



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

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

Dear Sir/Madam

### TOWN PLANNING SCHEME NO. 3 AMENDMENT NO. 163

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act. In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the Government Gazette.

The Commission has forwarded notice to the Department of Premier and Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

For all payment and purchase order queries, please contact the Department of Premier and Cabinet on (08) 6552 6000. One signed set of the amending documents is returned for your records.

Please direct any queries about this matter to the [localplanningschemes@dplh.wa.gov.au](mailto:localplanningschemes@dplh.wa.gov.au).

Yours sincerely

*Sam Boucher*

Ms Sam Boucher  
Secretary  
Western Australian Planning Commission

12/03/2024

Our ref: TPS/3060  
Enquiries: Local Planning Schemes

CITY OF COCKBURN
DOC No
18 MAR 2024
SUBJECT 109/163
RETENTION 124-2.3 A5
PROPERTY
APP
ACTION Gayle O'Leary



***Planning and Development Act 2005***

**APPROVED TOWN PLANNING SCHEME AMENDMENT**

City of Cockburn  
Town Planning Scheme No. 3 Amendment No. 163

File: TPS/3060

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 abovementioned amendment to the City of Cockburn Town Planning Scheme No. 3 on 11 March 2024 for the purpose of:

1. Rezoning various lots within 'Development Area 11' from 'Development' to 'Residential (R20)', 'Residential (R40)', 'Local Centre', 'Mixed Use (R30)', and/or 'No Zone' as depicted on the Scheme Amendment Map.
2. Reclassifying land within 'Development Area 11' from the 'Development' zone to a local 'Parks and Recreation' and/or 'Local Road' reservation as depicted on the Scheme Amendment Map.
3. Amending the Scheme Maps and 'Table 7 – Restricted Uses' to include Restricted Use No. 16 (RU 16) and Restricted Use No. 17 (RU 17) as follows:

No.	Description of Land	Restricted Use	Conditions
RU16	Lots 620 (No. 155) Gaebler Road, and Lot 621 (No. 248) Lyon Road, Aubin Grove	Aged and Dependant Persons Dwelling	Development Approval
RU17	Lot 622 (No. 173) Gaebler Road, Aubin Grove	Medical Centre and/or Child Care Premises	Development Approval

4. Reducing the extent of the 'Development Area 11' (DA 11) special control area boundary, as depicted on the Scheme Amendment Map.

L HOWLETT  
MAYOR

D SIMMS  
CHIEF EXECUTIVE OFFICER





**Town Planning Scheme No.3  
Amendment No 163  
(Standard)**

*Rationalisation of various Structure Plans in Development Area 11*

**SEPTEMBER 2023**



## **FOREWORD:**

### **Inclusion of Minister's Modifications – Prior to Advertising**

*In the interests of posterity and to provide clarity to persons who may compare this document to that initiated at the 10 August 2023 OCM Council Report, please note the following.*

*Pursuant to Section 83A of the Planning and Development Act 2005, on 15 September 2023 the Department for Planning Lands and Heritage (under delegation from the Minister for Planning), approved advertising of the Amendment once the following modifications were undertaken:*

- 1. Modify the Form 2A (Resolution to Amend a Town Planning Scheme) to delete the words 'Special Use' in Point 1.*
- 2. Modify the Form 2A (Resolution to Amend a Town Planning Scheme) to replace Point 3 with the following:*

*Amending the Scheme Maps and 'Table 7 – Restricted Uses' to include Restricted Use No. 16 (RU16) and Restricted Use No. 17 (RU17) as follows:*

<b>No.</b>	<b>Description of Land</b>	<b>Restricted Use</b>	<b>Conditions</b>
<i>RU16</i>	<i>Lots 620 (No. 155) and 621 (No. 171) Gaebler Road, Aubin Grove</i>	<i>Aged and Dependant Person Dwelling</i>	<i>Development Approval</i>
<i>RU17</i>	<i>Lot 622 (No. 173) Gaebler Road, Aubin Grove</i>	<i>Medical Centre and/or Child Care Premises</i>	<i>Development Approval</i>

- 3. Modify the Form 2A to delete Point 4.*
- 4. Modify the proposed scheme amendment map to zone Lot 622 (No. 173) Gaebler Road, Aubin Grove 'Local Centre'*

*The adjustment of Lot 622 (No. 173) Gaebler Road from a 'Special Use' to a 'Local Centre' zone (Restricted to a Medical Centre or Child Care Premises Use), is not considered to have a material effect on Council's resolution or the purpose of the Scheme Amendment.*

*This is due to the proposed outcome remaining consistent with the intention of the approved Structure Plan being rationalised, and the developed outcome currently on-site.*

*Section 5.0 (relating to the Lots 18 and 19 Gaebler Road, Aubin Grove LSP – 11G) has also been updated to reflect this change and provides further details on why the change is considered suitable.*



***Planning and Development Act 2005***  
**RESOLUTION TO AMEND A TOWN PLANNING SCHEME**

**City of Cockburn**  
**Town Planning Scheme No.3**  
**Amendment No.163**

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

1. Rezoning various lots within 'Development Area 11' from 'Development' to 'Residential (R20)', 'Residential (R40)', 'Local Centre', 'Mixed Use (R30)', and/or 'No Zone' as depicted on the Scheme Amendment Map.
2. Reclassifying land within 'Development Area 11' from the 'Development' zone to a 'Parks and Recreation' reserve as depicted on the Scheme Amendment Map.
3. Amending the Scheme Maps and 'Table 7 – Restricted Uses' to include Restricted Use No.16 (RU16) as follows:

No.	Description of Land	Restricted Use	Conditions
RU16	Lots 620 (No.155) and 621 (No.171) Gaebler Road, Aubin Grove	Aged and Dependant Person Dwelling	Development Approval
RU17	Lot 622 (No.173) Gaebler Road, Aubin Grove	Medical Centre and/or Child Care Premises	Development Approval

4. Reducing the extent of the 'Development Area 11' (DA 11) special control area boundary, as depicted on the Scheme Amendment Map;

The amendment is 'Standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- *an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission*
- *an amendment to the scheme map that is consistent with a structure 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;*
- *an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;*
- *an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.*



Pursuant to Regulation 35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the amendment to the above Local Planning Scheme affects the following structure plans:

Structure Plan #	Address	Endorsement Date	WAPC Reference
11A	Lot 199 Gaebler Road, Aubin Grove	18/05/2004	801/2/23/0014P 1V
11G	Lot 18 and 19 Gaebler Road, Aubin Grove	04/05/2009	801/2/23/36PV

Upon the amendment taking effect the approved structure plans are to be revoked.

