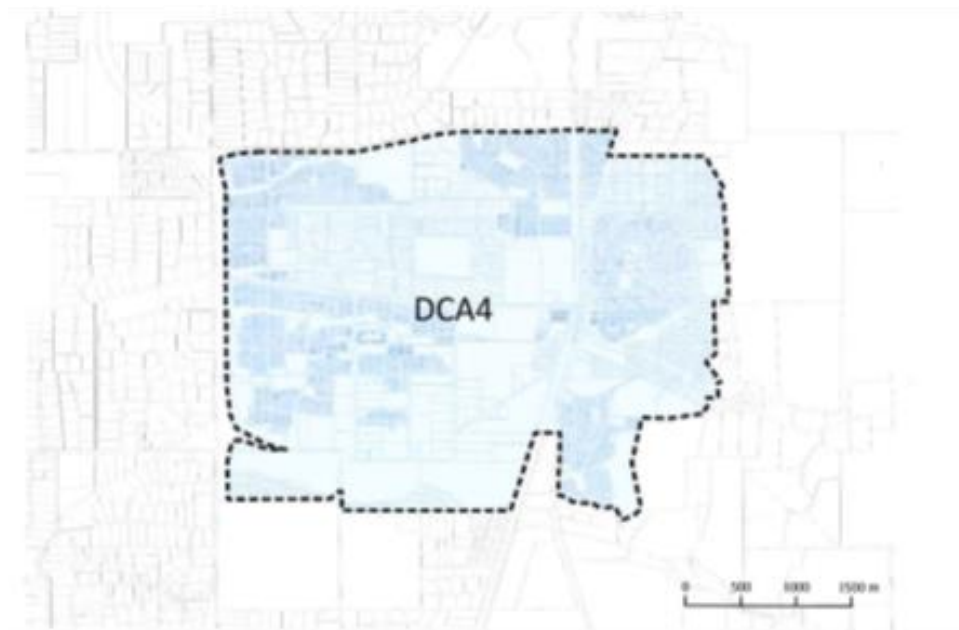
APPENDIX 10D – COMMUNITY INFRASTRUCTURE DEVELOPMENT CONTRIBUTION PLAN (CIDCP)

