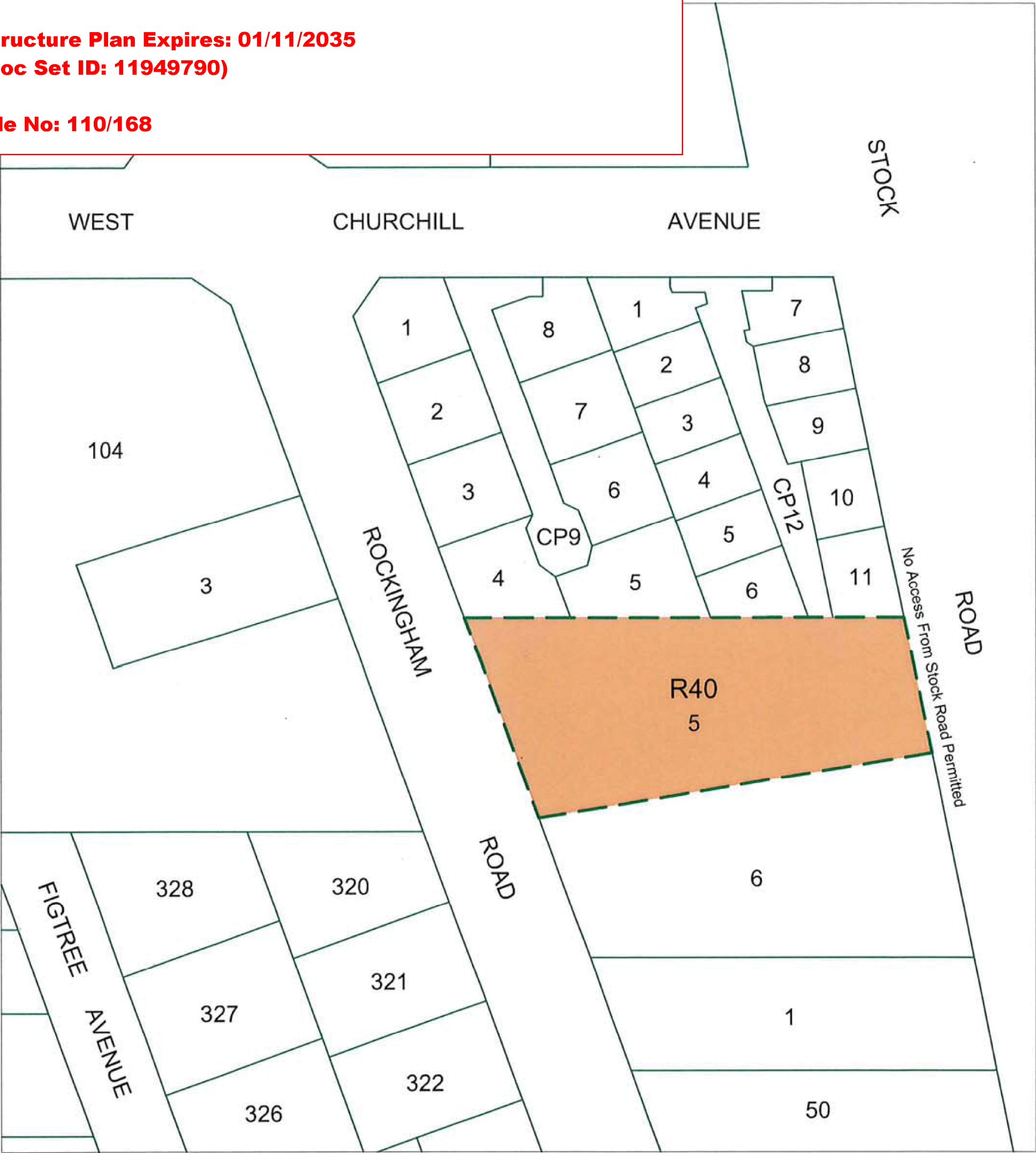


Ordinary Council Meeting: 13/04/2017

Western Australian Planning Commission Approval: 01/11/2015

Structure Plan Expires: 01/11/2035  
(Doc Set ID: 11949790)

File No: 110/168



LEGEND		ZONES	
	SUBJECT LAND		RESIDENTIAL

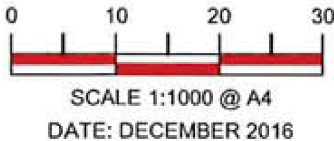
Client: Ray David Forrest  
Job Ref: 16288



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PLAN 1 - LOCAL STRUCTURE PLAN  
LOT 5 (No. 626) ROCKINGHAM ROAD  
MUNSTER



# STRUCTURE PLAN REPORT

LOT 5 (No.626) ROCKINGHAM ROAD  
MUNSTER



**CITY OF COCKBURN**

*Prepared for:*

**Mr Ray Forrest (Landowner)**

*Prepared by:*

**CF Town Planning & Development**  
Planning & Development Consultants

**Address:** 3/1 Mulgool Road, Malaga WA 6090

**Tel:** 9249 2158

**Mb:** 0407384140

**Email:** carlof@people.net.au

**AUGUST 2017**

## **ENDORSEMENT PAGE**

This structure plan is prepared under the provisions of the City of Cockburn Local Planning Scheme No. 3.

