

CITY OF COCKBURN	
DOC Set	Your ref: 109/121 Our ref: TPS/1930 Enquiries: Heather Brooks (6551 9436)
12 MAY 2017	
SUBJECT	109/121
RETENTION	124.2.3 AS
PROPERTY	6027951
APP	TPS 316/0004
ACTION	TIFFANY VAN DER LINDE

Chief Executive Officer  
City of Cockburn  
PO Box 1215  
BIBRA LAKE WA 6965

Transmission via electronic mail to: [customer@cockburn.wa.gov.au](mailto:customer@cockburn.wa.gov.au)

Dear Sir

**LOCAL PLANNING SCHEME No. 3  
AMENDMENT No. 120**

**MINISTERIAL DECISION FOR LOCAL PLANNING SCHEME AMENDMENT -  
APPROVAL**

Pursuant to clause 87(2) of the *Planning and Development Act 2005* (the Act), the Minister for Planning has granted final approval to amendment 120 to the City of Cockburn Local Planning Scheme No. 3 on 29 April 2017.

In accordance with clause 87(3) of the Act, the Western Australian Planning Commission (Commission) will cause the amendment to be published in the Government Gazette.

The Commission has forwarded the notice to State Law Publisher and it is the Council's responsibility to make arrangements for the payment of any publication costs. Council is required under clause 87(4B) of the Act, and clause 62(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to advertise and make copies of the amendment available to the public.

For all payment and purchase order queries, please contact State Law Publisher on (08) 6552 6012 or fax (08) 9321 7536. One signed set of the amending documents is returned herewith.

Yours sincerely



Kerrine Blenkinsop  
Secretary  
Western Australian Planning Commission  
4 May 2017

**PLANNING AND DEVELOPMENT ACT 2005**

**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

**CITY OF COCKBURN**

**LOCAL PLANNING SCHEME No. 3 - AMENDMENT No. 120**

Ref: TPS/1930

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Cockburn Local Planning Scheme amendment on 29 April 2017 for the purpose of:

1. Reclassifying a portion of Lot 9501 Bartram Road from 'Residential R40' to 'Local Road' as depicted on the Scheme Amendment map.
2. Reclassifying a portion of Lot 9501 Bartram Road from 'Local Road' to 'Residential R30' as depicted on the Scheme Amendment map; and
3. Amending the Scheme map in accordance with recommendation 1 and 2 above.

L HOWLETT JP  
MAYOR

S CAIN  
CHIEF EXECUTIVE OFFICER



**TOWN PLANNING SCHEME NO. 3**

**AMENDMENT NO. 120**

21 October 2016

**PLANNING AND DEVELOPMENT ACT, 2005  
RESOLUTION TO AMEND A TOWN PLANNING SCHEME**

**CITY OF COCKBURN  
TOWN PLANNING SCHEME NO 3  
AMENDMENT NO. 120**

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the City of Cockburn Town Planning Scheme No. 3 by:

1. Reclassifying a portion of Lot 9501 Bartram Road from 'Residential R40' to 'Local Road' as depicted on the Scheme Amendment map;
2. Reclassifying a portion of Lot 9501 Bartram Road from 'Local Road' to 'Residential R30' as depicted on the Scheme Amendment map; and
3. Amending the Scheme map in accordance with recommendation 1 and 2 above.

Dated this 13 day of October 2016

  
\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER



**REPORT**

1. LOCAL AUTHORITY                      City of Cockburn
  
2. DESCRIPTION OF TOWN  
PLANNING SCHEME:                      Town Planning Scheme No. 3
  
3. TYPE OF SCHEME:                      District Zoning Scheme
  
4. SERIAL NO. OF AMENDMENT:        Amendment No. 120
  
5. PROPOSAL:                              Reclassifying portions of Lot 9501 on  
Plan 409342 to relocate a portion of local  
road reserve



# AMENDMENT REPORT

## 1.0 Introduction

Planning Solutions has prepared this Amendment to the City of Cockburn's Town Planning Scheme No. 3 (**Scheme**) on the instruction of John Chapman Town Planning Consultant who acts on behalf of Allvivid Pty Ltd, the registered proprietor of Lot 9501 on Plan 409342 (**subject site**).

The purpose of this amendment is to modify the current alignment of the local road reserve through the southern portion of the subject site.

## 2.0 Background:

The subject site is located approximately 21 kilometres south of the Perth Central Business District, and approximately 14 kilometres south-east of Fremantle. The subject site comprises approximately 4.3 hectares and is currently vacant of any development.

The subject site is situated at the north-west corner of the intersection of Bartram Road and Wentworth parade. The land is bound by Bartram Road to the south, Wentworth Parade to the east, Hanbury Loop to the west and land reserved for Parks and Recreation to the north.