AMD 207 GG 04/06/2021

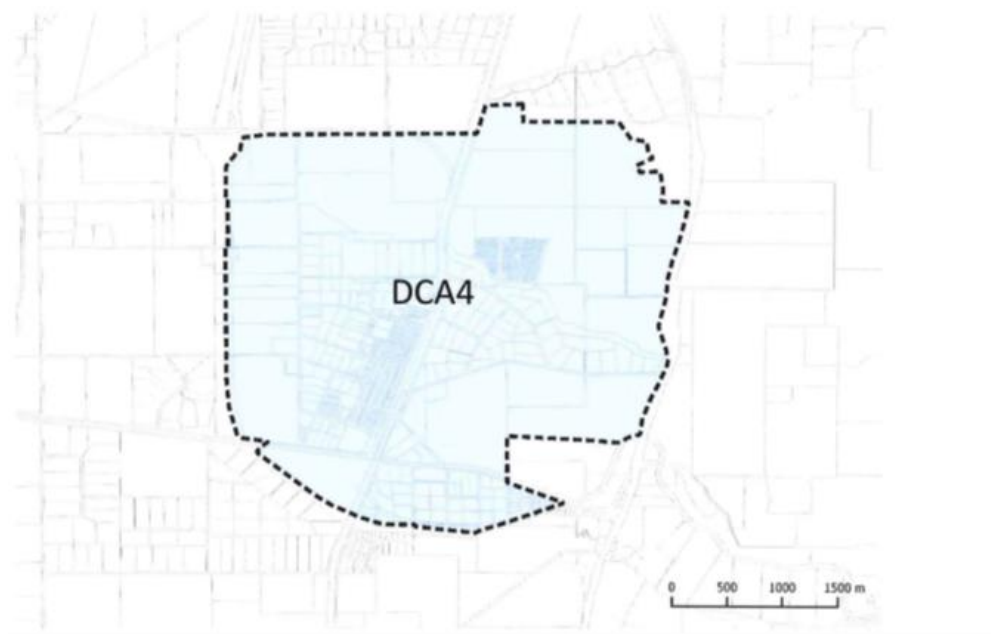
Area Name:	DCA4 (as identified on Scheme maps)
Relationship to other planning instruments:	<p>The CIDCP generally conforms to:</p> <ul style="list-style-type: none"> - Integrated Planning and Reporting Framework (IPRF) - Strategic Community Plan (SCP) - Corporate Business Plan (CBP) - Long Term Financial Plan (LTFP) - State Planning Policy 3.6 (SPP3.6) - Community Infrastructure and Public Open Space Strategy (CIPOSS) - Community Infrastructure Implementation Plan (CIIP) - Byford District Structure Plan & Development Contribution Plan (BDSP & DCP) - Mundijong District Structure Plan & Development Contribution Plan (MDSP & DCP)
Infrastructure and administrative items to be funded:	<p>Byford Community Infrastructure:</p> <ul style="list-style-type: none"> - B01: Byford Library & Multi-Agency Service Centre – Building - B02: Briggs Park Pavilion - B03: Briggs Park Youth Centre - B04: Briggs Park Recreation Centre Extension - B05: Orton Road District Sport Space – Building & Lights - B06: Byford Skate Park – Extension & Pump Track - B07: Cardup Brook Themed Playground – Nature Play - B08: Lindt Street Themed Playground – Adventure Playground - B09: The Glades District Community Facility – Building - B10: Kalimna Sporting Reserve – Ovals, Building & Lights <p>Mundijong Community Infrastructure:</p> <ul style="list-style-type: none"> - M01: Whitby District Sporting Space – Building & Lights - M02: Mundijong Whitby Skate Park & Pump Track - M05: Themed Playground – Dog Park - M06: Keirnan Park Youth Centre - M07: Whitby Themed Playground – Adventure Playground - M11: Keirnan Park District Sporting Space – Ovals, Building & Lights <p>Region wide at Keirnan Park:</p> <ul style="list-style-type: none"> - S01: Keirnan Park BMX relocation Regional facility (Stage 2) <p>Administrative costs of the CIDCP:</p> <ul style="list-style-type: none"> - Costs to prepare and administer the CIDCP - Costs associated with the annual review of cost estimates - Costs associated with the review of the cost apportionment schedules based on land development undertaken since the last review - Costs for undertaking valuations - Fees for professional services directly linked to the preparation and implementation of the CIDCP - Costs for computer software and/or hardware upgrades necessary to enable CIDCP preparation - Proportion of staff salaries directly related to CIDCP administration - Financial institution fees and charges associated with the administration of CIDCP funds - Interest charged on loans taken out to pre-fund items included in the CIDCP

Method for calculating contributions:	<p>The Shire's Integrated Planning and Reporting Framework identifies the needs that impact on the CIDCP. The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in DCA4. This calculation excludes the –</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population - demand created by external usage – the proportion of the use drawn from outside the main catchment area - future usage – the proportion of usage that will be generated by future development outside the development contribution plan timeframe <p>Infrastructure costs have been allocated to the DCA4 area which they will service, or if servicing both areas, have been apportioned proportionally to the forecasted growth of each area. The Shire will carry a portion of these costs based on the existing population.</p> <p>$(\text{Additional Forecasted Population} / \text{Total Forecasted Population}) \times 100 = \text{Allocated\%}$</p> <p>Costs of each DCA sub-area are then divided by the anticipated number of new lots. The cost per new lot can then be used in the following formula:</p> <p>$\text{Contribution Rate per lot/dwelling} \times \text{number of additional lots/dwellings being created} = \text{Required Development Contribution}$</p> <p>Details of the apportionment percentages and how they have been derived are included in Appendix 6.</p>
Period of operation:	The CIDCP will be in operation until 2036
Priority and timing:	In accordance with the CIDCP Report and subsequent revisions of the Report
Review Process:	<p>The CIDCP shall be reviewed five years from the date of gazettal of the local planning scheme or amendment to the local planning scheme to incorporate the CIDCP, or earlier should the local government consider it appropriate having regard to the rate of development in the area and the degree of development potential still existing.</p> <p>The estimated infrastructure costs shown in the cost apportionment schedule shall be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by the qualified person undertaking the certification of costs</p>