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE  
WESTERN AUSTRALIAN PLANNING COMMISSION ON:

**01 November 2017**

In accordance with Schedule 2, Part 4, Clause 28 (2) and refer to Part 1, 2. (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Date of Expiry:

**01 November 2035**

## Table of Amendments

[illegible]



## **Executive Summary**

We act on behalf of Mr Ray Forrest, the owner of Lot 5 (No.626) Rockingham Road, Munster (i.e. subject land) as his consultant town planner. This report is intended to provide detailed planning justification for the proposed Structure Plan, which applies to Lot 5 to assist with the future development of the land for residential purposes.

Given the 'Development' zone classification of the subject land in the City of Cockburn's current operative Town Planning Scheme No.3 (TPS No.3), a Structure Plan is required to be prepared to ensure orderly and proper planning of the land - having due regard for the integration of any existing development and land uses within the immediate locality.

This Structure Plan has been prepared in accordance with the provisions of both Schedule 2 Part 4 of the Planning & Development (Local Planning Schemes) Regulations 2015, all relevant State Planning Policies and City of Cockburn's Local Planning Policies. The Structure Plan provides a guide to the future development of the land to ensure appropriate and integrated land use over the subject land whilst having due regard for the zoning and land uses on the adjoining properties.

The subject land adjoins the southern boundary of land currently coded R40 & R60 and has access to all service infrastructure to facilitate future development. It is contended that the development of the land for residential purposes is consistent with existing development within the immediate locality and will not have an adverse impact on the local streetscape.

The subject land is conveniently located within an existing urban area, close to public transport, education, employment nodes and shopping facilities. As such residential development up to the R40 density coding is considered appropriate.

The following table provides key statistic and planning outcomes as a result of the Structure Plan:

Item	Data	Structure Plan Ref (Section No.)
Total area covered by the structure plan	0.2346 Hectares	Section 1.2.2
Area of each land use proposed:		Section 1.2.4
• Residential	0.2346 Hectares	
Total estimated lot yield	Approx ten (10) lots (survey strata)	Section 1.2.4
Estimated residential site density	One (1) Dwelling per proposed new lot	Section 1.2.4
Estimated population	26 persons (based on 2.6 persons per household)	Section 1.2.4

The proposed Structure Plan comprises the following:

- Part One – Statutory Section
- Part Two – Non-statutory (Explanatory) Information; and
- Appendices – Technical reports and supporting documents.

Part One includes only the Structure Plan Map and statutory planning provisions and requirements.

Part Two of the Structure Plan submission is used as a reference guide to interpret and justify the implementation of Part One.

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## **PART ONE**

## **STATUTORY SECTION**



## **1.0 Structure Plan Area**

This Structure Plan applies to Lot 5 (No.626) Rockingham Road, Munster being the land contained within the inner edge of the line denoting the subject land boundary on the Structure Plan Map (refer **Plan 1**).

The details of the land subject of the Structure Plan are as follows:

<b>Lot Details</b>	<b>Total Land Area</b>
Lot 5 on 54549	2,346m <sup>2</sup>



LEGEND		ZONES	
	SUBJECT LAND		RESIDENTIAL

Client: Ray David Forrest  
Job Ref: 16288



## **2.0 Operation**

In accordance with Schedule 2, Part 4, Clause 28 of the Planning and Development (Local Planning Schemes) Regulations 2015, the Structure Plan shall come into operation on the day that it is approved by the WAPC.

## **3.0 Subdivision Development and Requirements**

The Structure Plan Map outlines land use and zoning (i.e. allocated density coding) applicable within the Structure Plan Area. The zones and density coding designated under this Structure Plan to apply to the land within it as if the zones and applicable density coding were incorporated into the Scheme. The lot is zoned Residential under the Structure Plan, which is consistent with the zoning of the adjoining landholdings.

### **3.1 Notification on Title**

In respect of applications for the subdivision of land the City of Cockburn shall recommend to the Western Australian Planning Commission that a condition be imposed on the grant of subdivision approval for a notification to be placed on the Certificate(s) of Title(s) to advise of the following:

- *Land or lots deemed to be affected by noise from Stock Road as identified in the (Acoustic Assessment contained in Appendix 2 prepared by ND Engineering (Ref: 1611119) or as updated; and*
- *Land or lots may be affected by midge from nearby lakes and/or wetlands. Enquiries can be made with the City of Cockburn Environmental Services.*

### **3.2 Public Open Space**

In light of the relatively small land area, the provision of public open space (i.e. approx 234m<sup>2</sup>) is insufficient to facilitate usable area for recreational purposes. As such it is recognised that the City of Cockburn will accept a cash in lieu contribution for public open space.

