

SPECIAL RURAL ZONE NO. 3 - "SWAN VALLEY SPECIAL RURAL AND RECREATION"

SPECIFIED AREA OF SPECIAL RURAL ZONE

SPECIAL PROVISIONS

Deleted by Amend. 35 – Gov. Gaz. 05.02.2013

SPECIAL RURAL ZONE NO. 3 "BRIGADOON / BASKERVILLE"	
SPECIFIED AREA OF SPECIAL RURAL ZONE	SPECIAL PROVISIONS
<p>Land generally bounded by the Baskerville suburb boundary to the south, but including that land generally fronting Weir Road, Daniel Place, Abraham Close and Joshua Mews, the Gidgegannup suburb boundary to the east, to the north and west encompassing the majority of Parent lot 1022 Cathedral Avenue and then further delineated to the west by Campersic Road, the freight rail line reserve (as far as lot 45 Cathedral Avenue), lot 1007 Cathedral Avenue, the State Equestrian Centre, Holstein Close, Cathedral Avenue and the freight rail line, as depicted on the Scheme maps.</p>	<p>General Provisions</p> <p>The purpose and intent of this Special Rural Zone is to create a high quality rural living estate which satisfies the following objectives:</p> <ol style="list-style-type: none"> a) Minimise adverse impacts on the natural environmental qualities of the area including native flora and fauna, ecological linkages within the area and to adjoining areas of regional open space, water resources, soils and landform; b) Ensure development does not negatively impact on the visual landscape qualities of the area including landform, slopes, ridge-lines, rock outcrops and especially the visual prominence of the area along the Darling Scarp; c) Ensure adequate protection of life and property especially from bush fire; d) Ensure that lot size minimises adverse impacts on landscape and natural environmental qualities of the area, especially reducing the need to clear high quality remnant vegetation and provide opportunities for rural activities where land capability and suitability permits. e) Incorporate a safe and integrated road network with alternative means of access to Brigadoon Estate f) Return the area of Swan River valley to the ownership of Council or the State government for the purpose of public open space or regional open space respectively. g) The following use class permissibility will apply to Precincts 1, 2 and 3 of this zone: <ol style="list-style-type: none"> i) The following uses are 'P' uses: <ul style="list-style-type: none"> • Bed and Breakfast • Family Day care • Home Occupation • Home Office • Radio & TV Installation Private • Single House ii) The following uses are 'D' uses and are not permitted unless Council has exercised its discretion in granting planning approval: <ul style="list-style-type: none"> • Ancillary Accommodation • Home Business • Rural Pursuit • Private Recreation • Place of Assembly

