| (A) | | | |
|------|---|---|---|
| | Area bounded by Lakes Road, McMahon Road, Readheads Road and Hopeland Road, North Dandalup (Cont'd) AMD 258 GG 16/09/11; AMD 278 GG 02/10/15 | SPECIAL PROVISIONS RELATING TO (A) 34. Front and side boundary fencing and gates within the I Streams Easement area will require the written consent of Co and such fencing and gates where approved by Council's facilitate ease of access by Council for maintenance purpose not obstruct the flow of stormwater within the drainage channel of the flow of stormwater within the drainage channel of a Memorial is to be placed on the title of all lots affected be Dampier to Bunbury Natural Gas Pipeline Corridor, to highlig existence. 36. The subdivider is to make satisfactory arrangements to ensure prospective purchasers of the lots are aware of the Town Pla Scheme provisions which affect the land. 37. The subdivider shall prepare and implement a Revegetation P a condition of subdivision approval. 38. All revegetation carried out as part of the subdivision of the lat otherwise in accordance with a Revegetation Plan, Local Management Plan or similar plan endorsed by the Shire for the subdivision approval. | ouncil hould s and nel. by the ght its e that nning lan as und or Water or the |
| | | proposed lots shall be maintained in a healthy condition of ongoing basis by the landowner and shall not be cleared otherwise removed without the prior written approval of the S 39. At the time of subdivision of Lot 51 Lakes Road, where proposed Lot 79 (as shown on the Subdivision Guide Placreated, the existing cross-over to Lakes Road shall be close the satisfaction of Council. | on an ed or Shire. eupon an) is |
| SR35 | A28 Shanns Road, North Dandalup | General Provisions | |
| | AMD 239 GG 3/9/13 | Subdivision shall generally be in accordance with the Subdivision Guide Plan endorsed by both the Council and the We Australian Planning Commission. | |
| | | 2. Each lot shall have a minimum area of 1ha. | |
| | | Each lot shall be connected to the Water Corporation's reticu water supply. | lated |
| | | Each lot shall be provided with a non-potable water storage with a minimum capacity of 92,000 litres connected to a min roof area of 120m2 to provide a nonpotable water source domestic use. | imum |
| | | 5. No dwelling shall be established unless it is connected alternative domestic wastewater treatment system (as approv the Health Department of Western Australia) with an ade phosphorus retention capacity as determined by the Environn Protection Authority, and with the base of the system of modified irrigation area being above the highest known water The effluent disposal system shall be located in the app building envelope. | red by quate nental or the table. |
| | | 6. Approval to subdivide the land shall be subject to a con requiring the preparation and implementation of a Coc Management Plan to the satisfaction of the Departme Environment and Conservation, prior to subdivision of the land | katoo nt of |
| | | Land Use | |
| SR35 | A28 Shanns Road, North Dandalup (Cont'd) | 7. (a) The following uses are permitted ('P'): | |
| | AMD 239 GG 3/9/13 | Single House Outbuilding Public Utility Home Office | |
| | | (b) The following uses may be permitted at the discretion Council ('AA'): | of the |

| (A) | (B) |
|----------------|--|
| SPÉCIFIED LAND | SPECIAL PROVISIONS RELATING TO (A) |
| | Bed and Breakfast Accommodation Home Business Home Occupation Cottage Industry Stables |
| | Ancillary Accommodation. (c) All other uses are not permitted ('X'). |
| | 8. No dam shall be constructed without the prior written approval of |
| | |
| | Building Envelopes |
| | 9. Prior to subdivision of the land, a detailed plan shall be prepared indicating the dimensions and positioning of a building envelope for each proposed lot. Each building envelope shall have a maximum area of 2,000m2 and shall be positioned so as to minimise the impact on the existing vegetation to the satisfaction of the Council and the Department of Environment. |
| | 10. Approval to subdivide the land shall be subject to a condition requiring the completion of a targeted flora survey and shall be undertaken in order to identify and protect any potential habitat trees suitable for Red-Tailed Black Cockatoo, Baudins Cockatoo or Carnaby's Cockatoo, prior the preparation of the detailed building envelope plan as required in accordance with clause 9. above. |
