

# SCHEME AMENDMENT REPORT

## EXECUTIVE SUMMARY

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### Area & Property Description:

The site comprises approximately 91 ha of land within the Deepdale Estate, approximately 6.5km east of Geraldton CBD. Composed the portions of Lots 170, 1241, 1972 and 9000 Geraldton-Mount Magnet Road, it is located north of the Mungara – Geraldton transmission line, abutting the Chapman River, in the north of the Estate.

### Landowners:

Lot No	Certificate of Title	Owner	Area the subject of rezoning (ha)*
170	2222/650	Aeges P/L & Peter David Horwood	34.83
1241	2221/348	Aeges P/L & Peter David Horwood	23.77
1972	2221/348	Aeges P/L & Peter David Horwood	13.00
9000	2623/509	Aeges P/L & Peter David Horwood	19.39
			90.99

\* Approximate areas

### Current Zoning:

The site is currently zoned 'Rural Residential 2' under the City of Geraldton-Greenough's Local Planning Scheme 5 (Greenough). This zoning applies to the whole of the Deepdale Estate.

### Proposal:

This proposal is to rezone the site to 'Residential R2.5' and 'Residential R5' to facilitate development of the site for low density residential (minimum 4000m<sup>2</sup> and 2000m<sup>2</sup> respectively). An indicative Subdivision Concept has been prepared illustrating how this is proposed to occur. It will require amendment to the approved Deepdale Structure Plan to reflect the reduced lot sizes proposed, which process is proposed to occur concurrently.

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## **1. INTRODUCTION**

This report supports the rezoning the portion of Lots 170, 1241 and 1972 (No. 427) Geraldton-Mount Magnet Road, and portion of Lot 9000, Deepdale north of the existing Mungara to Geraldton transmission line (the subject site) to 'Residential R2.5' and 'Residential R5'. The site forms part of the Deepdale Estate and, like the rest of the Estate, is currently zoned 'Rural Residential 2'. The purpose of this rezoning is to facilitate more varied subdivision in the area, allowing for a reduction in lot sizes from the 1+Ha in the south and east of the Estate to approximately 2,000-4,000m<sup>2</sup> in this northern area, abutting the Chapman River. The Amendment is motivated by market demand, land use efficiency considerations and the site attributes which make it suitable to cater for a component of 'special residential' development to complement the conventional rural-residential forming the majority of the Estate.

## **2. SITE LOCATION AND CONTEXT**

The site is located east of Polo Road and north of Geraldton-Mount Magnet Road, approximately 6.5km east of the Geraldton CBD. It is bounded to the north and east by the Chapman River and offers views up to the Moresby Range. The Mungarra to Geraldton transmission line and an associated easement runs east-west through the Deepdale Estate parallel to Geraldton-Mount Magnet Road and delineates the southern boundary of the site (refer Figure 1 – Location Plan), creating a discrete cell or 'precinct'.

The site forms part of the 'Rural Residential R2' Deepdale Farm precinct. This is being progressively developed for 'Rural Residential' purposes. Early stages of the Estate between Polo Road and Polworth Parade and including lots to the immediate south and west of the subject site have been developed for this purpose. These lots vary in size from about 1 to 2 ha and were developed with the intention of accommodating residential with small scale equestrian type land uses. Limited keeping of livestock is permitted, in keeping with the traditional notion of a rural-residential lifestyle. The demand for this type of home-site has, however, shifted, with the demand for rural-residential type lots without livestock capability becoming more commonplace. An aerial photograph (Figure 2) of the developed portion of the estate shows that quite a number of the lots do not contain equestrian or other livestock rearing facilities.

Urban land (varying in density from R2.5 to R15) is located within 2.8km of the site, in Strathalbyn and Ukatarra, on the current urban fringe of Geraldton.

## **3. SITE DESCRIPTION**

The site is approximately 91ha with 2.5km of frontage to the Chapman River along the northern boundary. It is relatively flat, sloping only very gently from a 33/32m contour down to a 30 contour along the river foreshore, before this runs down into the River itself (refer Figure 2 – Site Plan & Aerial Photograph). The site is almost entirely cleared of native vegetation, having been extensively farmed.

#### 4. ENVIRONMENTAL ATTRIBUTES

The site has previously been assessed as suitable for Rural Residential development, with this proposal seeking only to increase densities, somewhat. Lots will, however, remain sufficiently large to enable a degree of revegetation through the planting of trees. The application of a 'Residential' zone will also preclude livestock rearing and other agricultural pursuits. This increases the extent to which revegetation might be expected to occur and reduces potential land degradation associated with semi-rural pursuits near the river. In consideration of the currently cleared and degraded nature of the site caused by historical intensive agricultural activities, Low Density Residential development will not contribute to further environmental impact and will likely facilitate increased vegetation establishment through planting by prospective residents on the larger lots.

The abutting Chapman River represents the most significant environmental attribute of the site. The Subdivision Concept prepared for the site (discussed below) provides for a 50m buffer along the River which in places exceeds the reserved foreshore, which caters for the 1:100 year flood level. Additional Open Space abutting this will allow for an enhanced foreshore and improved amenity. This setback and prevention of access into the river, combined with the removal of stock from the river and foreshore area, will ensure that the Chapman River will likely benefit through implementation of this development. To provide a level surety that this development will not impact on the environmental integrity of the Chapman River, a Foreshore Management Plan is currently being prepared for the length of the river abutting the Deepdale Estate and also covering the opposite bank. This management plan will ensure that the foreshore reserve which buffers and protects the values of the Chapman River will not be impacted by the proposed development and has been prepared in consideration of the City's objectives for management of the foreshore and river. The Foreshore Management Plan will be submitted for approval by the City of Geraldton-Greenough in consultation with the Department of Water.