The subject site was previously included within Development Area 14 and coded 'Residential R20'. On 19 February 2016, Scheme Amendment No. 106 was gazetted, which removed the subject site from Development Area 14 and rezoned the land to 'Residential R30', 'Residential R40' and 'Residential R60' codings, as well as 'Local Roads' and 'Parks and Recreation' reserves.

Proposed Amendment No. 120 now seeks to realign a portion of local road reserve within the subject site. The amendment will allow for R40 coded lots fronting Bartram Road to be provided with rear access by relocating the road reserve directly behind these lots. The proposal will achieve a more desirable design outcome and will facilitate subdivision of the land.

## 3.0 Amendment Type

As per Part 5 of the *Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations)*, there several amendment types: basic, standard and complex. These are defined in Part 5, Division 1, Regulation 34.

Regulation 35(2) requires the local government to specify in their resolutions to prepare or adopt an amendment what type of amendment it is, as well as the explanation for forming that opinion.

This proposed amendment is considered to be a standard amendment, which Regulation 34 describes as:



*standard amendment means any of the following amendments to a local planning scheme —*

- a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;*
- b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
- c) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;*
- d) an amendment to the scheme map that is consistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;*
- e) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;*
- f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;*
- g) any other amendment that is not a complex or basic amendment.*

This proposed amendment satisfies a), e), f) and g) of the above criteria. In particular, it is:

1. Consistent with the objectives of the 'Residential' zoning of the land, by allowing the land to be subdivided to create a range of densities with a variety of housing to meet the needs of different household types.
2. The proposed amendment relates to a single landholding which is currently undeveloped. The amendment will allow for the southern portion of the subject site to be developed with a row of single residential lots along Bartram Road, consistent with the form of surrounding development. The amendment will not result in any impact on surrounding properties in terms of traffic or streetscape amenity.
3. The proposed amendment is minor in nature and affects a small portion of a single, undeveloped landholding. The previous amendment applicable to the subject site (Amendment No. 106) was referred to the Environmental Protection Authority, which advised that the proposal was environmentally acceptable. A similar response is expected for this amendment. The amendment is therefore not expected to result in any environmental, social, economic or governance impacts on land in the scheme area.
4. Whilst minor in nature, the proposed amendment does not meet the specific criteria to be classed as a basic amendment under the Regulations.



## **4.0 Town Planning Context**

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

The subject site comprises a mix of zones and reserves, including 'Residential R30', 'Residential R40' and 'Residential R60', as well as 'Local Roads' and 'Parks and Recreation' reserves.

The subject site is located within Development Contribution Area 1 – Success North.

### **4.2 Metropolitan Region Scheme**

The subject site is zoned Urban under the provisions of the Metropolitan Region Scheme.

## **5.0 Proposal**

The purpose of this scheme amendment is to reallocate a portion of local road reserve within the subject site to allow for additional, regular shaped R30 lots and a single row of R40 lots fronting Bartram Road. The proposed layout arrangement for the subject site requires a portion of 'Residential R40' coded land to be reclassified as 'Local Road', which will allow for rear access to the R40 lots, and a portion of 'Local Road' reserve to be zoned 'Residential R30', extending the central streetblock.

## **6.0 Conclusion**

The proposed scheme amendment is minor in nature, and will maintain the range of densities currently provided for, to allow for a diverse range of housing and lot product within the subject site. The amendment is unlikely to have any impact on the surrounding landowners in terms of visual amenity, streetscape or traffic.



**PLANNING AND DEVELOPMENT ACT, 2005**

**CITY OF COCKBURN  
TOWN PLANNING SCHEME NO 3  
AMENDMENT NO. 120**

The City of Cockburn under and by virtue of the powers conferred upon it by the Planning and Development Act 2005, hereby amend the above Town Planning Scheme by:

1. Reclassifying a portion of Lot 9501 Bartram Road from 'Residential R40' to 'Local Road' as depicted on the Scheme Amendment map;
2. Reclassifying a portion of Lot 9501 Bartram Road from 'Local Road' to 'Residential R30' as depicted on the Scheme Amendment map; and
3. Amending the Scheme map in accordance with recommendation 1 and 2 above.

**ADOPTION**

Adopted by resolution of the Council of the City of Cockburn at the ordinary meeting of the Council held on ...13... day of October... 2016.