Dated this 10th day of August 2023

  
A/CHIEF EXECUTIVE OFFICER



# AMENDMENT REPORT

## 1.0 INTRODUCTION

Structure Plan No. 11A and 11G have been fully implemented.

The purpose of this standard scheme amendment is to transfer the zones and reserves shown for these structure plan areas into Town Planning Scheme No.3 (TPS3), to ensure the City maintains appropriate development control once the structure plans expire on 19 October 2025.

This process is referred to as rationalisation of a structure plan.

## 2.0 BACKGROUND

Development Area 11 (DA11) was initially created when TPS3 was first gazetted in December 2002. Its current extent is the result of three separate scheme amendments (#133, #136 and #137) gazetted between November 2018 and July 2019 that rationalised developed areas at its southern end (roughly between Chile Way and Rowley Road).

DA11 currently includes eleven endorsed structure plans as per the table below.

Structure Plan #	Address	Endorsement Date	Type Amendment Required
11A	Lot 199 Gaebler Road, Aubin Grove	18/05/2004	Basic / <b>Standard</b>
11C	Lot 5 Lyon Road, Aubin Grove	08/12/2006	Basic
11D	Lot 15 Lyon Road, Aubin Grove	06/01/2006	Basic
11E	Lot 416 Gaebler Road, Aubin Grove	14/11/2005	Basic
11F	Lot 416 Lyon Road, Aubin Grove	17/02/2005	Basic
11G	Lot 18 and 19 Gaebler Road, Aubin Grove	04/05/2009	<b>Standard</b>
11H	Lot 2,3,4 and 14 Gaebler Road, Aubin Grove	11/07/2006	Basic
11I	Lot 204 Lyon Road, Aubin Grove	13/03/2008	Basic
11L	Lot 10 and 11 Lyon Road, Aubin Grove	17/07/2009	Basic
11M	Lyon Road, Aubin Grove	14/08/2012	Basic
11N	Lots 12 and 13 Lyon Road, Aubin Grove	31/03/2015	Basic

Rationalisation of most of these structure plans forms the subject of a separate scheme amendment (#162). This proposal principally seeks to rationalise the portions of Structure Plans 11A and 11G that couldn't be included in that 'basic' amendment, on the basis they did not directly correlate with existing zones in TPS3.

Complimentary, minor adjustments to the zoning of other land in the within the DA11 area are also proposed, as discussed in the following sections.

The extent of DA11 (thick black dotted line), this scheme amendment proposal (red solid line), and the relevant Structure Plans are depicted on **Figures 1 and 2**:







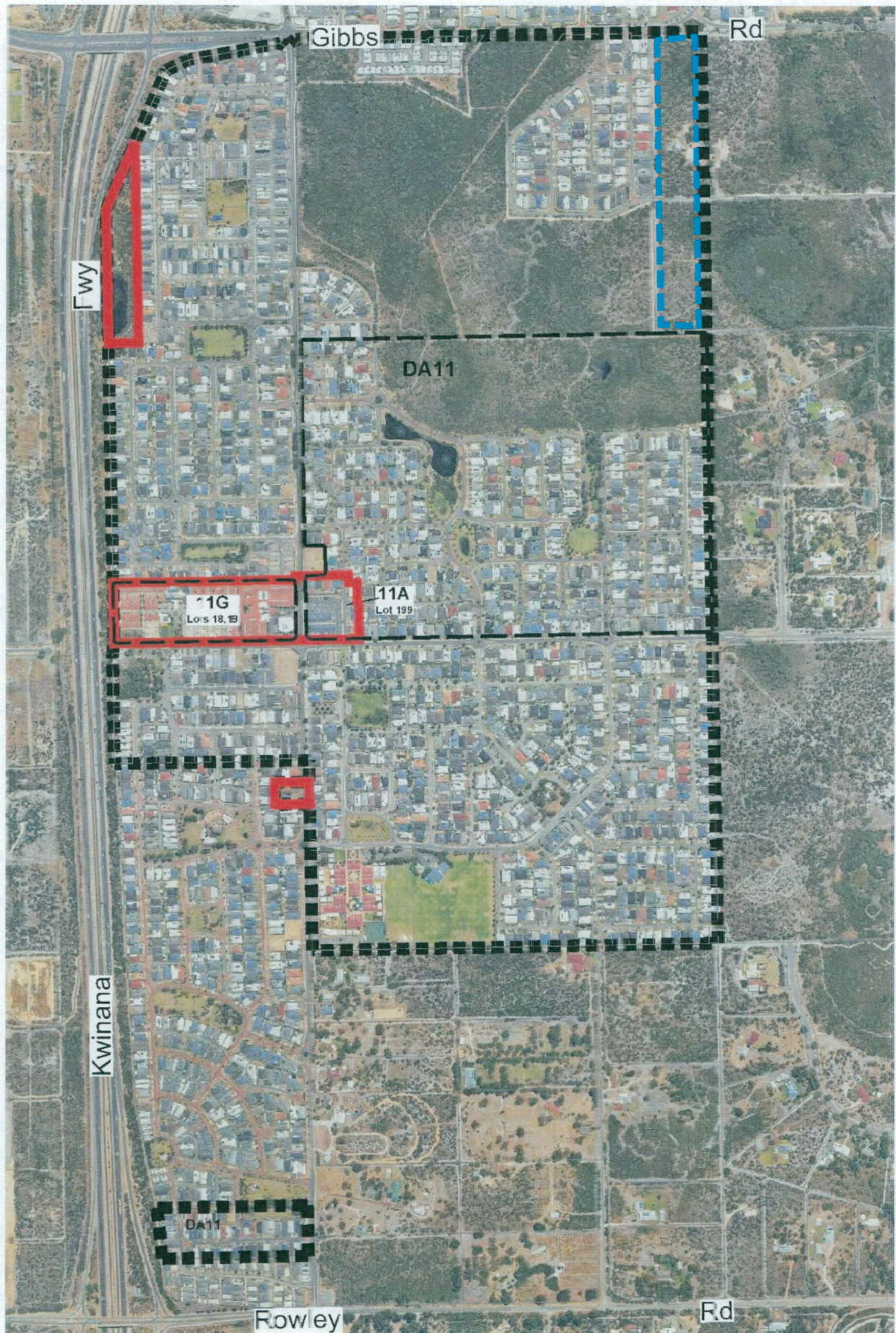


Figure 2 – Aerial Photograph showing extent of completed subdivision and development



The portion of Lot 11 (#252) and Lot 74 (#268) Beenyup Road outlined in blue on Figure 2, form the subject of a structure plan currently with the Western Australian Planning Commission (WAPC) for determination (on advice from Environmental Agencies). Until such time as this is approved and fully developed, DA11 and its associated special provisions need to be retained.