The development of the site presents opportunities to improve environmental outcomes through expansion and enhancement of the river foreshore, and through the planting of trees in open space, along streetscapes and in developed lots.

Site capability assessments undertaken in support of the original rezoning (Amendment No. 105) identified no impediment to this type of development (refer Appendix 1). It did, however, recommend that any septic systems be located a minimum of 100m from the centre of the Chapman River based on EPA policy.

In accordance with the Department of Water – *Draft Country Sewerage Policy* (DoW, 2003) conventional wastewater septic tanks will be kept at least 100 m away from the edge of the dampland associated vegetation within the Chapman River. For any proposed Lots located within 50m to 100m from the edge of the dampland associated vegetation of the Chapman River an Aerobic Treatment Unit (ATU) can be used as a phosphorus reduction system. The ATU must be one that has been approved by the Department of Health, as outlined in Appendix C of the DoW's Water Quality Protection Note – *Wastewater treatment and disposal – domestic systems* (DoW, 2010).

No wastewater or septic tank system will be located closer than 50m from the edge of the dampland associated vegetation of the Chapman River.

Geotechnical investigations completed in March 2011 by Blacktop Consulting Engineers (Appendix 2) provides further information on a range of matters including soil types, and further noted that:

- Visual inspection of excavated soil types suggest that levels of acid sulphate content in soils are below threshold levels which the DoE would require an Acid Sulphate Management Plan;

A search of the Department of Indigenous Affairs Aboriginal Heritage inquiry System shows the Chapman River abutting the site as a lodged site awaiting Assessment Decision. No other site is registered on the subject land.

All contractors working on the development will be made aware of their responsibilities under the Aboriginal Heritage Act with regard to finding potential archaeological sites. In the event a site is discovered, all work in the area will to cease and the Department of Indigenous Affairs will be contacted.

## **5. PLANNING CONTEXT**

### **5.1 State Planning and WAPC Policies - Generally**

The site and its potential development are subject to a range of State Planning Policies and WA Planning Commission Policies. These address a range of issues relating to orderly planning and development. The majority are most applicable to the development design and subdivision, though it is noted that:

- There are no identified areas of potential high risk of acid sulphate soils;
- The land is within the existing Agricultural Priority Management Area applying to Geraldton in SPP2.5 (Agricultural and Rural Land Use Planning), but has subsequently been identified and zoned for development.

### **5.2 WAPC Greater Geraldton Structure Plan Update 2010**

The Geraldton Region Plan (incorporating the Greater Geraldton Structure Plan) was adopted by the Western Australian Planning Commission in June 1999 to provide a regional framework to guide strategic planning and development decisions within the region. The Plan recognises that the greater Geraldton area is the focus of commercial and administrative activity for the Mid-West Region and, as such, aims to provide a framework for coordinating development and managing growth of the regional centre.

The Plan was subject to a review and update in 2010 which resulted in the subject site being identified for Future Urban (refer Figure 3). The text in relation to this designation (which applies to a number of sites) states, *inter alia*, that:

- The development of 'future urban' areas are subject to localised structure planning and the provision of infrastructure and services;
- Environmental considerations, indigenous and cultural heritage issues may also require resolution;

- The long term development of 'urban' and 'future urban' areas may be constrained by the capacity of key utilities and service infrastructure
- Scheme Amendments may be subject to environmental studies and plans, including the Geraldton Regional Flora and Vegetation Survey.

Urban development of the site is evidently anticipated, subject to adequate response to key issues.

### **5.3 City of Geraldton Greenough Local Planning Scheme No. 5 (Greenough)**

The site is currently zoned 'Rural Residential 2' under the City of Geraldton-Greenough's Local Planning Scheme No. 5 (Greenough) (refer Figure 4 – Current Zoning), consistent with the remainder of the Deepdale Estate. This provides for development of lots to a minimum of 1ha and allows some small scale agricultural pursuits, including keeping of limited livestock. It also requires protection of all existing native vegetation and restriction of buildings within the airport area of influence. Replacement of this zoning with a Residential zoning over the subject land would require incorporation of any controls still applicable within the area (such as building envelope restrictions within the air port zone of influence) within the Structure Plan.

Application of a Residential zone in place of Rural Residential will mean that Public Open Space will be required to be provided free of cost as a condition of subdivision.

All the land to the south and west is zoned Rural Residential 2. Land immediately north of the river and east of the site remains zoned for Rural purposes.

### **5.4 City of Geraldton Greenough Local Planning Strategy (Greenough) 2008**

The City's Local Planning Strategy was prepared in support of the (then) Shire of Greenough's review of its town planning scheme. The Plan (Figure 5) shows the site as 'Rural Residential' in keeping with the zoning. Boxed text to Rural Residential land west of the states that "*The strategic direction is to consolidate future residential development in the urban areas before considering the rezoning and subdivision of any new areas.*"

The advent of the Greater Geraldton Structure Plan Update 2010 and its identification of this site for Future Urban necessitates some review of the document to bring the Planning Strategy into line with the direction of the Update.