The requirement for the payment of a cash in lieu contribution will be imposed as part of any subdivision approval granted by the Western Australian Planning Commission.

### **3.3 Reports / Strategies Required Prior to Subdivision or Development**

Prior to the lodgement of subdivision applications to the WAPC or a development application with the City of Cockburn, the following management plans may be prepared, as applicable, to the satisfaction of the relevant authority and provided with the application for subdivision and/or development:

- a) Stormwater Management Plan (City of Cockburn)

- b) Waste Management Plan (City of Cockburn)
- c) Acoustic assessment report (City of Cockburn)

### **3.4 Additional Requirements**

- All access to dwellings/lots shall be obtained from Rockingham Road, with no vehicle access permitted from Stock Road.
- A 2.1m wide shared use path is required to be installed as per the City's standards along Rockingham Road abutting the development.

### **4.0 Local Development Plans**

A Local Development Plan is required to be prepared and implemented for any lot that:

1. Is deemed to be affected by increased noise levels from Stock Road as identified in the Acoustic Assessment contained in Appendix 2 prepared by ND Engineering (Ref: 1611119) or as updated;
2. Requires special conditions to be set; or where otherwise deemed appropriate at the satisfaction of the City of Cockburn.

### **5.0 Other Requirements**

The subject land is located within Developer Contribution Area 6 (DCA 6) and 13 (DCA 13). The developer is to make satisfactory arrangements with the City of Cockburn to provide contributions toward those items of development infrastructure defined under TPS 3 for each of these DCAs.

## **PART TWO**

## **EXPLANATORY SECTION**



## **1.0 Planning Background**

### **1.1 Purpose**

The purpose of this report is to facilitate the adoption of the proposed Structure Plan over Lot 5 (No.626) Rockingham Road, Munster. The Structure Plan has been prepared as the subject land is classified 'Development' zone, which is shown on the Scheme Map.

This report outlines the relevant planning framework as it applies to the subject land and justifies the proposed density coding for the land. The information contained within this Structure Plan report is intended to provide a detailed explanation in support of the development of the subject land to assist with the orderly and proper planning of the locality. The content of this report has been informed by detailed desktop analysis and on-site investigations that have identified the future development of the land in a consistent manner to the adjoining landholdings.

The provision of medium density residential development in this location is considered appropriate given the close proximity to public transport, access to a regional road network, proximity to employment nodes and proximity of local activity centres.

### **1.2 Land Description**

#### **1.2.1 Location**

The subject land is located in the suburb of Munster, approximately 22.5km south-east of the Perth CBD and approximately 2 kilometres south-west of the 'Cockburn Commercial Park'. It is significant to note that the subject land is within 110 metres to a local shopping centre (corner of Rockingham Rd and Churchill Ave), approximately 1 kilometre south-west of South Coogee Primary School and within 400 metres to public open space reserves. As such, it is contended that the land is well serviced (refer Figure 1 – Location Plan).

The subject land has road frontage and access to Rockingham Road along its western front boundary and Stock Road along its eastern rear boundary. It is significant to note that vehicle access to Stock Road is restricted.

#### **1.2.2 Physical Characteristics & Current Land Use**

The subject land is irregular in shape and covers a total area of 2.346m<sup>2</sup> (See Figure 2 - Existing Lot Configuration).

The subject land is currently used for low density residential purposes. The land is cleared of significant native vegetation and comprises a single detached dwelling, outbuildings, driveway/crossovers and boundary fencing. It is significant to note that the existing dwelling does not contain any heritage value (see Figure 3 - Aerial Site Plan).

The land is slightly undulating (to the rear) and according to the Department of Water, the current water table for the subject land is 7.5 metres below ground level. It is significant to note that the verge area abutting the subject land does not comprise a street tree.

Existing adjoining and nearby land uses are broadly described as follows:

- North: Medium density grouped housing (i.e. strata development) development with the West Churchill Avenue road reserve beyond;



- West: Rockingham Road reserve with low density residential development beyond (mixture of single dwelling, grouped dwellings and multiple dwelling developments);
- South: Low to medium density residential development; and
- East: Stock Road road reserve with low density residential development beyond.

Notwithstanding the current land use the subject land and the surrounding locality, it is significant to note that locality has historically be developed and used for market gardening purposes. As such, there could potentially be some soil contamination issues evident as a result of the previous use within the area. If contamination is present, this will be addressed at the subdivision stage under the *Contamination Sites Act 2003*.