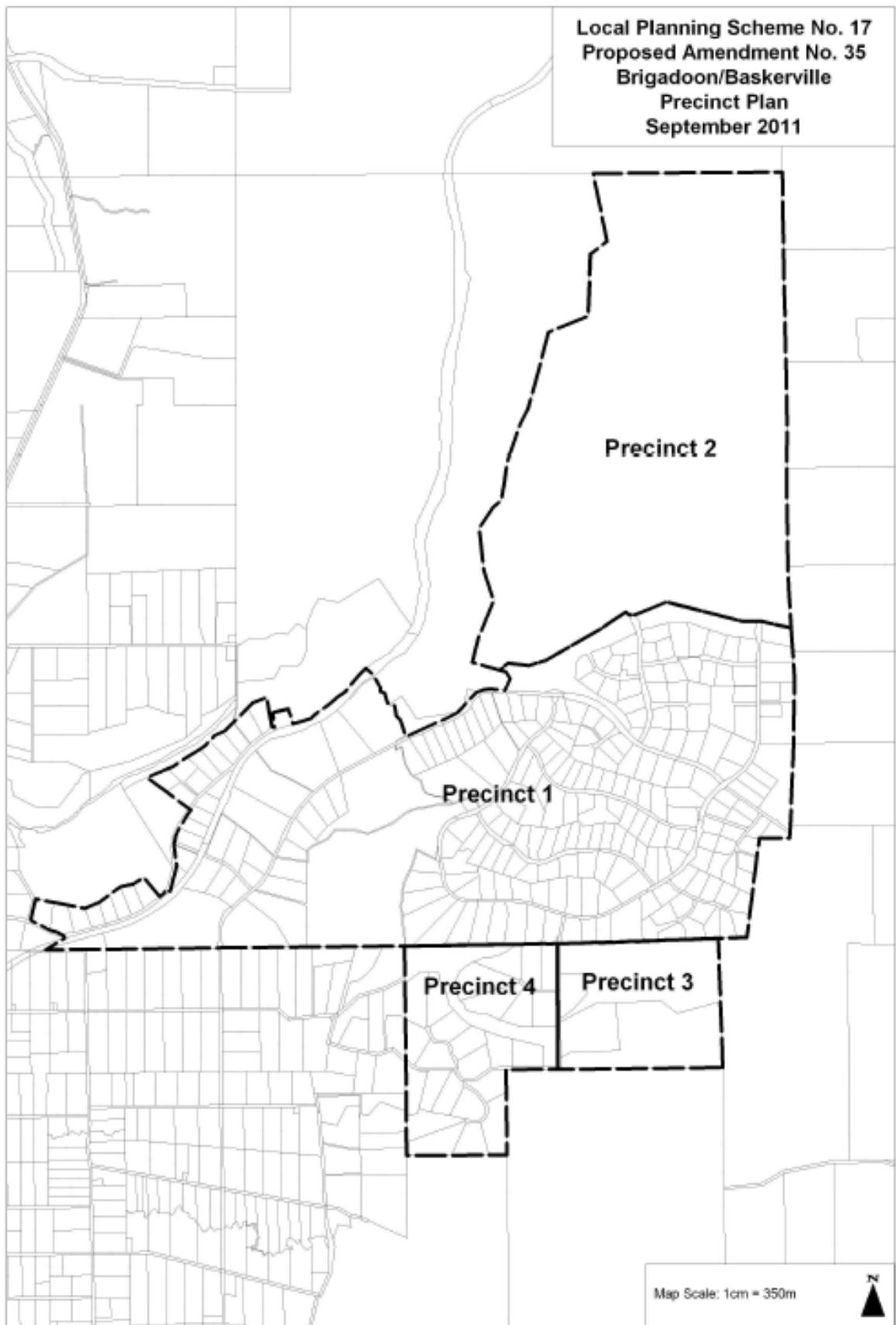
SPECIAL RURAL ZONE NO. 3 "BRIGADOON / BASKERVILLE"	
SPECIFIED AREA OF SPECIAL RURAL ZONE	SPECIAL PROVISIONS
	<ul style="list-style-type: none"> • Public Recreation • Public Utility • Veterinary Centre • Industry - Cottage <p>iii) The following uses are 'A' uses and are not permitted unless Council has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4:</p> <ul style="list-style-type: none"> • Community Purpose • Telecommunications Infrastructure • Grouped Dwelling • Chalet <p>iv) All other uses not mentioned under i), ii) or iii) are not permitted.</p>
<p>Precinct 1 - Land generally bounded by the Baskerville suburb boundary to the south, the Gidgegannup suburb boundary to the east, to the north by lot 1022 Cathedral Avenue and then westwards by Campersic Road, the freight rail line reserve (as far as lot 45 Cathedral Avenue), lot 1007 Cathedral Avenue, the State Equestrian Centre, Holstein Close, Cathedral Avenue and the freight rail line, as depicted on the Precinct Plan.</p>	<p>Specific Provisions</p> <p>The existing mix of lot sizes as originally depicted in Subdivision Guide Plan 8A for Brigadoon are to be maintained, with any further re-subdivision of lots to achieve a minimum size of 4 hectares and to fulfil objectives a) to e) for this zone as set out in the General Provisions, and;</p> <p>- subdivision and development must achieve compliance with WAPC <i>Planning for Bushfire Protection Guidelines Edition 2</i> (or as otherwise revised or superseded by the WAPC).</p>
<p>Precinct 2 - The majority of parent lot 1022 Cathedral Avenue as depicted on the Precinct Plan</p>	<p>Specific Provisions</p> <p>Subdivision shall be generally in accordance with the approved Structure Plan SP-008 for this precinct. No additional lots beyond the 214 lots approved under the Structure Plan are permitted.</p>
<p>Precinct 3 - Parent lots 100, 504, 505 and 506 Joshua Mews as depicted on the Precinct Plan</p>	<p>Specific Provisions</p> <p>The following conditions must be satisfied prior to the granting of approval for subdivision or development:</p> <ol style="list-style-type: none"> 1) Subdivision within this precinct shall be in accordance with a comprehensive local structure plan that is consistent with the requirements of part 5A of <i>Local Planning Scheme 17</i> and has been endorsed by the City of Swan and the Western Australian Planning Commission. 2) The comprehensive local structure plan, subdivision and development must be in accordance with WAPC's <i>Planning for Bushfire Protection Guidelines</i>, which includes but is not limited to:

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	<ul style="list-style-type: none">(a) identifying appropriate hazard separation zones and building protection zones;(b) construction to AS3959 (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>3) The comprehensive local structure plan must be accompanied by a Bush Fire Hazard Assessment in accordance with Appendix 1 of the WAPC's Planning for Bush Fire Protection Guidelines (refer to Appendix 1) and a land capability assessment.</p> <p>4) Regardless of whether the land has been designated as bush fire prone, any buildings to be erected within Precinct 3 shall comply with the requirements of AS3959-2009.</p>

SPECIAL RURAL ZONE NO. 3 "BRIGADOON / BASKERVILLE"

SPECIFIED AREA OF SPECIAL RURAL ZONE	SPECIAL PROVISIONS
<p>Precinct 4 - Land generally fronting Weir Road, Daniel Place, Abraham Close and Joshua Mews but excluding parent lots 100, 504, 505 and 506 Joshua Mews as depicted on the Precinct Plan</p>	<p>Specific Provisions</p> <p>The existing mix of lot sizes as established through past subdivision are to be maintained, with any further re-subdivision of lots to achieve a minimum size of 4 hectares and to fulfil objectives a) to e) for this zone as set out in the General Provisions, and:</p> <ul style="list-style-type: none"> - subdivision and development must achieve compliance with WAPC <i>Planning for Bushfire Protection Guidelines Edition 2</i> (or as otherwise revised or superseded by the WAPC); - All dwellings and ancillary buildings are to be located within the building envelopes designated for each allotment shown on the plan of subdivision approved by the Commission, unless otherwise approved by Council. <p>The following use class permissibility will apply within Precinct 4 of this zone:</p> <p>i) The following uses are 'P' uses:</p> <ul style="list-style-type: none"> • Home Occupation • Home Office • Radio & TV Installation Private • Rural Home Occupation • Single House <p>ii) The following uses are 'D' uses and are not permitted unless Council has exercised its discretion in granting planning approval:</p> <ul style="list-style-type: none"> • Ancillary Accommodation • Home Business • Rural Pursuit • Private Recreation • Public Recreation • Public Utility • Industry - Cottage <p>iii) All other uses not mentioned under i) and ii) are not permitted.</p>



SPECIAL RURAL ZONE NO. 4 - "ADAMS ROAD, RED HILL"	
SPECIFIED AREA OF SPECIAL RURAL ZONE	SPECIAL PROVISIONS
<p>Land to the immediate south of Adams and Toodyay Roads, in the locality of Red Hill, as delineated on the scheme maps.</p> <p><i>Note: The above description refers to a general area only. Reference should be made to the scheme maps to determine the precise extent of the zoning</i></p>	<p>The purpose and intent of this Special Rural Zone is to create a high quality, rural residential estate.</p> <ol style="list-style-type: none"> 1. Subdivision of this Special Rural Zone shall be in accordance with the Subdivision Guide Plan as endorsed by the CEO and with the following criterion: <ol style="list-style-type: none"> a) Minimum lot size shall be 1 ha. 2. a) The following uses are permitted - "P" within the Special Rural Zone No. 4: <ul style="list-style-type: none"> • Dwelling House • Home Occupation • Rural Home Occupation <p>b) The following uses are not permitted unless Council gives its approval in writing - "D":</p> <ul style="list-style-type: none"> • Home Business • Public Utility • Rural Pursuit • Stable <p>c) The following use is an :A: use:</p> <ul style="list-style-type: none"> • Grouped Dwelling <p>d) all other uses not mentioned under a), b) and c) above and rural pursuits which normally require the issue of any licence and permit other than that referred to in b) above, are not permitted.</p> 3. No building on a lot shall be constructed closer to any boundary of the lot than 15 metres except that the Council may approve a lesser distance if it can be shown to be necessary or desirable for reasons of topography or other site conditions. 4. The keeping of livestock and poultry for commercial purposes is prohibited. 5. The land shall be managed in such a manner as to avoid the land being laid bare of vegetation resulting in loose, wind erodable conditions. In particular, lots shall not be cleared of trees except where necessary to permit strategic and general firebreaks, the construction of houses and outbuildings as approved by Council or where trees are dead or pose a hazard to safety. 6. Where in the opinion of the Council the continued presence of animals on any portion of the land in the zone is likely to contribute, or is contributing to dust pollution and soil erosion, notice may be serviced on the owner of the said land requiring the immediate removal of animals and rehabilitation of the