### **5.5 City of Geraldton Greenough Local Rural Strategy (Greenough) 2008**

The City of Geraldton Greenough's Local Rural Strategy seeks to provide strategic direction on rural development and land use planning. Amongst other things, it aims to preserve the viability of agriculture whilst managing land in an ecologically sustainably manner, ensuring significant landscape and environmental features are conserved and enhanced, and providing for limited rural subdivision and tourism development in appropriate places. The subject site is within the Tamala Ridges precinct (refer Figure 6) with subdivision and development generally discouraged. The Strategy states, however, that "*where all, or part of a precinct is covered by a*

*Commission endorsed detailed planning strategy, the provisions of the detailed planning strategy shall apply..."* and that these shall have precedent over the Rural Strategy. The Greater Geraldton Structure Plan represents such a Strategy and so overrides the direction of the Rural Strategy. In addition, the current zoning of the site for 'Rural Residential' purposes already allows for subdivision and development of the site, further limiting the applicability and relevance of the Strategy.

As with the Local Planning Strategy, the adoption of the Greater Geraldton Structure Plan Update 2010 necessitates some review of the Rural Strategy to bring it into line with the direction of the Update.

### **5.6 City of Geraldton-Greenough Deepdale Structure Plan (August 2011)**

The current adopted Structure Plan for the Deepdale Estate (refer Figure 7) provides for 1+ha subdivision of the subject site, to reflect current Scheme provisions. It incorporates, amongst other things, building envelopes for those lots affected by the Airport Inner Buffer. Modification of the Structure Plan to cater for the smaller lot sizes proposed by this Amendment will be required and is proposed to occur concurrently. A modified Structure Plan is proposed in Figure 8. This is based on the Subdivision Concept prepared for the site showing the form of development anticipated, discussed further below. Formal assessment and advertising of this concurrent with the rezoning is requested. This process may result in refinements to the plan.

## **6. SUBDIVISION CONCEPT AND MODIFIED STRUCTURE PLAN PROPOSAL**

In order to illustrate the 'Residential R2.5' and Residential R5' sought by this Amendment, a revised Subdivision Concept Plan has been prepared (refer Figure 9). This varies the original plan in relation to lot size, yield and road layout in the area affected by this rezoning, but maintains the basic structure, connectivity and many of the principles of the original layout, with a number of improvements made to lot layout. It provides for:

- Extension of the existing and planned Estate road layout in a 'modified grid';
- Inclusion of a boundary road along the river foreshore;
- 46 R2.5 lots (minimum 4000m<sup>2</sup>) abutting the transmission lines easement and open space;
- 141 R5 lots (minimum 2000m<sup>2</sup>) north of the R2.5 area, to the river foreshore;
- Expansion of the river foreshore area to encompass:
  - a 50m buffer from the river;
  - the 1:100 year floodline;
  - additional pockets of open space to maximise the amenity offered by the foreshore;
- A total of 24.2 ha or 26% Public Open Space

The cell is separated from the remainder of the Estate by the east-west open space corridor incorporated to provide for the Mungara to Geraldton transmission line easement. As well as allowing the power lines to remain, the open space link provides a clear delineation between the northern river precinct and the remainder of the estate, and provides a linkage to areas of open space along the river foreshore.

## **6.1 Public Open Space & Foreshore**

Under current legislation, 10% of residential land is required to be given up free of cost as a condition of subdivision. The proposal incorporates approximately 24ha of public open space, exceeding this requirement. Of this, approximately 10ha is already reserved under the local planning scheme, with an additional 1ha proposed to ensure a minimum 50m buffer to the river. The remaining open space has been included to provide additional areas for passive recreation. In addition to giving up the land for foreshore reserve and public open space, an appropriate Management Plan will be required to be prepared to demonstrate how the area can be landscaped, vegetated and managed to best enhance the amenity of the locality and respond to environmental imperatives. This is currently in train, and the document will be lodged for assessment shortly.

One significant change is made by the extension of the road abutting the Chapman River to avoid any lots backing onto the river foreshore. This change is consistent with WAPC policy. This road which will serve as an appropriate separation between the low density residential homesites and the foreshore, will also provide the opportunity for better access to the foreshore and river for various recreational pursuits.

## **6.2 Airport Buffer**

A portion of the site is constrained by the Geraldton Airport inner buffer (ie the N70 noise contour). The location of the buffer was imported from the Local Planning Strategy and has been notated on the Concept Plan. The portion of the site affected by the airport buffer is minor and the Concept Plan has been prepared to ensure that the few lots affected by the buffer are able to accommodate a residential dwelling outside of the buffer area, within defined building envelopes.

Provision of notations on titles warning of potential noise impacts would be expected to be applied as a routine condition of subdivision and has been included as a requirement in the Structure Plan.