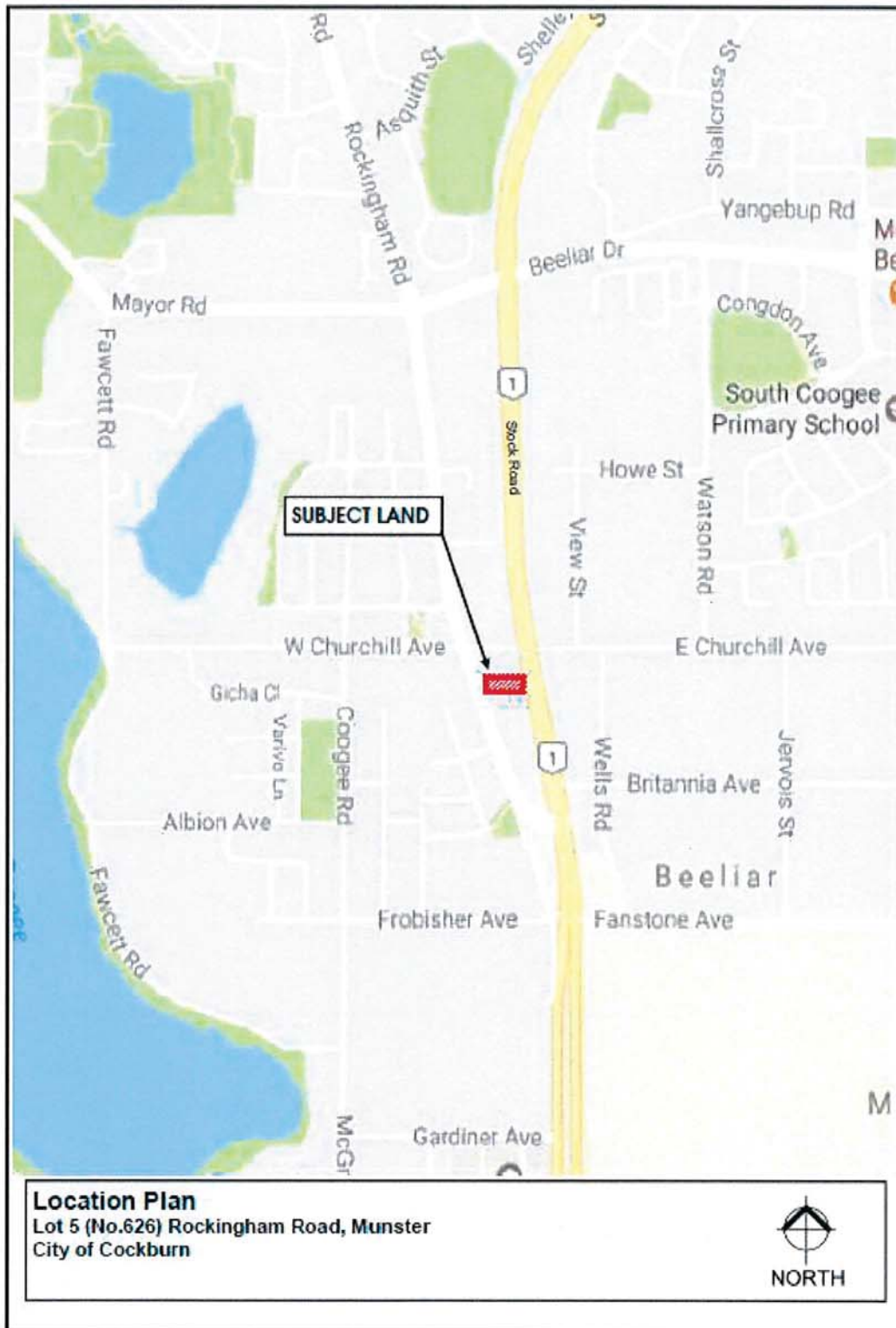


Figure 1 - Location Plan

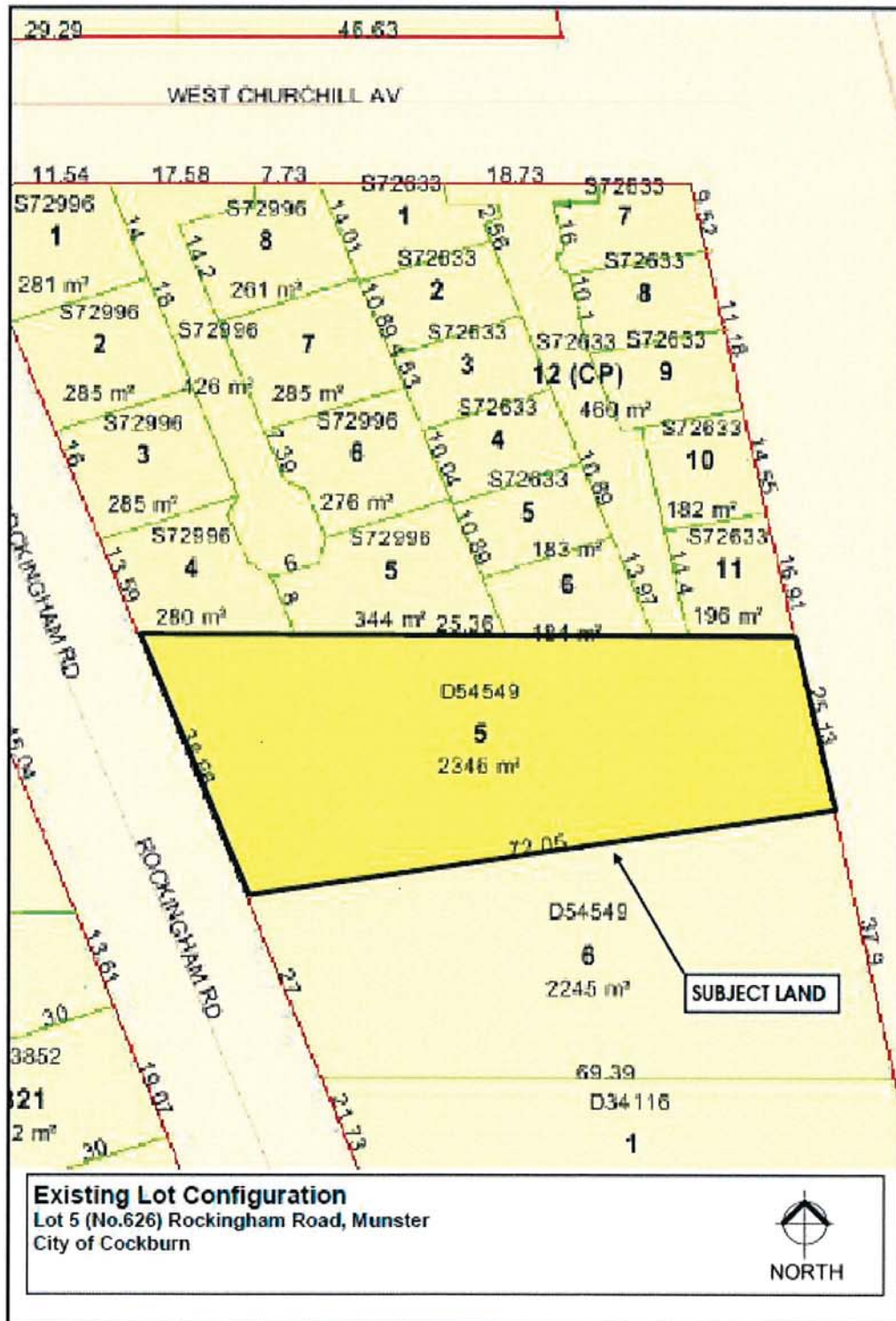


Figure 2 - Existing Lot Configuration





**Figure 3 - Aerial Site Plan**



### 1.2.3 Land use and Development

#### Metropolitan Region Scheme (MRS)

The subject land is currently classified 'Urban' zone under the provisions of the Metropolitan Region Scheme (MRS). It should be noted that the zones and reservations prescribed by the MRS are broad categories only that are intentionally not precisely defined or limited in order to enable a flexible approach to strategic planning in the Perth Metropolitan Region.

The following definition is provided as a guide to the stated purpose/s of the land's current 'Urban' zoning classification under the MRS:

*"Urban Zone - Areas in which a range of activities are undertaken, including residential, commercial recreational and light industry."*

It is contended that the proposed R40 density coding applied to the subject land in the Structure Plan to enable the land to be subdivided and developed for grouped/multiple housing purposes is consistent with the defined intent of the land's current 'Urban' zoning classification under the MRS and may therefore be approved.

In addition to the above, the MRS identifies Stock Road as being a 'Primary Regional Road' reservation under the control of Main Roads Western Australia. Vehicular access to Stock Road will not be permitted.

#### City of Cockburn Town Planning Scheme No.3

The subject land is currently classified 'Development' zone under the City of Cockburn's current operative Town Planning Scheme No.3 (TPS No.3) (see Figure 4 - Zoning Map).