Each of the relevant structure plans include a number of Local Development Plans (LDPs). This amendment has no effect on the operation of those instruments which will remain in effect until they expire on (or after) 19 October 2025.

### 3.0 AMENDMENT TYPE

Part 5, Division 1, Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, identifies different amendment types: basic, standard and complex.

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 a 'standard' amendment, which Regulation 34 describes as 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 parts b), d), e) and f) of the above criteria.



Specifically, it is an amendment consistent with the City's 1999 Commission endorsed Local Planning Strategy, that involves zoning land consistent with the intent and subsequent land use and built form outcome of approved structure plans for the same land, and/or other minor adjustments in a manner that do not have any significant environmental, social, economic or governance impact on surrounding land.

## **4.0 TOWN PLANNING CONTEXT**

### **4.1 State Planning Framework**

Aside from highly constrained environmental areas (already in public ownership), and the unapproved structure plan area for Lots 11 and Lot 74 Beenyup Road, the entirety of DA11 is identified in the South Metropolitan Peel Sub-Regional Planning Framework and zoned 'Urban' under the Metropolitan Region Scheme.

### **4.2 City of Cockburn Local Planning Framework**

Under TPS3, these areas are zoned 'Development' and identified on the Scheme Map and in Table 9 of the Scheme Text as Development Area 11 (DA11).

The purpose of the 'Development' zone is to trigger the requirement for a structure plan to guide further subdivision and/or development.

Table 9 allows specific 'provisions' to then be applied to defined Development Areas, to inform the subsequent structure planning and subdivision processes. For DA 11 it includes the following:

TABLE 9 – DEVELOPMENT AREAS		
REF. NO.	AREA	PROVISIONS
DA 11	BEELIAR (DEVELOPMENT ZONE)	<ol style="list-style-type: none"><li>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 Provisions.</li><li>2. To provide for Residential development</li></ol>

## **5.0 PROPOSAL**

Subdivision and development of substantive portions of DA 11 are now complete, meaning that most structure plans in this area have served their purpose and are no longer required.

This amendment therefore seeks to remove these areas from DA11 and transfer the structure plans identified zonings and reservations for the land into the Scheme, ahead of the structure plans expiring on 19 October 2025.



## Development Area 11:

As there remain portions of DA11 yet to be structure planned or developed (in particular, portions of Lot 11 and Lot 74 Beenyup Road), deletion of DA11 and/or its special provisions are not proposed at this time, rather just a reduction to the extent of the DA11 special control area boundary to reflect the outcome of this proposal (and that of the complimentary 'basic' scheme amendment #162).

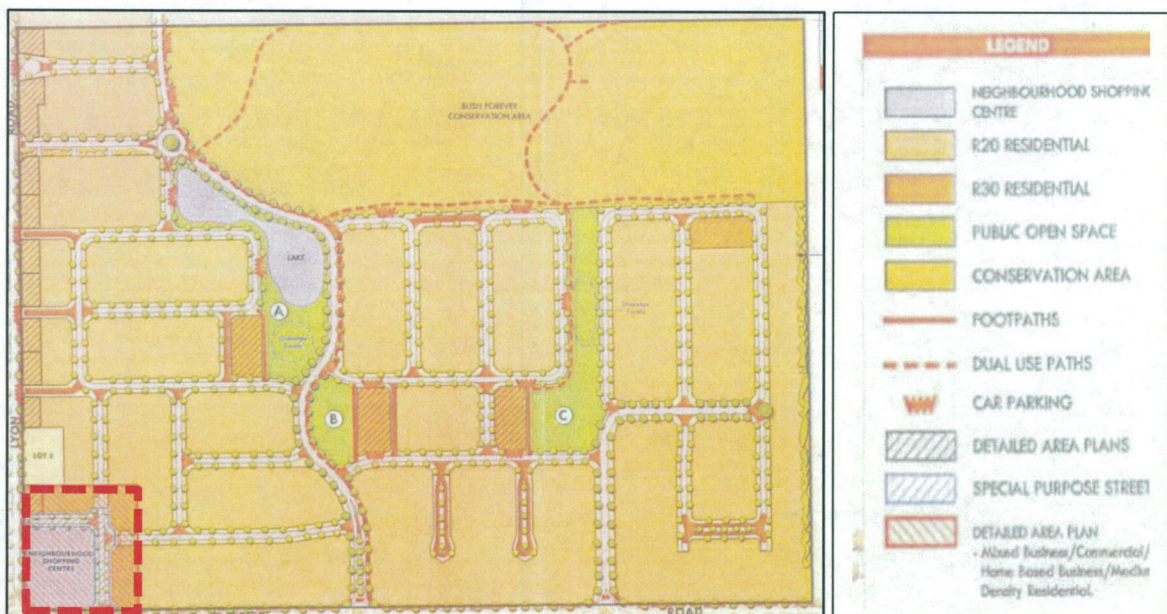
## Local Structure Plans (LSP):

Details on each Structure Plan (including the LSP map and aerial of the area) are provided in this section to demonstrate our reasoning for rationalisation. This includes discussion on the matters that led to these areas being separated out from Amendment #162.

### Lot 199 Gaebler Road, Aubin Grove (11A) – 'The Sanctuary' Estate

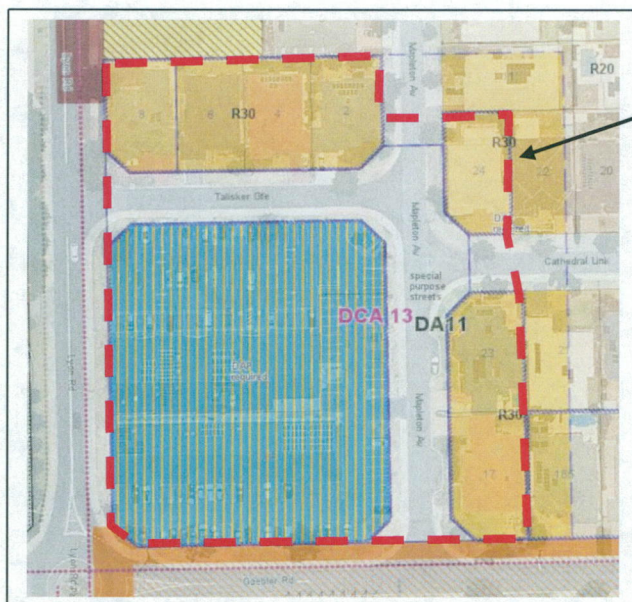
Located midway along the eastern boundary of DA11, this Structure Plan identifies a comprehensive local road and public open space (POS) network (inclusive of key connections back to a large conservation reserve), servicing primarily low residential density (R20) housing.

