

 <p>Serpentine Jarrahdale Shire</p>	<p>LOCAL PLANNING POLICY NO. 47 Mundijong-Whitby Interim Development</p> <p>Version: 2.6 Updated: 26 August 2010 Trim: OC10/4907</p>
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1. Policy Objectives

The objectives of this policy are as follows:

1. To provide guidance on development and uses that may be considered within the Urban Development Zone in Mundijong-Whitby;
2. To ensure that any proposed development is consistent with the Mundijong-Whitby District Structure Plan;
3. To ensure that development occurs in an orderly and proper manner;
4. To ensure that infrastructure and services may be provided to serve the existing community; and
5. To enable Council to consider applications from landowners to excise their dwelling from a larger tract of land.

This Policy should be read in conjunction with the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS 2) and the Mundijong-Whitby District Structure Plan.

2. Background and Application

This policy applies to all applications for development or use for other than a single house within the Urban Development zone located within the Mundijong-Whitby District Structure Plan Area. This policy is only applicable prior to a Local Structure Plan being adopted by Council for the relevant part of the zone.

Local Planning Policy No. 29 (LPP29) establishes a planning framework for the Mundijong-Whitby DSP Area. LPP29 guides development to occur in an orderly and proper manner by requiring various planning requirements that need to be addressed, including amendments to the Town Planning Scheme No. 2 (TPS2), the preparation of a District Structure Plan (DSP), the preparation of Local Structure Plans (LSP's) and applications for subdivision and development.

Until LSP's have been adopted for the entire Mundijong-Whitby Urban Development area, some form of guidance is required for uses and development to occur in the interim. This is to allow landowners to undertake minor works on their land as well as for infrastructure and services to be provided to serve the growing community.

TPS2 currently enables Council to approve development or uses within an Urban Development Zone at its discretion. This policy provides further guidance to assist Council in making a determination under Clause 5.18.7.3 of TPS2 which states:

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 6.3.

Applications for development approval or use for other than a single house within the Urban Development zone, prior to the adoption of a LSP shall be determined in accordance with Clause 5.18.7 of TPS 2.

3. Status

a) Relationship to Town Planning Scheme No. 2:

This policy is a Local Planning Policy prepared, advertised and adopted pursuant to Clause 9.1 of TPS2. Under Clause 9.2 of TPS2 all planning policies are documents supporting the Scheme. The Policy augments and is to be read in conjunction with the provisions of TPS2 relating to development applications.

b) Relationship to State Planning Policies (SPP's)

This Policy has due regard to, and should be read in conjunction with the State Planning Policy suite.

c) Relationship to other Local Planning Policies (LPP's)

This policy has due regard to, and should be read in conjunction with the Shire's entire Local Planning Policy suite.

d) Relationship to Liveable Neighbourhoods

Liveable Neighbourhoods 2007 is an operational policy for the design and assessment of structure plans and subdivision for new urban areas in the Perth Metropolitan Region and Regional Areas. Interim development shall be consistent with Liveable Neighbourhoods unless otherwise stated in this Policy.

e) Relationship to Mundijong-Whitby District Structure Plan:

The Mundijong-Whitby District Structure Plan sets a broad framework which provides guidance for further detailed planning. This Policy is to be read in conjunction with the Mundijong-Whitby District Structure Plan.

4. Interpretations

Unless otherwise specifically outlined in this section, all words shall have the same meaning as if they were words within TPS2.

District Structure Plan – a form of Structure Plan, providing district-level and broad guidance for a defined area that is to be used as a basis for more detailed planning in the form of a Local Structure Plan/s.

Interim development – Development or use for other than a single house proposed within an Urban Development zone, prior to the adoption of a Local Structure Plan for the relevant part of the zone.

Local Structure Plan – a form of Structure Plan that is intended to provide guidance for future subdivision and development, elaborating on the level of detail provided in a district structure plan and identifying areas requiring more detailed planning through detailed area plans, local planning policies and similar.

5. Policy Provisions

5.1 Subdivision:

- 5.1.1 In accordance with clause 5.18.1.1 of TPS2, the Shire shall not recommend subdivision of land prior to the adoption of a Local Structure Plan.
- 5.1.2 Notwithstanding 5.1.1, the Shire will recommend the Commission consider the following design criteria in their determination of applications for subdivision:

All subdivision applications should:

- i. Be for the sole purpose of excising an existing dwelling from a larger tract of land;
- ii. Not prejudice the future planning and development of the surrounding area;
- iii. Be supported by a concept plan demonstrating how a future minimum R20 subdivision can be achieved;
- iv. Not create more than a two lot subdivision;
- v. Retain any and all significant or native vegetation on a single title;
- vi. Retain any and all environmentally sensitive land/reserves, wetlands or significant and/or remnant vegetation on a single title;
- vii. Contribute to a 10% POS requirement (monetary contribution);
- viii. Result in the creation of regular shaped lots;
- ix. Be of a density that is consistent with the MWDSP proposals;
- x. Result in the creation of lots and dwellings with direct road frontage (no battle-axe lots allowed);
- xi. Result in all proposed lots having a minimum road frontage $\geq 20\text{m}$. Council may consider a 10% variation under exceptional circumstances;
- xii. Result in a minimum lot size of $\geq 2000\text{m}^2$;
- xiii. Accommodate the continuation, construction or connection (as the case may be) of existing, future or unfinished infrastructure (roads, access routes, sewer, etc) and service, pen spaces (POS); and natural corridors;
- xiv. Provide for all stormwater to be accommodated on site;
- xv. Use only existing cross-overs for existing house, a cross-over may be developed for the newly created lot;

5.2 Development:

- 5.2.1 All development applications within the Urban Development zone in Mundijong-Whitby require Council approval.