## **7. PLANNING CONSIDERATIONS**

The landowners have consistently proposed a mix of densities for the Estate, proposing larger lots of 1 or more hectares over the majority, but suggesting a portion of the site abutting the river cater for smaller rural-residential lots of around 2000m<sup>2</sup>. Previous rezoning requests incorporated this proposal and have been supported by Council in 1998 and 2003. However, at the behest of the WAPC, Amendment 105 to Town Planning Scheme No. 4, which was eventually gazetted in late 2007, put in place a minimum 1ha lot size requirement as a condition of the 'Special Rural SR7' zoning. This provision was reflected in the new Scheme No.5, which replaced the SR7 zoning with 'Rural Residential 2', notwithstanding the Council's endorsement of a similar rezoning proposal in response to a submission on Scheme 5. The review of the Geraldton Structure Plan in 2010 appears now to support the principle that well located serviceable land should be developed for its highest and best use, subject to resolution of planning and environmental constraints. Certainly, the identification of this site for Future Urban provides an indication that the WAPC are now supportive of urban development of this site, in principle.



Rezoning the site to 'Residential R2.5' and 'Residential R5' will allow for provision of smaller rural-residential style lots to satisfy the increasing market demand for larger residential lots that do not allow the rearing of livestock and other agricultural pursuits, but still provide a semi-rural lifestyle within proximity to Geraldton. These will be limited in number and will complement the larger 1ha lots available in the remainder of the estate and elsewhere. The net increase in yield is approximately 100 lots above the current zoning which, in the scheme of things, is relatively modest. Some additional traffic (perhaps 600 vehicle movements a day) might be expected as a result of the increase in lot numbers however these should remain low, overall. Because of the application of a modified grid layout within the subdivision, traffic will also be spread over the road network meaning that any individual road will attract only a proportion of this increase. It is therefore unlikely than adjoining areas will notice any tangible increase in traffic (above that currently allowed for), and the area will remain 'quiet'.

The reduced lot sizes proposed in this river cell of the Estate represent a graded intensification, but will not conflict with or be out of keeping with the Rural Residential nature of Deepdale, given the large lot sizes still proposed. This approach has already been applied in areas abutting the River in Strathalbyn and Woorree. The Public Open Space strip along the transmission lines alignment provides a separation between the conventional rural residential lots to the south, and the R2.5 area, with the R5 area located north of this. The River to the north of the cell provides a separation between the site and existing rural land to the north. As such, the proposal is 'buffered' to existing landuse and will pose no conflict or threat to amenity.

## **8. SERVICING AND INFRASTRUCTURE CONSIDERATIONS**

The subject land appears capable of being serviced by all necessary utilities required for development. Detailed service planning will occur as subdivision planning advances, however the information (based on information provided by a Land Capability Study undertaken by David Willcox in 2003 and a subsequent Geotechnical report in 2011, and by the Macro Drainage study undertaken by GHD in 2006 – refer Appendices 1, 2 and 3) provides an indication of how this is anticipated to happen. In summary:

- The site is almost flat and so will require only very limited earthworks, generally within road reserves;
- Road design will be in accordance with the Liveable Neighbourhood Community Design Code and the Draft EPWEA Local Government Guidelines for Subdivisional Development;
- The site falls within the northern of two catchments identified in GHD's drainage review 2006. This concluded this northern catchment has high permeability rates and poses few drainage challenges. It recommends the installation of 700mm deep V-drains with 1:4 batters in future road reserves. This recommendation can be reviewed at detailed design stage, during the subdivision process;
- Reticulated water, underground power and telecommunication services can all be provided through extension to the existing networks;
- The site's suitability for on-site effluent disposal at the proposed densities was reviewed by Blacktop in 2011 (Appendix 1) which

concluded that the site's soils were favourable for this purpose; All on-site effluent disposal systems will be located a minimum of 100m from Chapman River;

In relation to community infrastructure, the site is well provided for by nearby recreational, educational and retail services and the like, including that within Geraldton.