Pockets of medium density (R30) housing are located in high amenity locations that have a direct relationship to either POS or the Neighbourhood Shopping Centre (located at the intersection of Gaebler and Lyon Roads).



This proposal focuses on rationalising the Neighbourhood Shopping Centre and the strip of Residential R30 lots immediately surrounding it (refined on the basis of an approved subdivision and Local Development Plan), for which the approved structure plan allowed a limited range of complimentary commercial uses.





Refined Area subject of this Amendment

- Lot 1, 1/14 Mapleton Avenue
- Lot 1, 1/5 Talisker Gate
- Lot 399 (#8) Talisker Gate
- Lot 398 (#6) Talisker Gate
- Lot 397 (#4) Talisker Gate
- Lot 396 (#2) Talisker Gate
- Lot 409 (#24) Cathedral Link
- Lot 445 (#23) Cathedral Link
- Lot 470 (#17) Mapleton Avenue



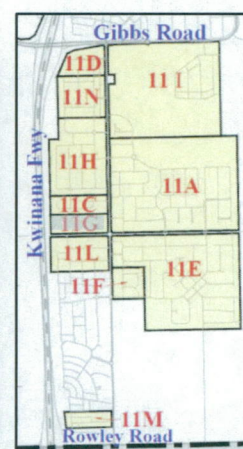
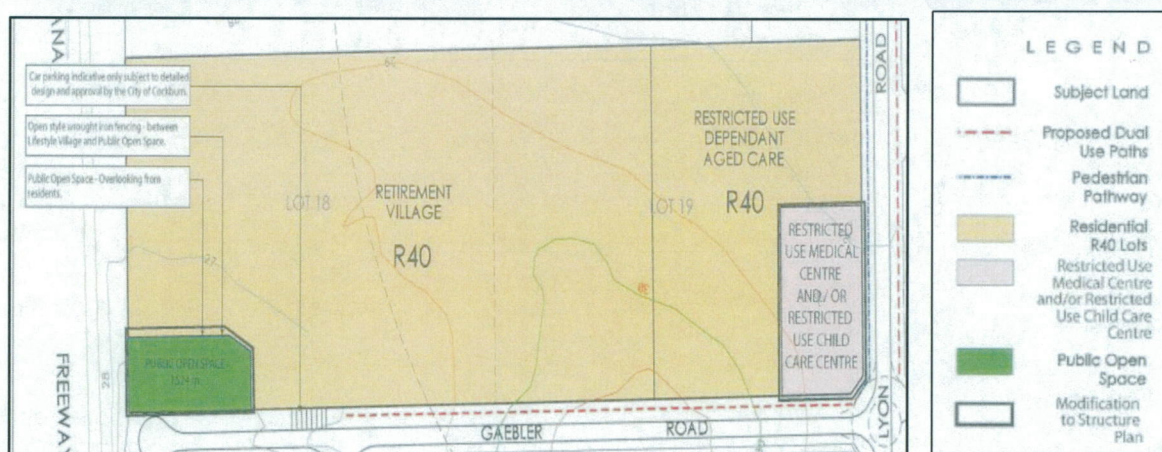
Full copies of the approved Structure Plan Map and the relevant Local Development Plan are attached as **Appendix A** and **B**. The following table summarises how the City proposes to rationalise those outcomes.



Property Address	Structure Plan Land Use Designation	Proposed Zoning	Reasoning
Lot 1, 1/14 Mapleton Avenue, Aubin Grove	Neighbourhood Centre	Local Centre	<p>The structure plan designation of Neighbourhood Centre is not recognised as a zone in TPS 3.</p> <p>The structure plan intent and developed outcome of the land is consistent with the objectives of a 'Local Centre' zone as defined in TPS3, which is:</p> <p><i>"to provide convenience retailing, local offices, health, welfare and community facilities which serve the local community, consistent with the local - serving role of the centre."</i></p> <p>The 'Local Centre' zone was recognised as the contemporary interpretation of the Structure Plan land use designation, in the 2005 City approved Detailed Area Plan/Local Development Plan for Lot 444 Gaebler Road (Refer <b>Appendix B</b>).</p>
Lot 1, 1/5 Talisker Gate, Aubin Grove			
Lot 399 (#8) Talisker Gate, Aubin Grove	Residential (R30) / Mixed Business	Mixed Use (R30)	<p>The objective of a 'Mixed Business' zone in TPS3 is:</p> <p><i>"to provide for a wide range of light and service industrial, wholesaling, showrooms, trade and professional services, which, by reason of their scale, character, operation or land requirements, are not generally appropriate to, or cannot conveniently or economically be accommodated within the Centre or industry zones."</i></p> <p>The structure plan intent and developed outcome of the land is far more consistent with the objective of a 'Mixed Use' zone in TPS3, which is:</p> <p><i>"to provide for a mixed use environment that includes residential development and a range of compatible smaller scale commercial uses such as office, retail and eating establishments."</i></p> <p>The 'Mixed Use' zone was recognised as the contemporary interpretation of the Structure Plan land use designation, in the 2005 City approved Detailed Area Plan/Local Development Plan for Lot 444 Gaebler Road (Refer <b>Appendix B</b>).</p> <p>As residential development is permissible in the Mixed Use zone dual 'Residential' zoning is not required, however an R30 coding is necessary to avoid inadvertently upcoding the land to R60 (via use of clause 4.8.3 of TPS3).</p>
Lot 398, (#6) Talisker Gate, Aubin Grove			
Lot 397, (#4) Talisker Gate, Aubin Grove			
Lot 396 (#2) Talisker Gate, Aubin Grove			
Lot 409, (#24) Cathedral Link, Aubin Grove			
Lot 445 (#23) Cathedral Link, Aubin Grove			
Lot 470, (#17) Mapleton Avenue, Aubin Grove			



## Lots 18 and 19 Gaebler Road, Aubin Grove (11G)



Located midway along the western boundary of DA11, between the Kwinana Freeway and Lyon Roads, this structure plan identifies very specific development outcomes that have subsequently been developed on-site. The following table summarises how the City proposes to rationalise those outcomes.