*Logan Howells*

MAYOR

*[Signature]*

CHIEF EXECUTIVE OFFICER

**FINAL APPROVAL**

Adopted for final approval by resolution of the City of Cockburn at the Meeting of the Council held on the ...9... day of February 2017, and the Common Seal of the City of Cockburn was hereunto affixed by the authority of a resolution of the Council in the presence of:



(Seal)

*Logan Howells*

MAYOR

*[Signature]*

CHIEF EXECUTIVE OFFICER

**Recommended/Submitted for Final Approval**

It is hereby certified that this is a true copy of the ~~Scheme~~ Amendment, final approval to which was endorsed by the Minister for Planning on 29/4/17.

*Lee O'Donohue*

DELEGATED UNDER S.16 PLANNING AND DEVELOPMENT ACT 2005

Certified by *[Signature]*

DATE 20/3/17

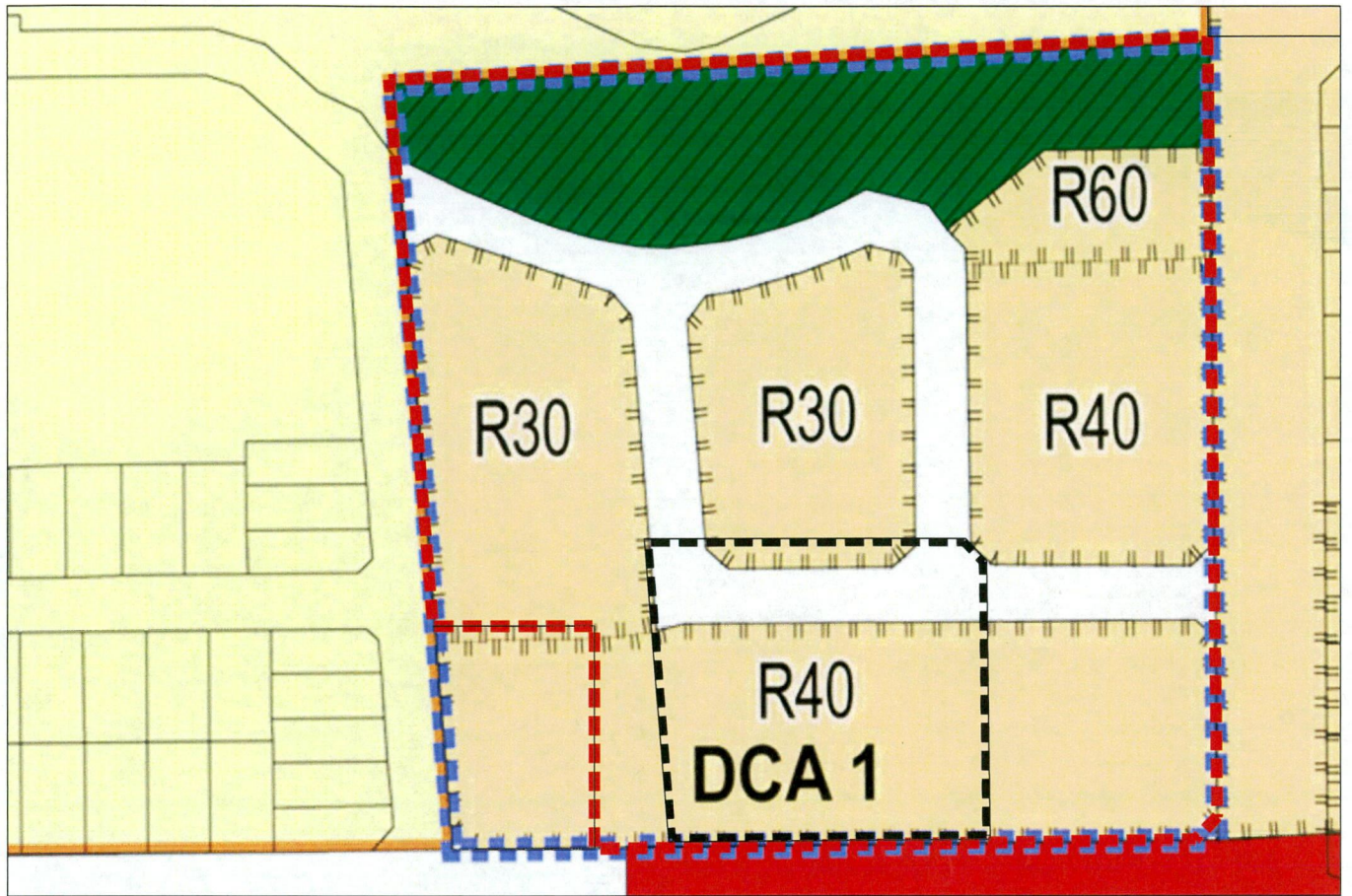
Officer of the Commission Duty authorised pursuant to Section 24 of the Planning and Development Act 2005 and Regulation 32(3) Scheme and Regulation 63(3) (Amendment) of the Planning and Development (Local Planning Scheme) Regulations 2015.