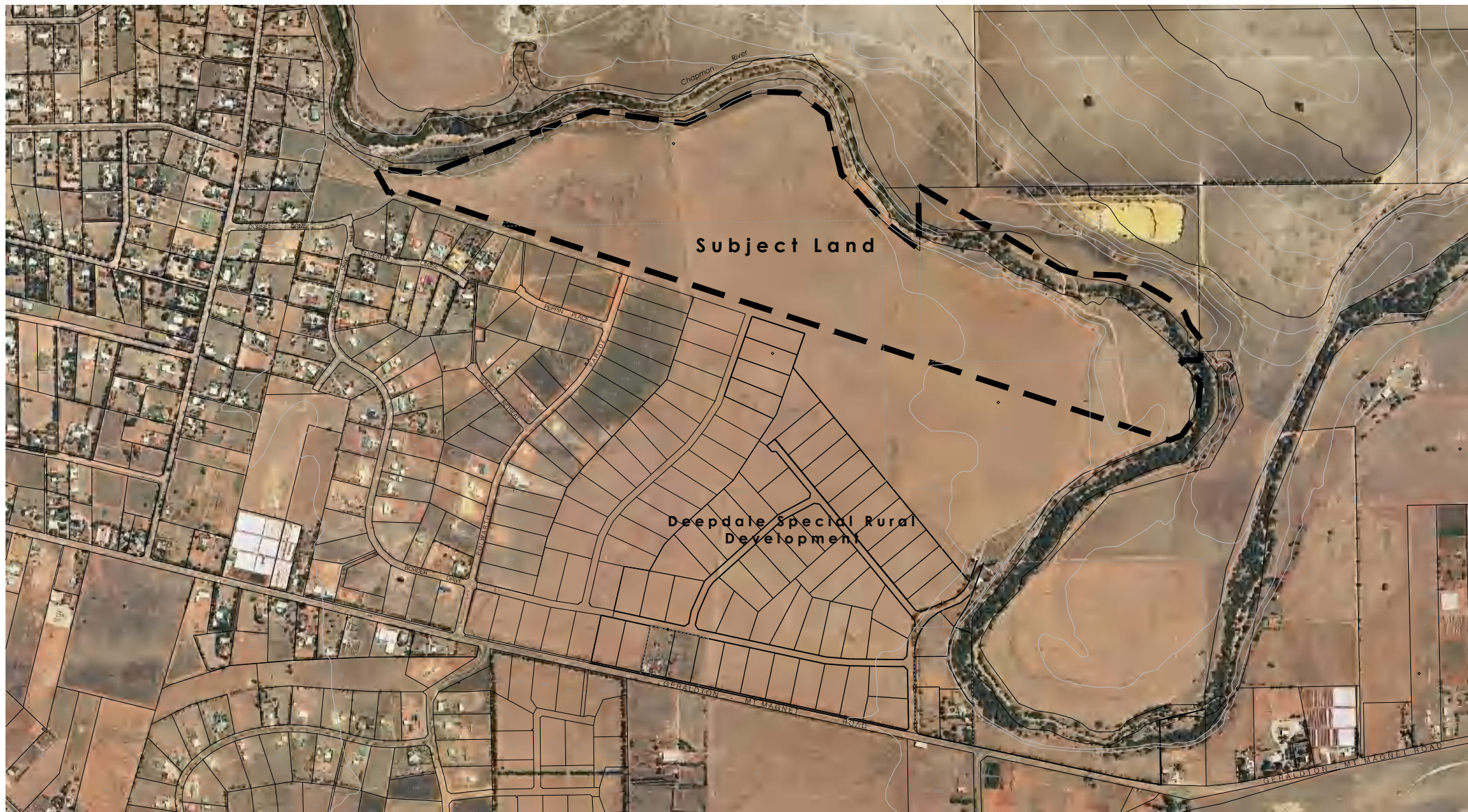
## **9. CONCLUSION**

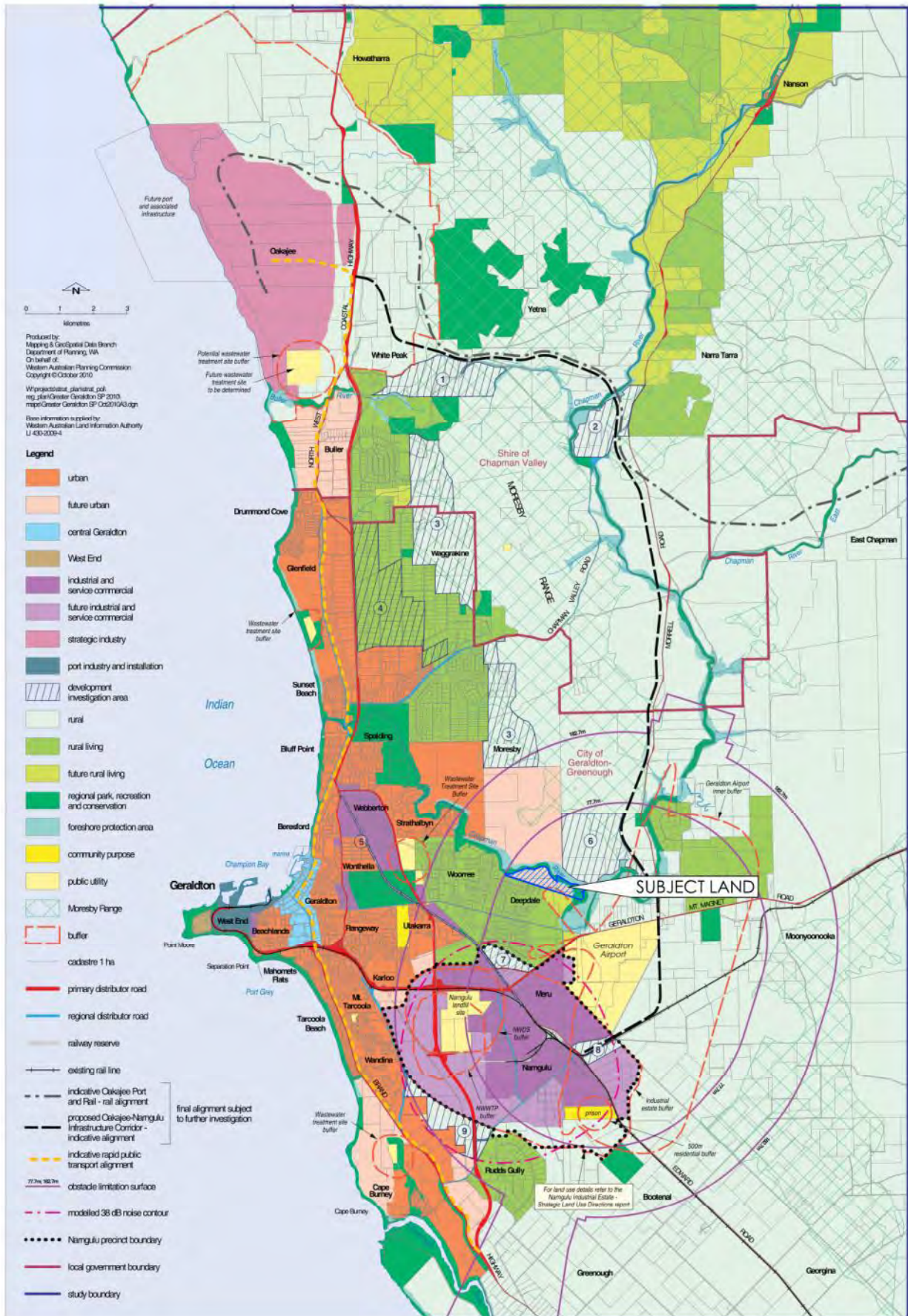
The Deepdale estate area is identified for 'Rural Residential' use in current local planning documents as well as the current Structure Plan. However the landowners have always intended to incorporate some diversity of lot product in the estate, to provide a range of densities, to capitalise of the site's location, serviceability and attributes, and to meet growing demand for semi-rural lifestyle lots but without any stock-carrying capability. This position has previously been supported by Council and has more recently been recognised in the Greater Geraldton Region Structure Plan Update 2010 (WAPC) which shows the site as 'Future Urban'. In seeking a rezoning to R2.5 and R5 in a discrete cell of the estate abutting the river, the landowners will be responding to both strategic planning imperatives and market demand. Key points of justification are that:

- This size of lot, in the location proposed, continues to constitute something of a hybrid between rural-residential and urban style lots, and meets the objective of the Rural Land Use State Planning Policy of providing for residential land use precluding agricultural pursuits within a rural setting;
- The site is identified in both the Greater Geraldton Structure Plan and the City's Local Planning Strategy as suitable for Future Urban / Rural Residential use;
- The reduced lot size proposed fills a gap between the more traditional urban style lots predominant in Geraldton City and the large 1ha+ lots provided in most rural-residential areas;
- The area proposed for such lots is a discrete cell within the estate, clearly bounded by linear open space providing for a traversing power line and the Chapman River;
- The site has ready access to services and infrastructure supporting rural-residential land use;
- The site has the physical capability and access to services necessary to facilitate its development at the proposed density;
- The proposal will not detrimentally affect existing or proposed development or represent any kind of land use conflict: indeed, it represents a more efficient use of land and, arguably, a more appropriate use as a consequence;
- The exclusion of livestock from this location assists in the preservation of the river environment;
- The proposal will capitalise on the amenity offered by the river without affecting its character or that of the estate;

- The proposal will result in the establishment and transfer of approximately 24ha of open space, the majority in the foreshore reserve, without requiring Council contribution or compensation;
- The Concept Plan and revision to the Structure Plan prepared in support of the rezoning demonstrates that an excellent design outcome can be achieved on the site, connecting in with existing development and addressing the constraint posed by the Geraldton Airport Noise Buffer.