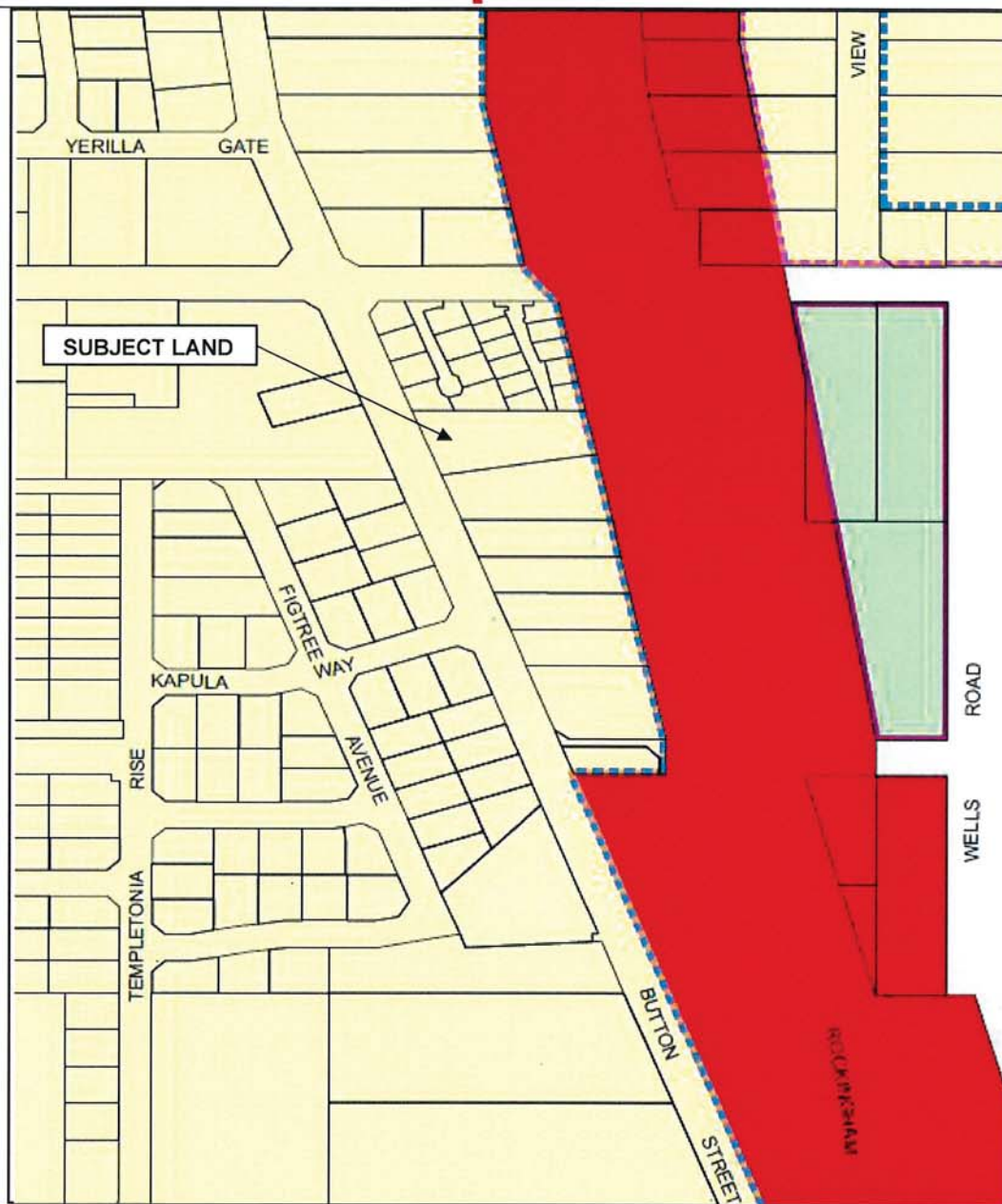
The stated objective of the 'Development Zone' are as follows:

*"To provide for future residential, industrial or commercial development to be guided by a comprehensive Structure Plan prepared under the Scheme."*

Under the terms of TPS No.3, the subject land is located within Special Control Area - Development Area 5 (DA5) entitled 'Munster (Development Zone)'. Table 9 of TPS No.3 includes the following provisions:

1. *An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provision.*
2. *To provide for residential development except within the buffers to the Woodman Point WWTP, Munster Pump Station and Cockburn Cement.*
3. *The local government will not recommend subdivision approval or approve land use and development for residential purposes contrary to Western Australian Planning Commission and Environmental Protection Authority Policy on land within the Cockburn Cement buffer zone.*

In addition to the above, the subject land is located within Special Control Area - Development Contribution Area (DCA 6) of the Scheme, which outlines infrastructure costs associated with the area. It is envisaged that any required contributions for the future development of the subject land will be imposed a condition on any subdivision or development approval of the land by either the Western Australian Planning Commission or the Local Authority. The subject land is also located within DCA 13 and will be required to provide contributions accordingly.