Property Address	Structure Plan Land Use Designation	Proposed Zoning	Reasoning
Lot 620 (#155) Gaebler Road, Aubin Grove	Residential (R40) Retirement Village	Residential (R40) Restricted Use 16 (RU16) – 'Aged and Dependant Person Dwelling'	The City processes Retirement Village's under the same definition as an 'Aged and Dependant Person Dwelling'.  The site has been developed an integrated extension of the development on Lot 621. It is appropriate that the same land use restriction be applied.
Lot 621 (#171) Gaebler Road, Aubin Grove	Residential (R40) Restricted Use – Dependant Aged Care		This directly matches the Structure Plan outcome, albeit that the 'Dependant Aged Care' title has been updated to match the contemporary TPS3 land use of 'Aged and Dependant Person Dwelling'.



Property Address	Structure Plan Land Use Designation	Proposed Zoning	Reasoning
Lot 622 (#173) Gaebler Road, Aubin Grove	Restricted Use - Medical Centre or Child Care Centre	Local Centre  Restricted Use 17 (RU17) -  'Medical Centre and/or Child Care Premises'	<p>A 'Restricted Use' in TPS3 is:  <i>"the only use or uses that are permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted"</i>.</p> <p>To accommodate a 'Restricted Use' requires an underlying zone to be applied.</p> <p>A 'Local Centre' zone is consistent with the zoning of land on all four corners of the intersection of Lyon and Gaebler Roads.</p> <p>It is also consistent with the land's collective identification as a 'Local Activity Centre' in the 2023 Council adopted <i>Draft Local Planning Strategy</i>.</p> <p>Whilst the land is currently developed and operated as a Childcare Centre, it is not proposed to remove the ability for the use to be converted to a Medical Centre in the future.</p>
Lot 623 (#149) Gaebler Road, Aubin Grove	Public Open Space	Local Reserve – Parks and Recreation	A 'Parks and Recreation' is regularly accepted as the contemporary TPS3 local reservation for Public Open Space.

#### Lot 251 and 252 Lyon Road, Aubin Grove



Lots 251 and 252 Lyon Road are not subject to an existing structure plan, and given their small area, it is unlikely that preparation of a structure plan would ever be feasible or practical to undertake.



Rather than continue to restrict further subdivision or development until such time as a Structure Plan is prepared, it is proposed to rezone the land from 'Development' to 'Residential' with an equivalent density (R20) to that of surrounding landholdings.

Based on the size of the existing lots (both in excess of 1,000m<sup>2</sup>), this change would likely facilitate future battle-axe subdivision and redevelopment of each lot. An influencing factor on if or when landowners choose to do so, will be the likely need to demolish the existing dwellings, that sit very central to both lots.

#### Future Primary Regional Road



A large basin used by Main Roads to manage drainage from the Kwinana Freeway is located in the northwest corner of DA11 immediately west of residential properties fronting Sorbonne Turn. Given its use and tenure (road reservation), it is appropriate that this land form an extension of the adjoining Primary Regional Road under the Metropolitan Region Scheme (MRS).

This matter has been brought to the attention of Region Schemes team at the Department for Planning Lands and Heritage, who have liaised and confirmed with Main Roads WA are supportive of such an outcome (which will be actioned via a future MRS Omnibus Amendment).

In the interim it is proposed that the land be removed from the 'Development Zone' (i.e. to temporarily become a 'No Zone') and that the DA11 boundary be further reduced to exclude this area in TPS3.



## 6.0 CONCLUSION

For the following key reasons, it is suggested that now is an appropriate time for the structure plans listed above to be revoked and its zones and reserves rationalised into the Scheme:

- All public reserves (including local roads and Structure Plan 11G Public Open Space reserve) have been suitably constructed/embellished and transferred into public ownership; and
- all zoned land on the endorsed structure plans have been substantially subdivided and/or developed for private commercial and/or residential purposes.

Recognising these zones and reserves within TPS3 will:

- avoid the future need to seek WAPC approval to extend the approval period of the existing structure plans; and
- remove a redundant layer of planning control; and
- ensure the City maintains appropriate mechanisms to guide and control future redevelopment of the land (including the same range of permissible land uses and associated development standards as currently apply), consistent with current community expectations.

The other changes proposed reflect good contemporary planning practice and do not pose a significant adverse impact on surrounding development.



## ***Planning and Development Act 2005***

### **City of Cockburn Town Planning Scheme No.3 Amendment No.163**

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

1. Rezoning various lots within 'Development Area 11' from 'Development' to 'Residential (R20)', 'Residential (R40)', 'Local Centre', 'Mixed Use (R30)', and/or 'No Zone' as depicted on the Scheme Amendment Map.
2. Reclassifying land within 'Development Area 11' from the 'Development' zone to a local 'Parks and Recreation' and/or 'Local Road' reservation as depicted on the Scheme Amendment Map.
3. Amending the Scheme Maps and 'Table 7 – Restricted Uses' to include Restricted Use No. 16 (RU 16) and Restricted Use No. 17 (RU 17) as follows:

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4. Reducing the extent of the 'Development Area 11' (DA 11) special control area boundary, as depicted on the Scheme Amendment Map;