Final Approval Granted

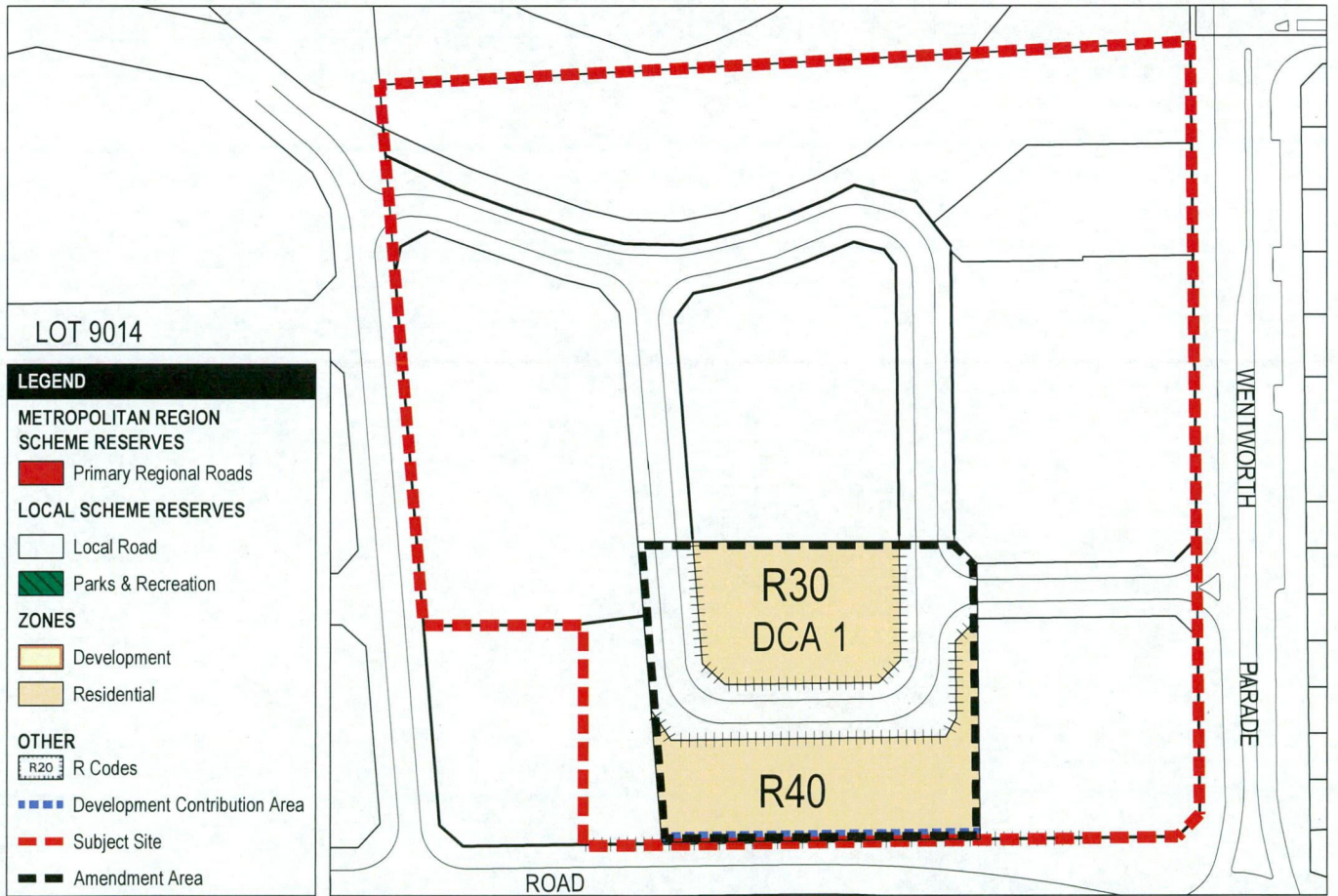
MINISTER FOR PLANNING

DATE.....





**EXISTING ZONING**



**PROPOSED ZONING**

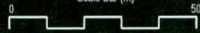
**PLANNING SOLUTIONS**

URBAN & REGIONAL  
PLANNING

SCALE 1:2,000 @ A4  
DATE 20 October 2016  
FILE 161020 3651 Existing & Proposed Zoning Map.dwg  
REVISION 6/EF/Rev/20.10.2016  
5/EF/Rev/31.08.2016  
4/EF/Rev/26.08.2016



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**CITY OF COCKBURN TOWN PLANNING SCHEME NO.3  
SCHEME AMENDMENT 120**

LOT 9501 ON PLAN 409342 BARTRAM ROAD  
SUCCESS, WESTERN AUSTRALIA