| | 11. No development other than stables or horse shelters shall be located outside of the approved Building Envelope. |
| | 12. Notwithstanding clause 11. above, stables or horse shelters must be located in existing cleared areas where possible and shall be setback a minimum of 30 metres from all dwellings, 20 metres from the Primary street and 10 metres from all other boundaries. |
| | Keeping of Stock |
| | 13. With the intention of preventing overstocking or other practices detrimental to the amenity of the zone, the breeding or keeping of livestock shall not be permitted without the approval in writing of the Council. In considering any application for the breeding or keeping of livestock or other non- domestic animals, Council shall be guided by advice from Agriculture Western Australia. Notwithstanding the above, in cases where environmental degradation occurs, Council may take appropriate action to ban or reduce the stocking of livestock or other non-domestic animals. |
| | Notwithstanding clause No 13. above, no livestock or other non- domestic animals are permitted to be kept on Lots 4-7, 44, 55, 122- 134, 141, 144-147 and 153 as shown on the Subdivision Guide plan dated December 2012 to ensure the retention of existing vegetation. |
| | 15. Notwithstanding clause No 13. above, the keeping of horses may only be permitted on lots having more than 1.7ha in area as identified on the approved Subdivision Guide Plan, unless a suitable Management Plan is submitted and implemented to the satisfaction of Council demonstrating that environmental degradation will not occur on the land due to keeping of stock. Fencing |
| | Except as otherwise approved by Council, all fencing located outside of the approved building envelope shall be of open post and rail, or post and wire construction. |
| | 17. Prior to subdivision of the land, fencing shall be erected around the perimeter of the proposed Conservation Area, setback from the existing vegetation so as to permit the establishment of a Strategic Firebreak, as identified on the approved Subdivision Guide Plan. |

| (A) SPECII | | (B) SPECIAL PROVISIONS RELATING TO (A) | | |
|---------------|--|--|-----------------------------------|--|
| SR35 | A28 Shanns Road, North Dandalup (Cont'd) AMD 239 GG 3/9/13 | All fencing erected on Lots 122-131, 132-134, 141 and 144-1 outside of the approved building envelope, shall be constructed as to permit the movement of native fauna. Fencing may only located outside of the proposed Conservation Area. | lso | |
| | | Conservation Area | | |
| | | 19. Notwithstanding any other provision of the Scheme, no build structure, dam, fencing or firebreaks may be constructed within Conservation Area or other Rehabilitation Areas as identified on approved Subdivision Guide Plan, other than structures identit within an approved management plan for the Conservation Area | the the fied | |
| | | 20. Prior to subdivision of the land, a Management Plan shall prepared for the proposed Conservation Area by a suitably quali consultant and implemented to the satisfaction of Council and Department of Environment and Conservation. This plan s address the methods to be implemented so as to ensure ongoing protection and monitoring of the existing vegetation a proposed conservation works. | fied the hall the | |
| | | 21. The keeping of livestock or domestic animals within conservation area is not permitted. | the | |
| | | 22. As a condition of subdivision, a conservation covenant shall required with the Department of Environment and Conserval pursuant to section 129BA of the <i>Transfer of Land Act 1983</i> amended) and/or the National Trust of Australia, pursuant to <i>National Trust of Australia (WA) Act 1964</i> (as amended), advisin the existence of a restriction on use of Lots 122-124 and Lots 1 130 to protect areas identified for conservation on the endors Subdivision Guide Plan. | tion (as the g of 27- | |
| | | Foreshore Reserves | | |
| | | 23. A foreshore reserve of not less than 60 metres in width be established along the existing stream/creek lines in accordance withe endorsed Subdivision Guide Plan. | | |
| | | 24. A Foreshore Management Plan shall be prepared and implement for the creek lines as shown on the endorsed Subdivision Gu Plan to the satisfaction of Council and the Department Environment and Conservation. | ide | |
| | | Land Revegetation and Rehabilitation | | |