## LEGEND

### REGION SCHEME RESERVES (MRS)

 Primary regional roads

### LOCAL SCHEME ZONES

(see scheme text for additional information)

 Rural living  
 Development

### OTHER CATEGORIES

(see scheme text for additional information)

 DA1 Development area  
 Development contribution area  
 No zone

Figure 4 - Zoning Map



#### 1.2.4 Dwelling Targets

This proposal seeks to provide for a minimum of ten (10) grouped dwelling or survey strata lots with access from Rockingham Road. The yield is based on meeting the minimum (i.e. 180m<sup>2</sup>) and average (i.e. 220m<sup>2</sup>) lot area requirements applicable to the R40 density in the R-Codes.

It is estimated that the above development will result in a population of approximately twenty six (26) persons (based on 2.6 persons per household).

The following dwelling yields are provided in regards to a multiple dwelling type development on the land for the R40 coding with an applicable plot ratio of 0.6.

Average Area of Dwelling per development	Anticipated Dwelling Configuration	Dwelling Yield
80m <sup>2</sup> dwelling	Three bedroom & two bathroom	17 dwellings
70m <sup>2</sup> dwelling	Two bedroom & two bathroom	20 dwellings
60m <sup>2</sup> dwelling	Two bedroom & one bathroom	23 dwellings

*Note: The subject land comprises a lot area of 2,346m<sup>2</sup>. As such a maximum plot ratio area of 1407.6m<sup>2</sup> is allowable for any multiple dwelling development on land coded R40.*

A review of various Structure Plan adopted on the adjoining properties, it has been identified that the proposed R40 density coding of the subject land is consistent with the Density Codes allocated in the various existing Structure Plans within the immediate locality, in particular those lots along West Churchill Avenue and Rockingham Road.

#### 1.2.5 Legal Description and Ownership

The subject land is legally described as Lot 5 on Deposited Plan 54549 on Certificate of Title Volume 1506, Folio 345 and is currently owned in fee simple by Ray David Forrest (see Appendix 1 – Record of Certificate of Title).

### 1.3 Planning Framework

#### 1.3.1 Directions 2031 and Beyond

'Directions 2031 and Beyond' is the Western Australian Planning Commission's (WAPC) strategic framework for guiding development of the Perth Metropolitan Region to a sustainable future. At the centre of 'Directions 2031' is an enhanced emphasis on growth management in a bid to accommodate future anticipated population growth within Perth, obtain better use of existing infrastructure and provide for a sustainable city including improved housing affordability. This philosophy is also being depicted in the Commission's recent document entitled 'Perth and Peel 3.5 million'.

The future development of the subject land at the R40 density to accommodate grouped or multiple dwellings will facilitate residential infill redevelopment within an established locality in the Perth Metropolitan Region that has good access to local and district services, employment opportunities, educational establishments, public open space reserves and infrastructure. Furthermore, it will provide affordable housing and promote the consolidation of urban growth within an existing urban area in a manner consistent with the strategic framework outlined in 'Directions 2031 and Beyond'.

As such it is contended that the proposed future development on the subject land is consistent with the aims and objectives of 'Directions 2031 and beyond' and will make a beneficial contribution to the future development and sustainable growth of the Perth Metropolitan Region generally.

### 1.3.2 State Planning Policies & Other Matters

#### 1.3.2.1 State Planning Policy 5.4 - 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning'

State Planning Policy 5.4 (SPP 5.4) aims to deal with the land use project between major transport routes/infrastructure and residential developments, in recognition that excessive noise and vibration can have adverse impacts on individual and community wellbeing. The proximity of the subject land to Stock Road, which classified as an 'Primary Regional Road', it is recognised that any future development of the land could be impact upon by noise.

In light of the above and in accordance with SPP 5.4, an acoustic assessment report has been prepared by ND Engineering in support of the Structure Plan and any future development of the land (see Appendix 2).

Notwithstanding the above, a Noise Management Plan prepared in accordance with the State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning and Local Planning Policy 1.12 Noise Attenuation will be required as a condition of subdivision approval to identify those lots requiring Noise Insulation Packages to be applied, as well as any other noise attenuation requirements for the site.

The assessment can be used by the City in considering any future development/subdivision applications on the subject land.

It is significant to note that the acoustic assessment concludes that the subject land can be developed for residential purposes subject to implementing a number of noise attenuation measures and the placement of a notification on any titles.

#### 1.3.2.2 Bushfire Prone Areas

The subject land has not been identified by the Department of Fire & Emergency Services (DFES) as being located within a designated 'bushfire prone area'.

In light of the above, any future subdivision or development of the subject land will not require the preparation and submission of a Bushfire Attack Level (BAL) assessment.

#### 1.3.2.3 Waste Management

In regards to a survey-strata subdivision of the subject land, common property is to incorporate sufficient area to place a bin storage area of a minimum internal dimension of 1m<sup>2</sup>/dwelling preferably adjacent to the western boundary of the subject land. A Waste Management Plan will then need to be provided with a Development Application for the site providing further detail and in accordance with City Requirements.