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SPECIFIED AREA OF SPECIAL RURAL ZONE	SPECIAL PROVISIONS
	<p>property to the satisfaction of Council.</p> <ol style="list-style-type: none"><li data-bbox="687 412 1417 573">7. The Council may require an owner of a subdivided lot within the area, as a condition of development for any Building Permit issued in the zone, to commence a tree planting programme to its specification, of Australian native trees on lots it considers require tree cover improvement and require the owner to maintain these trees.<li data-bbox="687 607 1417 712">8. No septic tank or disposal area shall be sited closer than a minimum of 60 metres to any watercourse or stream within the zone, and/or located in a position to the satisfaction of Council's Environmental Health Service.<li data-bbox="687 745 1417 801">9. No direct vehicular access or egress shall be permitted on to the proposed highway reserve or Toodyay Road.<li data-bbox="687 835 1417 891">10. All buildings shall be constructed of materials and in colours acceptable to the Council.

SPECIAL RURAL ZONE NO. 5A – ‘GIDGEGANNUP RURAL SMALL HOLDINGS PRECINCT’

SPECIFIED AREA OF SPECIAL RURAL ZONE	SPECIAL PROVISIONS
<p>Lot 81 Reen Road, Lot 99 the Springs Road, Lots 51 & 52 Toodyay Road and Lot 50 Reserve Road, Gidgegannup –</p> <p>Described as land generally bounded by Reen Road to the west, Toodyay Road to the south and Reserve Road to the east, in the locality of Gidgegannup, as delineated on the scheme maps.</p> <p><i>Inserted by Amend. 46 – Gov. Gaz. 04.11.2011</i></p>	<p>The purpose and intent of this Special Rural Zone is to create a high quality rural living estate. The following conditions must be satisfied prior to the granting of approval for sub-division or development:</p> <ol style="list-style-type: none"> 1. Subdivision within this Special Rural Zone shall be in accordance with a comprehensive local structure plan that is consistent with the requirements of part 5A of Local Planning Scheme 17 and has been endorsed by the City of Swan and the Western Australian Planning Commission. 2. Subdivision must provide for a variety of lot sizes with a minimum of 4 hectares and an average of 6 hectares over the entire precinct to provide for the preservation of local natural assets and landscape characteristics and allow for low-impact rural activity; 3. The subdivision design and layout must be in accordance with WAPC Policy DC3.7 Bushfire Planning. 4. The comprehensive local structure plan must be accompanied by a Type 2 Bush Fire Hazard Assessment in accordance with WAPC/FESA Planning for Bush Fire Protection. 5. A field investigation of Declared Rare and Priority Species that conforms to the EPA ‘Guidance Statement 51 – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessments in Western Australia’ must be undertaken during the flowering season prior to the commencement of site works. If identified on the property these species are to be protected pursuant to the provisions of the Wildlife Conservation Act 1950. 6. Building envelopes must be located in areas of cleared land where it can be demonstrated that development will not impact on vegetation worthy of retention, particularly with respect to Declared Rare and Priority Flora. 7. The following use class permissibility will apply to this precinct: <ol style="list-style-type: none"> a) The following uses are ‘P’ uses: <ul style="list-style-type: none"> • Bed and Breakfast • Family Day Care • Home Occupation • Home Office • Radio & TV Installation Private • Single House b) The following uses are ‘D’ uses and are not permitted unless Council has exercised its discretion in granting planning approval: <ul style="list-style-type: none"> • Animal Establishment • Agriculture – Extensive

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SPECIFIED AREA OF SPECIAL RURAL ZONE	SPECIAL PROVISIONS
	<ul style="list-style-type: none"> • Agriculture – Intensive • Agroforestry • Ancillary Accommodation • Camping Area • Community Purpose • Home Business • Garden Centre • Industry – Cottage • Place of Worship • Recreation – Private • Recreation – Public • Rural Pursuit • Telecommunications Infrastructure • Veterinary Centre <p>c) The following uses are ‘A’ uses are not permitted unless Council has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4:</p> <ul style="list-style-type: none"> • Cabin or Chalet • Club Premises • Equestrian Facility • Grouped Dwelling • Food and Beverage Production • Restaurant • Tourist Facilities • Winery <p>d) All other uses not mentioned under a), b) and c) are not permitted.</p> <p>8. No additional direct vehicular access or egress shall be permitted on to Toodyay Road or the future Perth-Adelaide National Highway without the prior approval of the relevant agency.</p>