Single House

- 5.2.2 Development of a single house on a lot shall be considered in accordance with the Residential Design Codes, and subject to the requirements of the R10 density code.
- 5.2.3 Development incidental to a single house on a lot, including outbuildings, shall be considered in accordance with the Residential Design Codes and relevant Local Planning Policy, and subject to the requirements of the R10 density code.

Other development and use

- 5.2.4 Development and use for other than a single house will be considered in accordance with the requirements of Table 1.
- 5.2.5 Proposed TPS2 land uses not listed in Table 1 will be considered to have an adverse impact on:
- a) the preparation of a Structure Plan, or
 - b) the orderly and proper planning of, or
 - c) the health, amenity, safety or convenience of the future occupants of the area.
- 5.2.6 Any unlisted use shall be considered by Council in accordance with the provisions of TPS2. In considering any unlisted use, Council shall have regard to:
- a) The future planning and development of the surrounding area;
 - b) Impact upon environmentally sensitive land/reserves, wetlands, wetland buffers or significant and/or remnant vegetation;
 - c) Remove any native of significant vegetation;
 - d) Use only existing cross-overs;
 - e) Any demonstrated need for the proposed land use;
 - f) Demonstrated land capability of the proposed land use;
 - g) Demonstration that the proposal does not adversely impact on neighbouring properties;
 - h) The need for stormwater to be accommodated on site.
 - i) The continuation, construction or connection (as the case may be) of existing, future or unfinished infrastructure (roads, access routes, sewer, etc) and service, open spaces (POS); and natural corridors.

Table 1:

PROPOSED LAND USE	SPECIFIC REQUIREMENTS
URBAN DEVELOPMENT ZONE (excluding town centre refer to figure 1)	
Residential: Ancillary Accommodation	To be in accordance with LPP 17.
Home Business, Home Occupation	Applications should comply with the requirements of the TPS2.
Public Utility	To be in accordance with Department of Planning's Planning Bulletin 94 Approval Requirements for Public Works and Development by Public Authorities and the Planning and Development Act (5.2 Public Works) 2005
Radio, TV and Communication Installation	All Radio, TV and Communication Installations to be in accordance with the Shire's LPP 3 and SPP5.2.
Car Park, Commercial Vehicle Parking Civic Buildings, Educational Establishment Recreation Public	Applications should: a) <u>Not</u> prejudice the future planning and development of the surrounding area. b) <u>Not</u> result in the removal/clearing of any significant or native vegetation; c) <u>Not</u> result in impact upon environmentally sensitive land/reserves, wetlands, wetland buffers or significant and/or remnant vegetation; d) Use only existing cross-overs; e) Demonstrate the need for the proposed land use; f) Demonstrate that land is capable of the proposed land use; g) Demonstrate the proposal does not adversely impact on neighbouring properties; h) Accommodate the continuation, construction or connection (as the case may be) of existing, future or unfinished infrastructure (roads, access routes, sewer, etc) and service, open spaces (POS); and natural corridors; and i) Provide for all stormwater to be accommodated on site.
Equestrian Activity, Stables, Fodder and Pasture	a) The Shire shall assess all applications for Equestrian Activity as per the requirements set by the Department of Agriculture and Food; b) Applications for equestrian activities, stable, fodder and pastures shall not be located within a

	<p>proposed or existing Local Structure Plan;</p> <ul style="list-style-type: none"> c) Any approval given in an area of no proposed Local Structure Plan shall be time limited to 5 years. d) Any approval given in a location affected by a draft Local Structure Plan shall be time limited to 2 years. e) Applications shall be assessed based on land capacity and stock rates; f) A maximum of 1 horse per hectare shall be kept on a property at any time; g) All significant or remnant vegetation or trees on the subject site shall be permanently fenced in a manner to exclude and prevent damage from stock ; h) Applications shall not cause injury to or prejudicially affect the amenity of the locality including injury, or prejudicial affection due to the emission of light, noise, smell, ash, dust, liquid wastes or waste products.
Retail/Commercial	<p>Applications may only be considered within the existing Mundijong Whitby town site</p> <p>All applications should comply with a Centre Plan. A Centre Plan shall be developed to achieve the following objectives:</p> <ul style="list-style-type: none"> a) To provide a concentration of activities such as retail, office, commercial, entertainment, recreational and community facilities in a town centre; b) To provide a centre that has an emphasis on the functional roles of the centre and results in an increased level of service to the community; c) To provide convenient access to activities within the centre for a range of transport modes including walking, cycling, public transport, cars and commercial and service vehicles; d) To promote the Town Centre as a community focus point by developing a wide range of uses comprising a mix of retail, office entertainment, commercial and residential uses; e) To encourage increased employment opportunities at the Town Centre by encouraging the development of a maximum range of appropriate uses; f) To develop a sustainable Town Centre that concentrates commercial services and employment opportunities in a location that is convenient to maximising opportunities to use public transport; and g) To enable the development of mixed commercial development in the Town Centre Precinct. <p>Prior to the adoption of a Centre Pan, a development may only be considered where:</p> <ul style="list-style-type: none"> i. The lot has existing approval for a Retail/Commercial land use;

	<ul style="list-style-type: none">ii. The applicant can demonstrate that the proposal does not adversely impact on adjoining properties; andiii. The proposal is consistent with any relevant planning policy.
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Policy Adoption and Amendment History:

<i>Reviewed/Modified</i>	<i>Minutes Reference</i>	<i>Date</i>	<i>Meeting Type</i>
<i>Adopted</i>			<i>OCM/SDC/SCM</i>
<i>Modified</i>			
<i>Reviewed</i>			