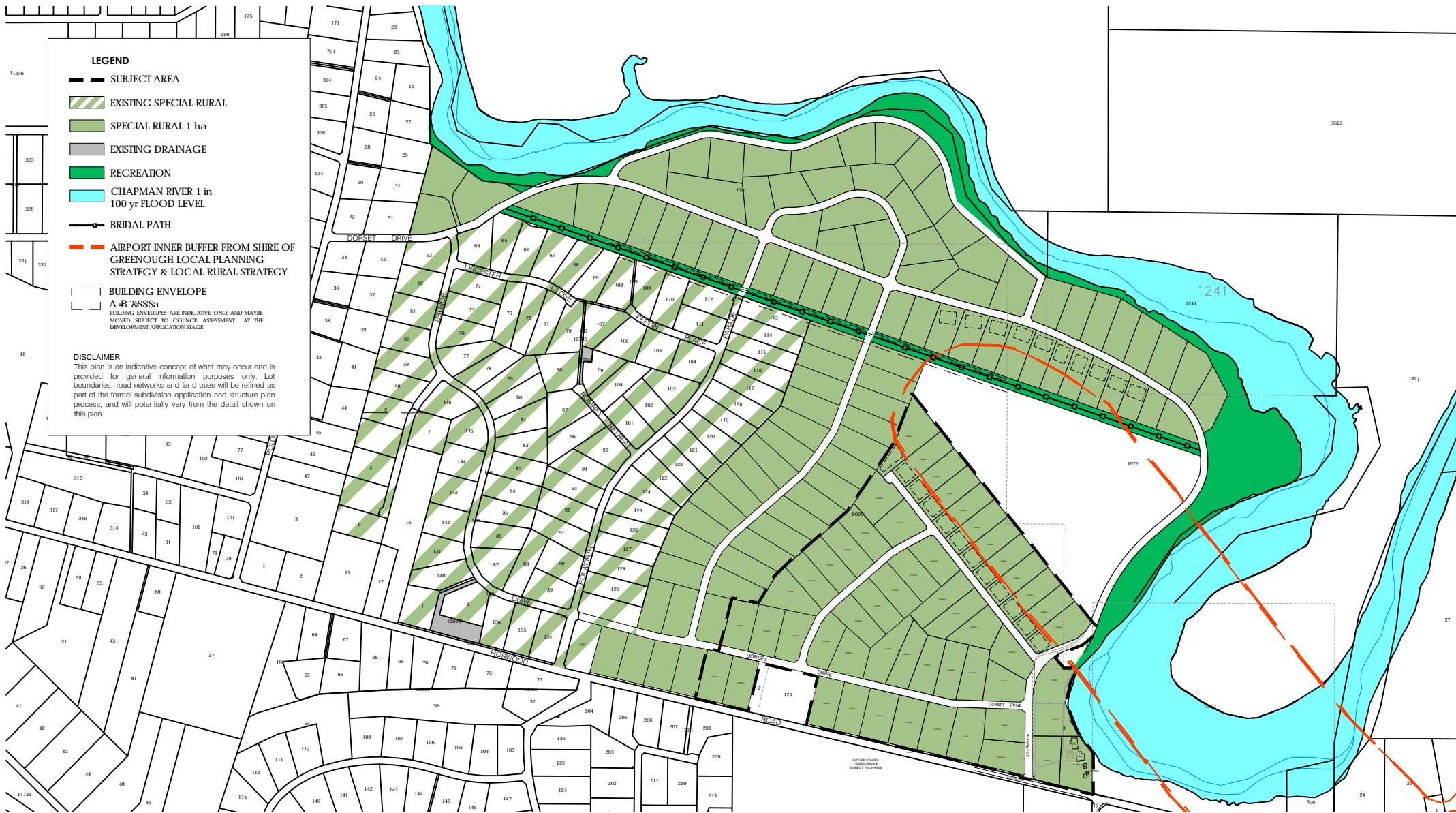


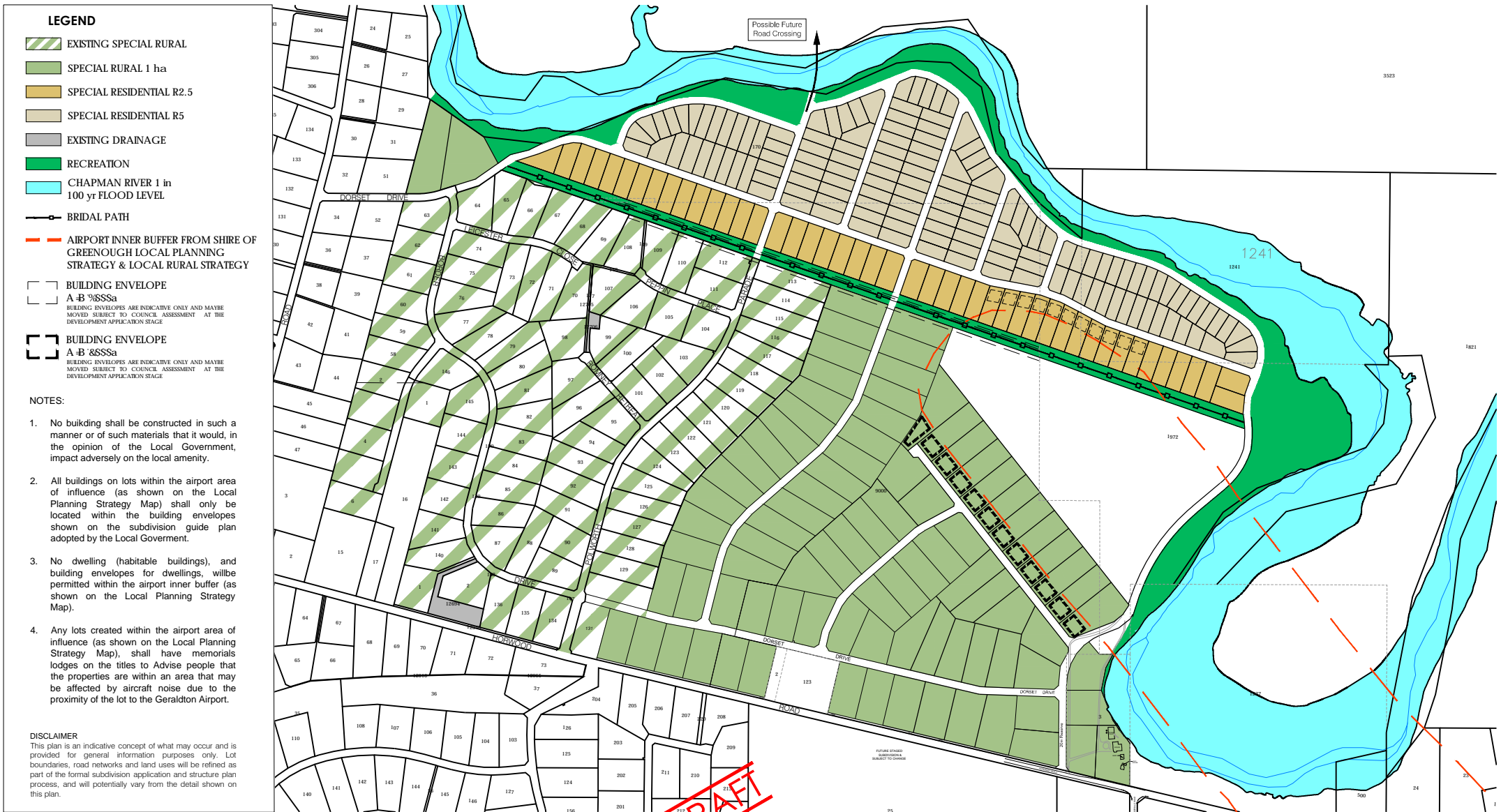












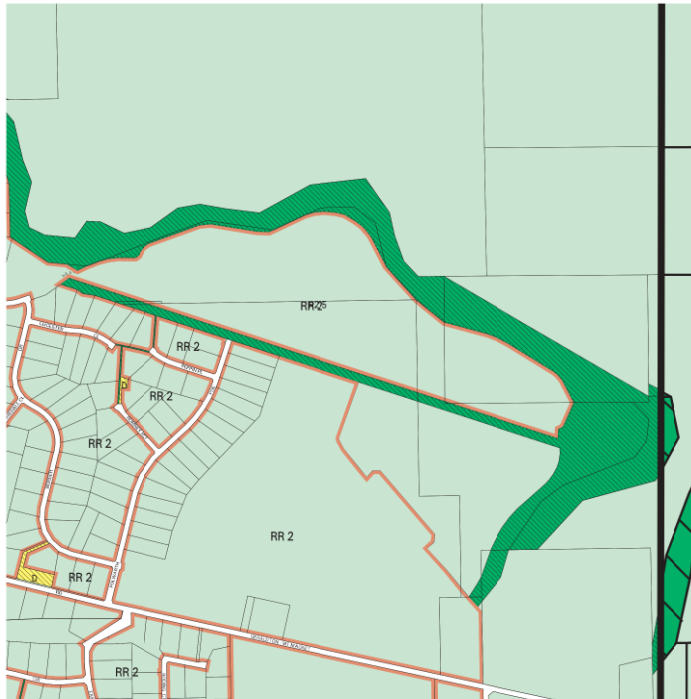


- All road carriageway detail depicted on this Plan including pavements, road treatments, medians and parking are for illustrative purposes only and are subject to final engineering design and any relevant approvals. The detail reflects the intent of the road network standards preferred for this subdivision.
- All dimensions and areas depicted on this Plan are subject to pre-cal and final survey and will vary from the figures shown.

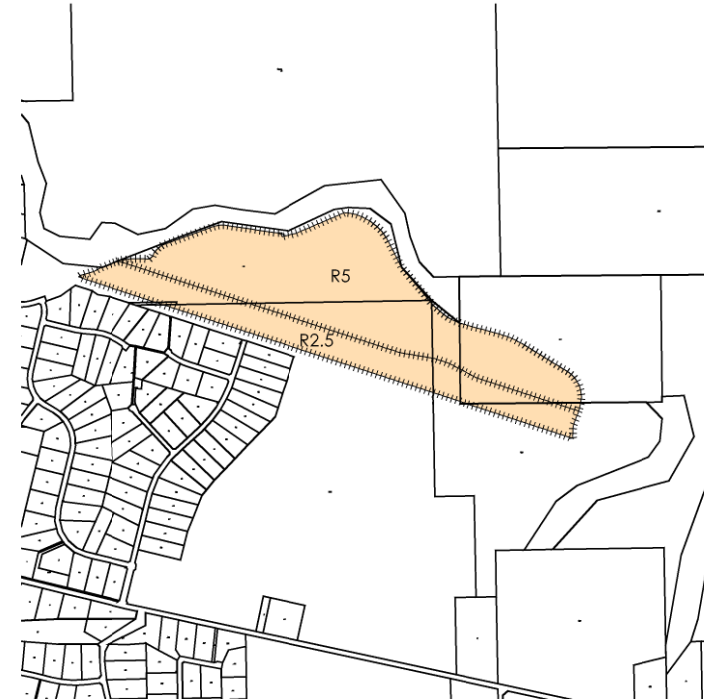
	Special Residential: 187 Lots
	Geraldton Airport Special Control Area (Approx.)
	50m Creek Line Buffer



**DRAFT**



EXISTING ZONING



PROPOSED ZONING

LEGEND

LOCAL SCHEME RESERVES













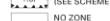