| | | 25. Prior to the subdivision of the land, a rehabilitation plan shall prepared for the proposed Conservation Area, Stream Reser and other rehabilitation areas identified on the approved plar subdivision. The Rehabilitation Plan shall be prepared by a suita qualified consultant and implemented to the satisfaction of Cou and the Department of Environment and Conservation. | ves n of ably | |
| | | 26. The subdivider shall submit a landscaping plan to the Cou showing site contours, stands of existing vegetation to be retain and proposals for tree planting and revegetation works at the ti of making application for subdivision approval. | ned | |
| | | 27. The subdivider shall, in accordance with the approved landscap and rehabilitation plans approved by Council, plant indigenous tr and shrubs or species and at a density and distribution to Council satisfaction, prior to Council issuing clearances subdivision of the land. | ees the | |
| | | 28. The subdivider shall either maintain the trees and shrubs plan until the land is sold; or shall plant sufficient numbers of trees a shrubs to allow for natural loss. Thereafter, the owners of subdivided lots shall be responsible for the maintenance a replacement of those trees and shrubs planted by the subdivide the satisfaction of Council. | and the and | |
| | | | | |

| (A) SPECIFIED LAND | | (B) SPECIAL PROVISIONS RELATING TO (A) | | |
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| SR35 A28 Shanns Road, North Dandalup | | | | |
| (Conta) AMD 239 GG 3/9/13 | 29. | In order to conserve the environment and landscape, no native trees or other vegetation shall be felled or cleared or otherwise removed without the written approval of Council except where required for the erection of a single house, outbuildings, effluent disposal system, accessways and firebreaks. | | |
| | 30. | Notwithstanding clause 29 above, no person shall fell, clear or otherwise remove any native vegetation within the proposed Conservation Area as shown on the endorsed Subdivision Guide Plan. | | |
| | Wate | er Management | | |
| | 31. | A Local Water Management Plan shall be prepared by the subdivider to the requirements of the Department of Water, Department of Environment and Conservation and the Shire of Murray, prior to subdivision of the land. | | |
| | Fire | Management | | |
| | 32. | Prior to subdivision of the land, the subdivider shall prepare and implement a Fire Management Plan to the satisfaction of Council. | | |
| | 33. | Prior to subdivision of the land, a Strategic Fire Break shall be established around the perimeter of the Conservation Areas as shown on the endorsed Subdivision Guide Plan. This firebreak shall be in lieu of internal firebreaks within the Conservation Area, being a permanent variation of the Annual Firebreak Notice issued by Council for Lots 122-124 and Lots 127-130. | | |
| | Desi | gn Guidelines | | |
| | 34. | Prior to subdivision of the land the subdivider shall develop Design Guidelines to guide the resultant development of the lots. These guidelines shall be developed in consultation with and to the satisfaction of the Shire of Murray. | | |
| | 35. | The development of all land within the subdivision shall comply with the approved Design Guidelines referred to in clause 34 above. | | |
| | Nois | e Mitigation | | |
| | 36. | Dwellings on Lots 107, 109, 111-121 and 150-154 as shown on the Subdivision Guide Plan are to be designed and constructed in accordance with the "Deemed to Comply Package A" noise insulation treatments set out in the Railway Noise Assessment for the Blue Ranges Special Rural Estate report prepared by Lloyd George Acoustics dated 22nd August 2012. Any proposal to depart from these treatments is to be supported by an acoustic certification from a suitably qualified and experienced person demonstrating that the development will meet the requirements of State Planning Policy 5.4 Road and Rail Transport Noise and Freight Consideration in Land Use Planning by the Western Australian Planning Commission. | | |
| | Noti | fications | | |
| | 37. | Prior to subdivision of the land, arrangements shall be made to the satisfaction of Council for a memorial to be placed on the title of each lot detailed in condition No 21. above ensuring the purchaser and subsequent owners are advised that no stock are permitted on those lots. | | |
| | 38. | Prior to subdivision of the land, satisfactory arrangements shall be made, for the erection of signage at the entrance of the estate and in appropriate locations within the subdivision advising of the restrictions applicable to the keeping of stock within the estate, to the satisfaction of Council. | | |