The amendment is 'Standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

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- *an amendment to the scheme map that is consistent with a structure 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;*
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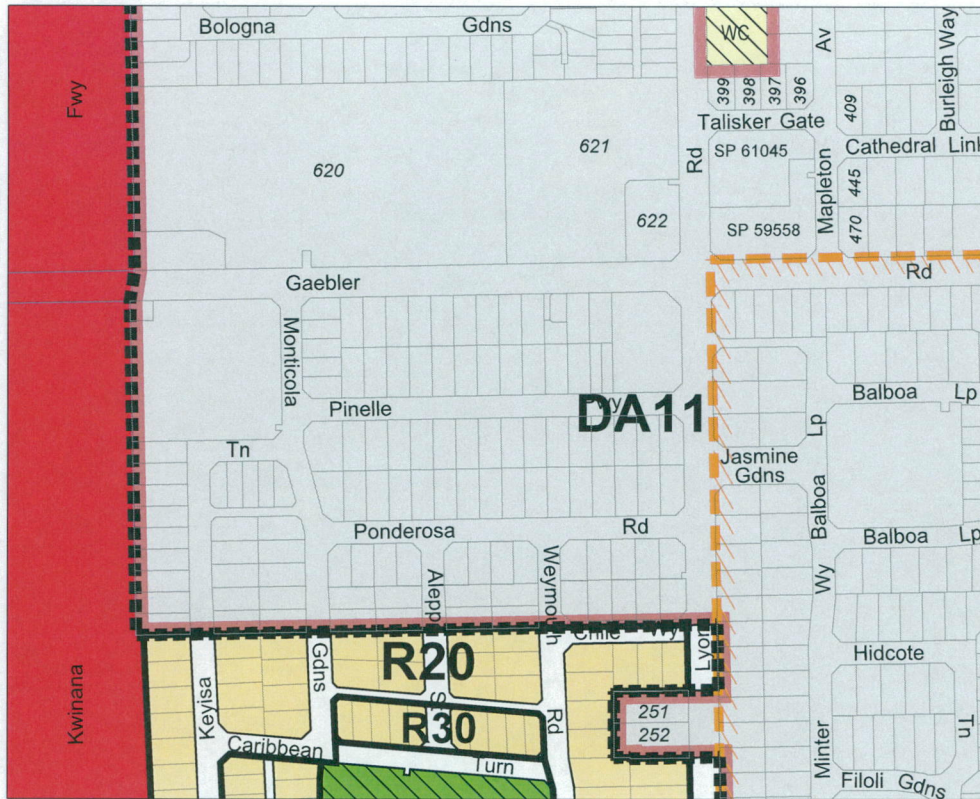


Pursuant to Regulation 35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the amendment to the above Local Planning Scheme affects the following structure plans:

Structure Plan #	Address	Endorsement Date	WAPC Reference
11A	Lot 199 Gaebler Road, Aubin Grove	18/05/2004	801/2/23/0014P 1V
11G	Lot 18 and 19 Gaebler Road, Aubin Grove	04/05/2009	801/2/23/36PV

Upon the amendment taking effect the approved structure plans are to be revoked.





## GENERAL

**R20** Residential Density Codes

**RU1** Restricted Uses

SPECIAL CONTROL AREAS:

**DA1** Development Areas

**PHC** Peel-Harvey Coastal Plain Catchment Area

## REGION RESERVES

**Primary Regional Roads**

## LOCAL RESERVES

**Parks & Recreation**

**Local Road**

**Public Purposes**  
DENOTED AS FOLLOWS:  
WC - Water Corporation

## ZONES

**Residential**

**Local Centre**

**Mixed Use**

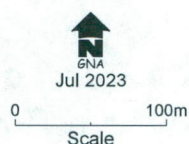
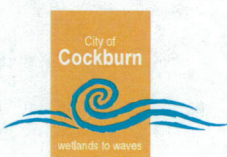
**Development**

# Current Scheme Map



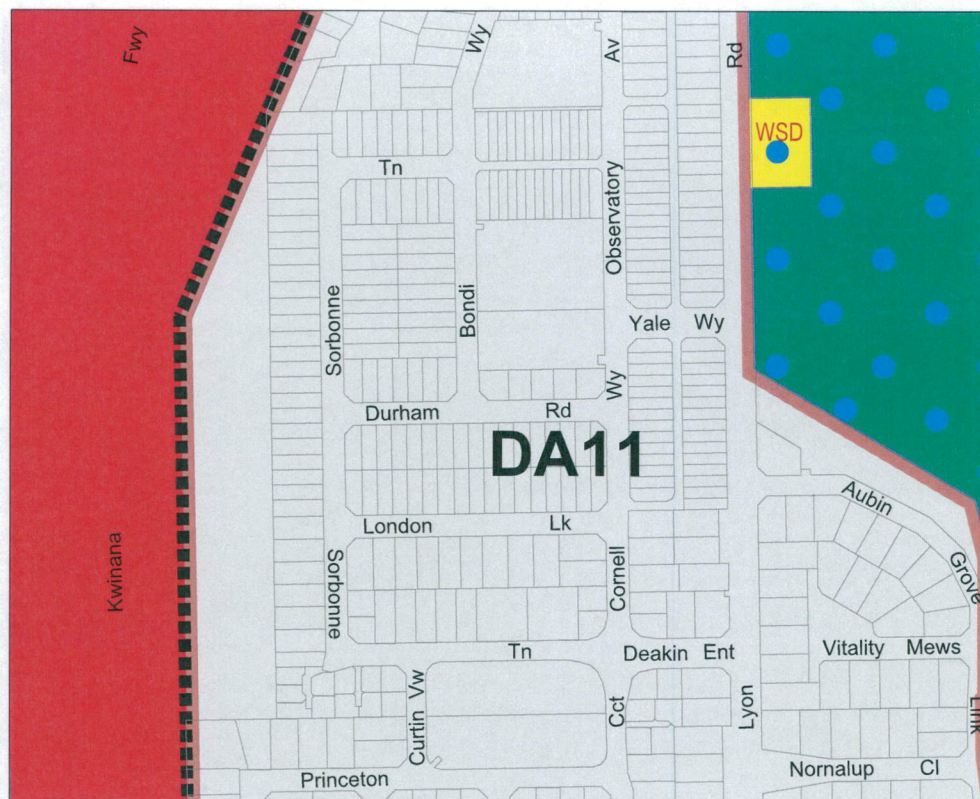
# Scheme Amendment Map

1 of 2



**Amendment No.163**  
Town Planning Scheme No.3





## GENERAL

SPECIAL CONTROL AREAS:



Development Areas

## REGION RESERVES



Parks & Recreation



Water Catchments



Primary Regional Roads



Public Purposes

DENOTED AS FOLLOWS:

WSD - Water Authority of WA

## ZONES

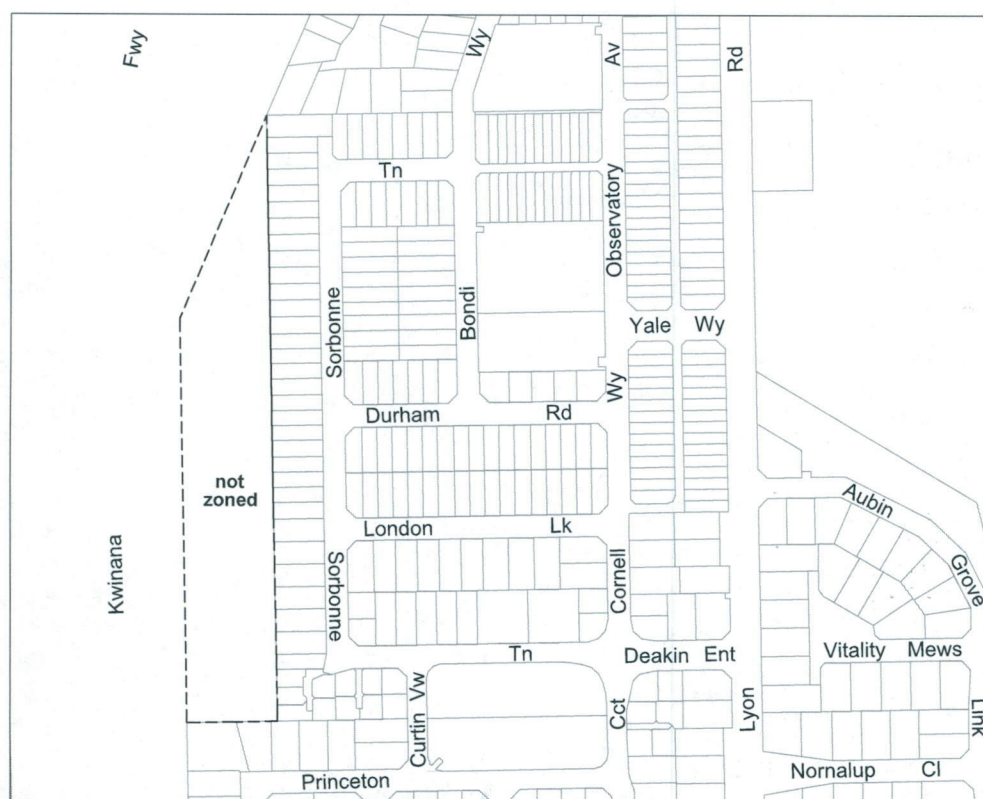


Development



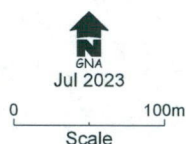
not zoned

# Current Scheme Map



# Scheme Amendment Map

2 of 2




## Amendment No.163

### Town Planning Scheme No.3



## ADOPTION

Adopted by resolution of the Council of the City of Cockburn at the Meeting of the Council held on 10th day of August 2023.



MAYOR

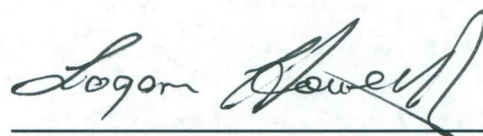


A/CHIEF EXECUTIVE OFFICER

## FINAL APPROVAL

Adopted for final approval by resolution of the City of Cockburn at the Meeting of the Council held on the 14<sup>th</sup> day of 12 2023, 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)



MAYOR

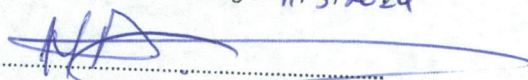


CHIEF EXECUTIVE OFFICER

## Recommended/Submitted for Final Approval

Recommended/Submitted for Final Approval  
Scheme/Amendment, final approval to which was  
endorsed by the Minister for Planning on 11/3/2024

Certified by .....



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.



DELEGATED UNDER S.16 OF  
THE P&D ACT 2005

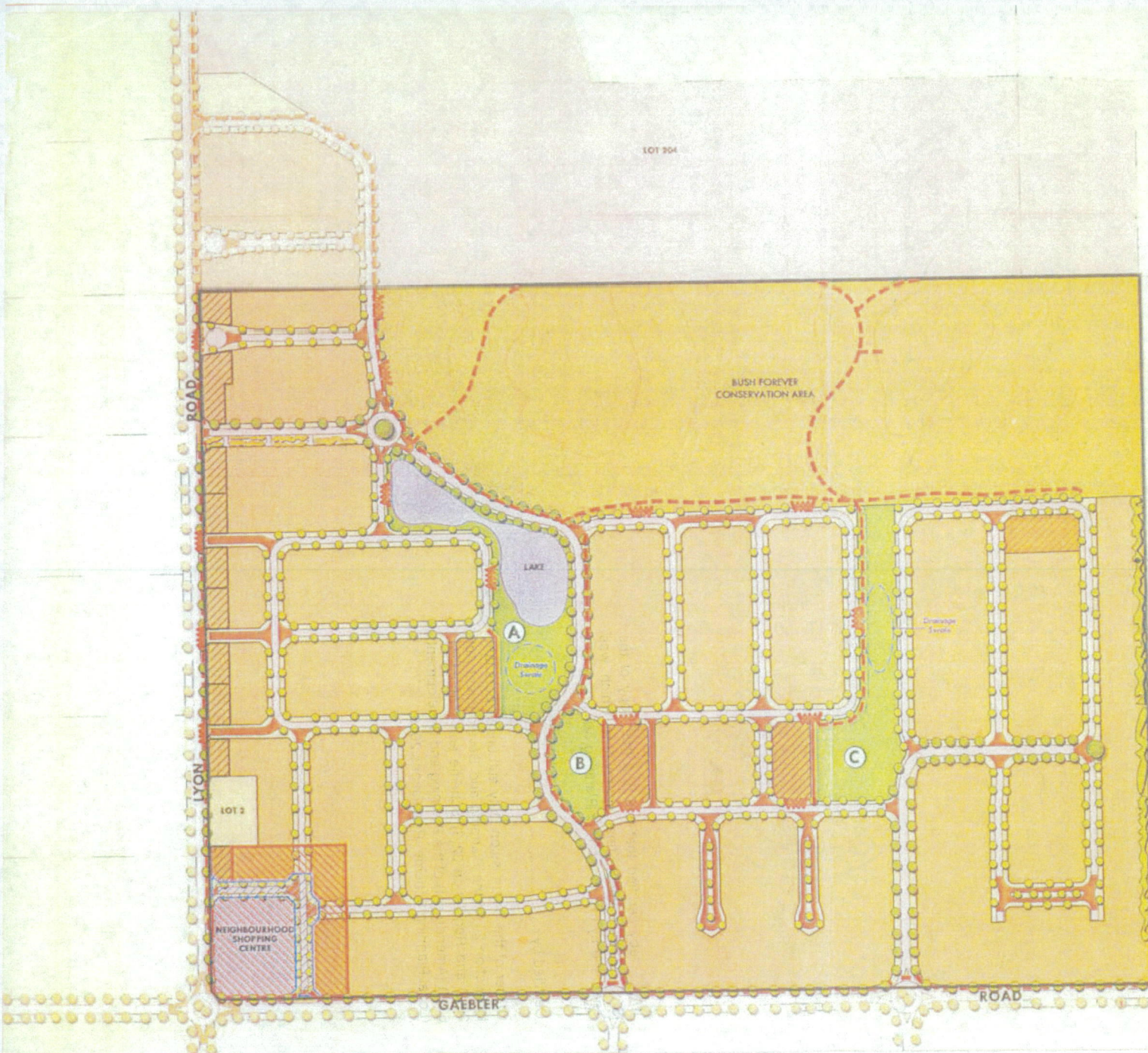
DATE 05/03/2024

Final Approval Granted

MINISTER FOR PLANNING

DATE .....





