

SPECIAL PROVISIONS

APPENDIX 4A – RURAL LIVING A ZONE PROVISIONS RELATING TO SPECIFIED AREAS

SPECIFIED AREA OR LOCALITY	SPECIAL PROVISIONS TO REFER TO
22. Lot 224 Orton Road, Oakford.	<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</p>
	<p>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 this 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 a 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/landowner of the estate 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 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 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 of those trees and shrubs planted by the subdivider to the satisfaction of Council.</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</p>

<p>22. Lot 224 Orton Road, Oakford. (Cont.)</p>	<p>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 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>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 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 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,</p>
	<p>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> <p style="text-align: right;"><i>[inserted by No. 149, GG 28/08/2007]</i></p>