-  MAJOR ROAD
-  NATURE RESERVES
-  PARKS AND RECREATION
-  PUBLIC PURPOSES
-  PUBLIC PURPOSES DENOTED AS FOLLOWS:
-  ROAD
-  WATERWAY

ZONES

-  DEVELOPMENT
-  RESIDENTIAL
-  TOURIST
-  COMMERCIAL
-  HIGHWAY COMMERCIAL
-  SPECIAL USE
-  CIVIC AND CULTURAL

-  GENERAL INDUSTRY
-  LIGHT INDUSTRY
-  RURAL
-  RURAL RESIDENTIAL
-  RURAL SMALLHOLDING

OTHER

-  R CODES
-  RESTRICTED USES
-  SCHEME BOUNDARY
-  LOCAL GOVERNMENT BOUNDARY
-  TOWNSITE - LAND ACT
-  SCA1 - GREENOUGH HERITAGE (SEE SCHEME TEXT)
-  SCA2 - VORESBY RANGE LANDSCAPE (SEE SCHEME TEXT)
-  SCA3 - NAINGULLU WASTEWATER TREATMENT PLANT (SEE SCHEME TEXT)
-  SCA4 - NAINGULLU WASTE DISPOSAL FACILITY (SEE SCHEME TEXT)
-  SPECIAL USE AREA (SEE SCHEME TEXT)
-  RURAL RESIDENTIAL AREA (SEE SCHEME TEXT)
-  RURAL SMALLHOLDING AREA (SEE SCHEME TEXT)
-  RESIDENTIAL STRUCTURE PLAN (SEE SCHEME TEXT)
-  NO ZONE