**PLAN NO. 10D – COMMUNITY INFRASTRUCTURE DEVELOPMENT CONTRIBUTION
AREA – BYFORD**



**PLAN NO. 10D – COMMUNITY INFRASTRUCTURE DEVELOPMENT CONTRIBUTION
AREA – MUNDIJONG**



APPENDIX 11 - ENVIRONMENTAL CONDITIONS

AMD 77 GG 19/11/99

Amendment No. (gazettal date)	Location of Land	Environmental Conditions
77 19/11/99	Parts of Lots 521 and 523 South Western Highway, Byford	<p>1 Environmental Management Plans</p> <p>1-1 Prior to submission of an application for subdivision approval, the developer shall prepare the following environmental management plans in accordance with the specifications set out in Attachment 1 of the Minister for the Environment's Statement that a Scheme may be Implemented No. 499 published on 8 March, 1999:</p> <ul style="list-style-type: none"> • Vegetation Management Plan; • Drainage and Nutrient Management Plan; • Soil and Groundwater Contamination Remediation Plan; • Aboriginal Heritage Management Plan; and • Unexploded Ordnance Remediation Plan. <p>1-2 The above environmental management plans shall be implemented in accordance with the provisions of the Plans, to the requirements of Council.</p> <p>2 Areas Affected by Gaseous Emissions, Dust and Noise</p> <p>2-1 Residential Development is not permitted within the areas shows as follows on figures 1-3 inclusive in Minister for the Environment's Statement No. (insert relevant statement number):</p> <ul style="list-style-type: none"> • gaseous emissions - residential development exclusion area; • particulates and dust - residential development exclusion area; and • noise - residential development exclusion area; <p>unless the Council and the Department of Environmental Protection agree in writing that appropriate modelling or monitoring of the emissions has been undertaken and that a modified residential development exclusion area is appropriate.</p> <p>3 Conceptual Subdivision Plan</p> <p>3-1 The conceptual subdivision plan for the subject land shall show residential development exclusion zones consistent with the requirements of condition 2 of this schedule and a vegetation protection area adjoining Cardup Brook as shown on figure 4 in the Minister for the Environment's Statement No. 499.</p>

APPENDIX 12 - EXEMPTED ADVERTISEMENTS

AMD 124 GG 4/2/03

Zone	Exempted Sign Type	Number and Maximum Size
Residential	1. Wall (Public Assembly)	One advertisement with a maximum size of 0.2m²
	2. Wall (Name, No. and Address)	One advertisement with a maximum size of 0.2m²
	3. Window (Internal, non-visible)	There are no restrictions on size or number of Window (Internal, non-visible) advertisements as long as they are not visible in any way from outside the building.
	4. Construction Site	<p><u>Dwellings:</u> one advertisement per street frontage with a maximum size of 1.5m².</p> <p><u>Multiple Dwellings, Shops, Commercial and Industrial Projects:</u> as for dwellings with a maximum size of 3m².</p> <p><u>Large Development or Redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height:</u> as for multiple dwellings, shops, commercial and industrial projects with a maximum size of 5m² plus one additional advertisement sign showing the name of the project builder with a maximum size of 5m².</p>
	5. Display Home	One advertisement sign for each dwelling on display with a maximum size of 3m² plus one additional advertisement sign for each group of dwellings displayed by a single project builder giving details of the project building company and the range of dwellings on display with a maximum size of 2m² .
	6. Real Estate	<u>Single houses or vacant land:</u> One advertisement sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed with a maximum size of 1.5m² .

