

## Part 6 — Special Control Areas

### 6.1 Operation of Special Control Areas

6.1.1 The following special control areas are shown on the Scheme Maps –

- (a) Aircraft Noise Exposure Areas.
- (b) Flood Prone Areas.

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

### 6.2 Aircraft Noise Exposure Areas

6.2.1 Aircraft Noise Exposure Areas are defined on the Scheme Map in accordance with the WA Planning Commission's Statement of Planning Policy "*Land Use Planning in the Vicinity of Perth Airport*", and the Australian Noise Exposure Forecast referred to in the Commission's policy and the most recent Australian Noise Exposure Forecast prepared for RAAF Pearce.

*Note:* The designation of particular parts of the district as Aircraft Noise Exposure Areas should not be interpreted to imply that areas outside the respective noise exposure contours are un-affected by aircraft noise.

6.2.2 In addition to development which otherwise requires approval under the Scheme, planning approval is required for any development involving building types identified as either 'conditionally acceptable' or 'unacceptable' for the relevant noise exposure zone in Australian Standard AS 2021.

Notwithstanding the above, planning approval is not required under this clause of the Scheme for single dwelling/addition to an existing single or grouped dwelling where the single or grouped dwelling will be the only development on the lot for all land within Special Use Zone No. 24, where it complies with conditions 2 and 3 of this zone.

*Note:* An extract from Australian Standard AS 2021-2000 detailing the Building Site Acceptability based on the ANEF (350,000) zones which make up the Aircraft Noise Exposure Area, is included in Schedule 12. While residential development is the primary focus of control under this clause, there are other examples of noise-sensitive development included in AS 2021, which will also be subject to control.

6.2.3 Such development is to be subject to the discretion of the local government, notwithstanding that the use may be designated a "P" use under the Scheme. The local government may exercise discretion as to approval of the use.

6.2.4 The local government may refuse any application for planning approval or impose conditions on any planning approval so as to:

- (a) require noise attenuation measures to be incorporated into the design of buildings;
- (b) require the registration of notifications on title advising of the potential for aircraft noise nuisance.

*Note 1:* The local government may require registration of notification on title under the provisions of section 75A of the Transfer of Land Act.

- 2 *Noise attenuation (insulation) is to be mandatory for all new residential development subject to forecast noise exposure levels above 25 ANEF (350,000) but is advisory for such development in the ANEF 20-25 noise exposure zone. All development, to which this clause applies, will be subject to a condition requiring the registration of a notice on title advising of the potential for aircraft noise nuisance.*

### **6.3 Flood Prone Areas**

- 6.3.1 Flood Prone Areas are defined on the Scheme Map in accordance with the 1 in 100 year flood levels defined by the Department of Environment, Water and Catchment Protection.

*Note: The designation of particular parts of the district as Flood Prone Areas should not be interpreted to imply that areas outside the designated areas are necessarily free from risk associated with flood or extreme rainfall events.*

- 6.3.2 In addition to development which otherwise requires planning approval under the Scheme, planning approval is required for any development within a Flood Prone Area, which involves the construction or extension of any building or earth works. Such development is to be subject to the discretion of the local government, notwithstanding that the use may be designated a "P" use under the Scheme.

- 6.3.3 The local government may refuse any application for planning approval or impose conditions on any planning approval so as to:

- (a) constrain the location or level of development;
- (b) require the registration of notifications on title advising of the potential risk associated with flood events.

*Note: The local government may require registration of notification on title under the provisions of section 75A of the Transfer of Land Act 1893.*