#### 1.3.2.4 Movement Networks

The portion of Rockingham Road abutting the subject land comprises an estimated traffic volume of 100 vehicles per day, which is considered low. Notwithstanding this fact, it is recommended that all vehicles associated with any future development of the land enter the street in forward gear.

Any future residential development of the land will require that all dwellings have access to and from Rockingham Road, with no access permitted from Stock Road. Any future development of the land will require the construction of a 2.1m wide shared use path along the land's frontage to Rockingham Road to the standards and specification of the City of Cockburn.



## **2.0 Conclusion**

The Structure Plan has been prepared in order to guide the future subdivision or development of Lot 5 (No.626) Rockingham Road, Munster for residential purposes.

The Structure Plan has due regard for the existing planning framework and the strategic planning objectives for the Perth Metropolitan Region. As demonstrated throughout this report, the proposed Structure Plan also takes into consideration the current density codes applied on the adjoining properties, along with the current built form of developments within the immediate locality.

In light of the above, it is contented that the preparation of the Structure Plan for the subject land will facilitate development of the land in an orderly and proper manner which is consistent with the densities and development of the area.

The Local Structure Plan has been prepared in accordance with the requirements of Schedule 2 Part 4 Clause 16 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Having due regard for the information and justification provided within this report, we request the City of Cockburn to adopt the Structure Plan to facilitate the future residential development of the subject land.

**APPENDIX 1 – RECORD OF CERTIFICATE OF TITLE**

WESTERN



AUSTRALIA

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

REGISTER NUMBER <b>5/D54549</b>	
DUPLICATE EDITION <b>2</b>	DATE DUPLICATE ISSUED <b>18/7/2011</b>

VOLUME **1506** FOLIO **345**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant bonded) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

  
REGISTRAR OF TITLES 

**LAND DESCRIPTION:**

LOT 5 ON DIAGRAM 54549

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

RAY DAVID FORREST OF 24A MILNE STREET, BICTON  
(T M658468 ) REGISTERED 4 JUNE 2014

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

L. \*M658469 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 4.6.2014

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
For as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1506-345 (5/D54549).  
PREVIOUS TITLE: 521-122A.  
PROPERTY STREET ADDRESS: 626 ROCKINGHAM RD. MUNSTER.  
LOCAL GOVERNMENT AREA: CITY OF COCKBURN.

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING M658469

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Nov 29 13:22:11 2016 JOB 52581521

  
**Landgate**  
www.landgate.wa.gov.au

ORIGINAL - NOT TO BE REMOVED FROM OFFICE C

CT 1506 0345 P

Application B546387 WESTERN AUSTRALIA VOL. 1506 FOL. 345  
Volume 521 Folio 122A

**CERTIFICATE OF TITLE**  
UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Dated 27th June, 1978

*Tim Drough*  
REGISTRAR OF TITLES

**ESTATE AND LAND REFERRED TO**  
Estate in fee simple in portion of Cockburn Sound Location 559 and being Lot 5 on Diagram 54549, delineated and coloured green on the map in the Third Schedule hereto.

**FIRST SCHEDULE** (continued overleaf)  
Gary Raymond Ellement of 14 Phoenix Road, Spearwood, Market Gardeners

**SECOND SCHEDULE** (continued overleaf)  
1. ~~MORTGAGE A602290 to Australia and New Zealand Savings Bank Limited, Registered 11.12.72 at 9.07 o/c~~ Discharged B707132 7.5.79  
2. ~~MORTGAGE A602291 to Australia and New Zealand Banking Group Limited, Registered 11.12.72 at 9.07 o/c~~ Discharged B707133 7.5.79

*Tim Drough*  
REGISTRAR OF TITLES

**THIRD SCHEDULE**

PLAN  
PT 116  
29.28  
35.33  
2346 m<sup>2</sup>  
5  
22.05  
37.9  
2245 m<sup>2</sup>  
6  
69.33  
34116  
DIA  
SILLS (2)  
ROCKINGHAM

SCALE 1:1000

NOTE: RULING THROUGH AND SEALING WITH THE OFFICE SEAL INDICATES THAT AN ENTRY NO LONGER HAS EFFECT. ENTRIES NOT RULED THROUGH MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

12208/13/17 48M 5/2066

Superseded - Copy for Sketch Only

PAGE 1 (of 2 pages) VOL. 1506 FOL. 345

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Nov 29 13:22:11 2016 JOB 52581521

Landgate  
www.landgate.wa.gov.au

Address: 3/1 Mulgool Road, Malaga WA 6090  
Tel: 9249 2158 Mb: 0407384140 Email: carlof@people.net.au  
CVF Nominees Pty Ltd ABN: 86 110 067 395



**APPENDIX 2 – ACOUSTIC ASSESSMENT BY  
ND ENGINEERING**