Zone	Exempted Sign Type	Number and Maximum Size
		<p><u>Grouped or Multiple Dwellings, Shops, Commercial and Industrial Properties:</u> as for single house or vacant land with a maximum size of 3m².</p> <p><u>Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5ha:</u> as for single house or vacant land with a maximum size of 5m².</p>
Special Use HP 17 - Jarrahdale Heritage Townscape Policy Precincts	<ol style="list-style-type: none"> 1. Wall (Public Assembly) 2. Wall (Name, No. and Address) 3. Window (Internal, non-visible) 4. Construction Site 5. Display Home 6. Real Estate 	<p>One advertisement with a maximum size of 0.2m²</p> <p>One advertisement with a maximum size of 0.2m²</p> <p>See Residential zone</p> <p>See Residential zone</p> <p>See Residential zone</p> <p>See Residential zone</p>
Commercial; Showroom/Warehouse; Mixed Business; Highway Commercial; Town Centre; General Industrial; Light Industry	<ol style="list-style-type: none"> 1. Wall (Name, No. and Address) 2. Window (Visible) 3. Window (Internal, non-visible) 4. Ground Based 5. Construction Site 6. Real Estate 	<p>One advertisement with a maximum size of 0.2m²</p> <p>Shall not cover more than 50% of the glazed area of any one window or exceed 10.0m² in area in aggregate per tenancy on a lot.</p> <p>See Residential zone</p> <p><u>Portable:</u> One advertisement with a maximum vertical or horizontal dimension of 1.0m and have an area of not more than 0.6m².</p> <p><u>Not Portable:</u> One advertisement with a maximum vertical dimension of 1.2m and a maximum area of 1.5m².</p> <p>See Residential zone</p> <p>See Residential zone</p>

Zone	Exempted Sign Type	Number and Maximum Size
Neighbourhood Centre	<ol style="list-style-type: none"> 1. Wall (Name, No. and Address) 2. Window (Internal, non-visible) 3. Ground Based 4. Construction Site 5. Real Estate 	<p>One advertisement with a maximum size of 0.2m²</p> <p>See Residential zone</p> <p>See Commercial zone</p> <p>See Residential zone</p> <p>See Residential zone</p>
Special Use	<ol style="list-style-type: none"> 1. Wall (Name, No. and Address) 2. Window (Internal, non-visible) 3. Construction Site 4. Real Estate 	<p>One advertisement with a maximum size of 0.2m²</p> <p>See Residential zone</p> <p>See Residential zone</p> <p>See Residential zone</p>
Rural	<ol style="list-style-type: none"> 1. Wall (Public Assembly) 2. Wall (Name, No. and Address) 3. Window (Visible) 4. Window (Internal, non-visible) 5. Ground Based 6. Construction Site 7. Real Estate 	<p>One advertisement with a maximum size of 0.2m²</p> <p>One advertisement with a maximum size of 0.2m²</p> <p>See Commercial zone</p> <p>See Residential zone</p> <p>See Commercial zone</p> <p>See Residential zone</p> <p>See Residential zone</p>
Special Rural; Rural Living; Farmlet	<ol style="list-style-type: none"> 1. Wall (Public Assembly) 2. Wall (Name, No. and Address) 3. Window (Internal, non-visible) 4. Ground Based 5. Construction Size 6. Real Estate 	<p>One advertisement with a maximum size of 0.2m²</p> <p>One advertisement with a maximum size of 0.2m²</p> <p>See Residential zone</p> <p>See Commercial zone</p> <p>See Residential zone</p> <p>See Residential zone</p>

All signs listed above are non-illuminated. If illumination is requested then Planning approval must be obtained from Council.

Regulatory Signs

Any signage which indicate and identify a law or regulation which it would be an offence or unlawful to disregard will not require any planning approval from Council.

Emergency Service Signs

Any emergency services signs that relate to fire and/or emergency management responses will not require any planning approval from Council. The sign must not exceed a maximum area on 0.25m² (eg. 0.500mm x 0.500mm). These signs may be placed in any zone or on any Reserve within the Shire.

ADOPTION

Adopted by resolution of the Council of the Shire of Serpentine-Jarrahdale at the ordinary meeting of the Council held on the third day of November, 1986.

.....
PRESIDENT

.....
SHIRE CLERK

FINAL APPROVAL

Adopted for final approval by resolution of the Council of the Shire of Serpentine-Jarrahdale at the ordinary meeting of the Council held on the 24th day of April 1989 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

.....
PRESIDENT

.....
SHIRE CLERK

STATE PLANNING COMMISSION

Recommended/Submitted
for final approval

.....
CHAIRMAN
STATE PLANNING COMMISSION

.....
DATE

MINISTER FOR PLANNING

Final approval granted

.....
MINISTER FOR PLANNING

.....
DATE