| | A28 Shanns Road, North Dandalup (Cont'd) | ED LAND Spe A28 Shanns Road, North Dandalup Cleat (Cont'd) 30. AMD 239 GG 3/9/13 Wate 31. Fire 32. 33. 6 32. 33. Desi 34. 35. Nois 36. 7. Nois 37. | | |

| (A) | | (B) | |
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| SR35 | A28 Shanns Road, North Dandalup (Cont'd) AMD 239 GG 3/9/13 | SPE 39. 40. 41. | CIAL PROVISIONS RELATING TO (A) Prior to subdivision of the land, satisfactory arrangements shall be made to ensure a memorial is placed on the title of resultant lots to ensure prospective purchasers and subsequent owners of Lots 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 141, 144, 145, 146 and 147 are aware of their ongoing obligations as prescribed by clauses 14. and 18. and the Management Plans required by clauses 20., 25., 30. and 33. above. Prior to subdivision of the land, satisfactory arrangements shall be made to ensure a memorial is placed on the title of resultant lots to ensure prospective purchasers and subsequent owners of all lots within the subdivision are aware of their obligation to ensure the resultant development of the lots complies with the approved Design Guidelines referred to in clauses 34. and 35. Prior to subdivision of the land the subdivider shall make arrangements to the satisfaction of Council to ensure that the purchasers and subsequent owners of Lots 107, 109, 111-121 and 150-154 as shown on the Subdivision Guide Plan are aware that noise mitigation techniques are required in order to minimise the potential for noise impact associated with the railway line to the east of the subdivision. |
| SR36 | Portion Lots 1 and 534 Fiegert Road, Nambeelup, bound by Lots 339, 340 and 341 on Diagrams 50760 and 68501 AMD 207 GG 28/02/14; AMD 302 GG 06/02/18 | 1. | The subdivision of Portion Lots 1 and 534 Fiegert Road, Nambeelup, bound by Lots 339, 340 and 341 on Diagrams 50760 and 68501 (subject site) shall be in accordance with the approved Subdivision Guide Plan, or any variation to that plan approved by the Western Australian Planning Commission (WAPC) and the minimum lot size in this zone shall be 1 hectare. (a) The following uses are Permitted ('P'): Single House Outbuilding Public Utility (b) The following uses may be Permitted at the discretion of Council ('AA'): Home Occupation Ancillary Accommodation Cottage Industry Bed and Breakfast Home Business (c) All other uses are not permitted ('X'). (d) Proposed variations to the Subdivision Guide Plan are to be supported by additional technical analysis including acoustic studies. All buildings and effluent disposal systems are to be located within the allocated building envelope as indicated on the approved Subdivision Guide Plan unless the prior written approval of Council is granted in writing. |
| SR36 | Portion Lots 1 and 534 Fiegert Road, Nambeelup, bound by Lots 339, 340 and 341 on Diagrams 50760 and 68501 (Cont'd) AMD 207 GG 28/02/14 AMD 302 GG 06/02/18 | 3. 4. 5. | All building envelopes are to be setback a minimum of 20m from primary and secondary street boundaries, and 10m from other boundaries. All buildings and effluent disposal systems are to be located outside the Conservation Category Wetland Buffer Area as indicated on the Subdivision Guide Plan. All dwellings to be constructed to incorporate quiet house design principles in accordance with an acoustic assessment endorsed by Council so as to minimize the noise impact from the adjacent freeway. |

| (A) SPECIFIED LAND | (B) SPI | ECIAL PROVISIONS RELATING TO (A) |
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| | 6. | No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system with an adequate phosphorous retention capacity as approved by the Health Department of WA. The base of the system or modified irrigation area being 600mm above the highest known water table to the satisfaction of Council. |
| | 7. | The clearing of vegetation shall not be undertaken without the prior written consent of Council except for the construction of approved buildings, access ways, fences, effluent disposal systems and firebreaks. |
| | 8. | At the time of subdivision, the landowner is to provide a geotechnical report to demonstrate that the building envelope is capable of development. |
| | 9. | In order to maintain groundwater quality and prevent land degradation no stock, poultry or domestic large animal is permitted on any lot. |
| | 10. | Fencing shall be of open post and rail or post and wire construction to the satisfaction of Council. |
| | 11. | A Local Water Management Plan shall be prepared by the subdivider and implemented to the satisfaction of Council and Department of Water. |
| | 12. | A Foreshore Management Plan shall be prepared and implemented by the subdivider addressing management measures for the Nambeelup Brook Regional Open Space Reserve on Lot 341 on Diagram 50760 and associated specific and general Aboriginal heritage and environmental values. |
| | 13. | The subdividing landowner shall prepare and implement a revegetation plan at the time of subdivision. |
| | 14. | The subdivider shall prepare and implement a Fire Management Plan as part of any application to subdivide the land, with the plan being to the satisfaction of Council and Department of Fire and Emergency Services (DFES). |
| | 15. | The subdividing landowner at the subdivision stage is to provide a plan outlining highest known groundwater levels across the subject land. All dwellings are to be constructed at least 1.2m above the highest known groundwater level. |
| | 16. | Prior to the sale of any subdivided lots, the subdivider shall make arrangements satisfactory to Council to ensure that prospective purchasers of the lots created are advised of those provisions of the Shire of Murray Town Planning Scheme No. 4 which relate to the use and management of land. |
| | 17. | The subdivider shall ensure that prospective purchasers of a subdivided lot are to acknowledge in writing at the time of purchasing the lot that the lot is located within the Murray Groundwater Management Area, and therefore a groundwater licence shall be obtained from the Department of Water prior to the construction of a well or bore. The issue of a licence is not guaranteed but if issued, may contain a number of conditions including the quantity of water that can be pumped each year. |
| | 18. | Each Special Rural lot shall be connected to a reticulated water supply. |
| | 19. | The subdivider is to construct, fence and landscape a noise attenuation bund as indicated on the subdivision guide plan to the satisfaction of Council in accordance with an acoustic assessment endorsed by Council. |
| | 20. | The drainage reserve identified on the Subdivision Guide Plan to be ceded as a drainage reserve free of cost and without compensation at the time of subdivision. |

| (A) | | (B) | |
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| SPECIFIED LAND | | SPI | ECIAL PROVISIONS RELATING TO (A) |
| | | 21. | The subdivider is to make arrangements with Council to extend Fiegert Road, abutting Lot 1, to a sealed rural standard. |
| | | 22. | No direct lot access is permitted to Fiegert Road excepting Lots 10 and 11. Access to Lots 10 and 11 as shown on the Subdivision Guide Plan is to be provided via a single shared crossover and driveway constructed within the battleaxe leg to Lot 11, with a reciprocal right of access. |
| | | 23. | The subdivider is to make arrangements with the Council for the upgrading of the unmade portion of Fiegert Road, between the northern boundary of Lot 1 and Lakelands Road. |
| | | 24. | Satisfactory emergency vehicular access via Fiegert Road to Lakelands Road must be demonstrated prior to subdivision of the site. |
| | | 25. | The minimum building floor level shall be 0.5 meters above the 100 year Average Recurrence Interval (ARI) as designated by the Murray Floodplain Development Strategy. |
| SR 37 | Portion of Lots 536 and 538 Fiegert Road, Nambeelup and Lots 540 and 542 Fiegert Road, Ravenswood AMD 274 GG 14/08/15 | 1. | The subdivision of portions of Lots 536 and 538, Fiegert Road, Nambeelup and Lots 540 and 542 Fiegert Road, Ravenswood shall generally be in accordance with the approved Subdivision Guide Plan or any variation to that plan approved by the Council and Western Australian Planning Commission. |
| | | 2. | Each lot shall be not less than 1 hectare in area and contain a building envelope as depicted in the Subdivision Guide Plan. |
| | | 3. | Building envelopes shall be located as shown on the approved Subdivision Guide Plan and shall not exceed 2000 square metres in area. |
| | | 4. | All buildings and effluent disposal systems are to be located within the allocated building envelope shown on the Subdivision Guide Plan unless prior written approval of the Council is granted |
| | | 5. | All building envelopes shall be filled to achieve a minimum 1m above existing surface level or 0.5m above the forecast 100 year flood level whichever is the greater. |
| | | 6. | In order to conserve the landscape, trees and other indigenous vegetation shall not be felled or cleared without the prior written approval of the Council except where required for the erection of a single house, outbuildings, effluent disposal system, accessways, fence, firebreaks and building protection zones. |
| | | 7. | Fencing shall be of open post and rail or post and wire construction and shall be maintained to the satisfaction of the Council. |
| | | 8. | Buildings shall not be constructed within 10 metres of any boundary. |
| | | 9. | (a) The following uses are permitted ('P'): |
| SR37 | Portion of Lots 536 and 538 Fiegert Road, Nambeelup and Lots 540 and 542 Fiegert Road, Ravenswood | | Single House Outbuilding Public Utility Home Office |
| | (Cont'd) AMD 274 GG 14/08/15 | | (b) Notwithstanding the list of uses permitted under zoning Table No. 1, the following uses may be permitted at the discretion of the Council ('AA'): |
| | | | Home Occupation Ancillary Dwelling Cottage Industry Bed and Breakfast Home Business Family Day Care Centre |

| (A) SPECIFIED LAND | (B) SPECIAL PROVISIONS RELATING TO (A) |
|-----------------------|--|
| | |
| | (c) All other uses are not permitted ('X'). |
| | 10. Each lot shall be connected to a reticulated water supply. |
| | 11. No dwelling shall be approved by Council unless it is connected to an alternative domestic waste water treatment system with an adequate phosphorous retention capacity, as approved by the Health Department of Western Australia, and with the base of the system or modified irrigation area being a minimum of 600mm above the highest known water table to the satisfaction of the Council. |
| | 12. Soil with a high phosphorous retention index to be placed surrounding the effluent disposal system discharge area to the satisfaction of the Council. |
| | 13. Prior to the sale of any subdivided lots the subdivider shall make arrangements satisfactory to Council to ensure that prospective purchasers of the lots created are advised of those provisions of the Shire of Murray Town Planning Scheme No. 4 which relate to the use and management of land. |
| | Fire Management requirements as outlined in an endorsed Fire Management Plan and Subdivision Guide Plan are to be implemented. |
| | 15. All dwellings are to be constructed in accordance with AS 3959 Construction of buildings within bushfire prone areas. |
| | Vehicle crossovers to Fiegert Road shall, where possible, be shared by adjoining lots and shall be located where indicated on the approved Subdivision Guide Plan. |
| | 17. All dwellings shall be provided with a rainwater tank of 92,000 litre capacity to capture all rainwater run-off from all building roofs. The tank is to be maintained on an ongoing basis. |
| | 18. All dwellings, with the exception of a dwelling on proposed Lot 14, are to incorporate Package A Architectural Treatments as described in the Road Traffic Noise Assessment Report prepared for the subject land. Any dwelling on proposed Lot 14 shall incorporate Package B Architectural Treatments. |
| | The design of all dwellings is to incorporate one 'protected' outdoor living area either by using the house structure itself to shield an outdoor area or by constructing a purpose built wall. |
| | 20. No dam shall be constructed without the written approval of Council. |
| | 21. In order to maintain water quality and prevent land degradation no stock, poultry or domestic large animal is permitted on any lot. |
| | 22. The land shown as Conservation Category Wetland and 50m buffer on the Subdivision Guide Plan is to be ceded free of cost to the Crown without payment of compensation at the time of subdivision of the land. |
| | 23. A Wetland Management Plan shall be prepared and implemented by the subdivider for the Conservation Category Wetland and its buffer. |
| | 24. A Revegetation Management Plan is to be prepared and implemented by the subdivider, which is to include but not be limited to, planting located between the road pavement and proposed building envelopes and a vegetation buffer abutting the Kwinana Freeway. |
| | 25. The subdividing landowner at the subdivision stage is to provide a plan of the highest known ground water levels across the subject land. |
| | |