**PUBLIC OPEN SPACE SCHEDULE - LOT 199 GAEBLER ROAD, BANJUP**

REQUIRED POS PROVISION (ALL FIGURES IN HECTARES)	
Total area of Lot 199	48.44
25% Bush Forever	12.16
Total of Balance Development Area	36.28
<i>Minus</i>	
Neighbourhood Centre	0.55
Nett Subdivisional Area	35.69
Required POS Provision @ 7%	2.498
PROPOSED POS PROVISION (AS PER COUNCIL ADOPTED LOCAL STRUCTURE PLAN)	
Area	Total Park Area
Park A	1.4347
Park B	0.3923
Park C	1.1367
Total	2.9637
Drainage/Wet Area	Area Credited (50% of Wet Area & Balance)
0.2045	1.0519
0.5612 (Lake)	
0	0.3923
0.1305	1.0714
0.8962	2.5156

NB - Wet Area credited (@ 50% credit) = 0.4481 ha, representing 15.12% of the total POS provided (i.e., is below 20% cap specified in Council Policy APD 2B and Liveable Neighbourhoods)

**Total POS Provision = 7.05% of Balance Development Area (surplus of 0.0256 ha over 7.05%)**

### STRUCTURE PLAN

This Structure Plan was adopted by Council on 20/14/2004

Signed DIRECTOR OF PLANNING & DEVELOPMENT

File No: 9645A  
LANDSCAPE BUFFER/INTERFACE TREATMENT TO BE DETERMINED IN CONSULTATION WITH THE CITY OF COCKLEBERRY Commission on 18/5/2004.

Signed DIRECTOR OF PLANNING & DEVELOPMENT

**LEGEND**

	NEIGHBOURHOOD SHOPPING CENTRE
	R20 RESIDENTIAL
	R30 RESIDENTIAL
	PUBLIC OPEN SPACE
	CONSERVATION AREA
	FOOTPATHS
	DUAL USE PATHS
	CAR PARKING
	DETAILED AREA PLAN
	SPECIAL PURPOSE STI
	DETAILED AREA PLAN - Mixed Business/Commercial
	DETAILED AREA PLAN - Home Based Business
	DETAILED AREA PLAN - Density Residential

## LOCAL STRUCTURE PLAN

### Lot 199, Gaebler Road, AUBIN GROVE

0 25 50 75 100  
SCALE 1:2500 @ A2 METRES

DATE: 10/11/2003  
PLAN No: STGR008

**DPS**  
DEVELOPMENT PLANNING SERVICES

DESIGNED BY: [Name]  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
APPROVED BY: [Name]

APPENDIX A



# THE SANCTUARY ESTATE – DETAILED AREA PLAN

## Lot 444 Gaebler Road – Local Centre

### TPS VARIATIONS

The standards of the City of Cockburn's Town Planning Scheme are refined where detailed on this Detailed Area Plan. The requirements of the Scheme shall be satisfied in all other matters.

### FLOOR SPACE

A maximum of 1,400m<sup>2</sup> NLA retail floor space is permitted within the 5,895m<sup>2</sup> Neighbourhood Centre site.

### DESIGN ELEMENTS

The following matters apply in the design and construction of buildings on Lot 444 Gaebler Road to reflect key elements of the Residential Design Guidelines for The Sanctuary Estate.

#### Orientation & Facades:

- The primary orientation of buildings must be towards Gaebler and Lyon Roads and should be located as close to these roads as is practical.
- Development must also address Talisker Gate and Mapleton Avenue (although this can be achieved through windows and/or openings that look across internal car parking areas towards these roads).
- The main entrance(s) shall be provided with a gable roof feature with a minimum pitch of 25 degrees. The gable shall contain either mini-crib sheeting, cedar or hardie planking.
- Blank walls facing any external roads or public domain are not permitted. All external walls are to be appropriately designed and articulated.
- A 600mm plinth shall be provided to the base of the primary facades of development. Such plinth must be of a different material to the remainder of the facades and preferably be of rendered masonry to enable repainting to occur. If an alternative material plinth is proposed such material shall be of an earthy colour and be of a durable and vitreous material.

#### Windows & Materials

- Windows shall generally be provided with a 0.2 metre wide window sill.
- Wall material to non-glazed areas shall be either day face bricks or rendered masonry with any rendered masonry being painted in an earthy tone.

#### Roof & Canopy

- A flat roof hidden behind a parapet is permitted.
- Any pitched roof proposed shall be a minimum of 25 degrees and be made from colorbond roofing material with a 'custom crib' profile.
- A 2 metre wide colorbond canopy shall be provided to all active facades (primary and secondary). The canopy shall be on a pitch of 10 degrees.
- Due to its reflective qualities zincalume roof sheeting will not be permitted.

#### Screening of Services

- All external services such as air conditioning equipment, hot water units, satellite dishes, exhaust vents etc. must be of a similar colour to the roof and screened from view from the public domain.
- All servicing areas (bin storage etc) and loading docks shall be incorporated into the building design and appropriately screened and located away from residential dwellings to ensure potential noise and odour impacts are minimised.

#### Fencing

- Any internal fencing is to be constructed from Hardifence in accordance with the Estate Design Guidelines. Fencing must be painted Pale Eucalypt with Brunswick Green capping.
- Where fencing adjoins road reserves it is to be semi-permeable in accordance with Council's Local Laws, incorporate similar materials and be of a style that is sympathetic to the fencing erected by the vendor at the intersection of Lyon Road and Talisker Gate.

#### Landscaping

- Landscaping shall be provided in accordance with Part V of Council's Town Planning Scheme. The design shall include unifying elements in predominantly earthy tones to reflect the natural environment, and its design should embrace environmentally responsible practices and waterwise principles.

#### Signage

- All signage shall be approved, erected and maintained in accordance with Council's Signage Local Laws.

#### SETBACKS

Setbacks for the construction of commercial development shall be in accordance with the Building Code of Australia. A nil setback is encouraged where development abuts external road reserves with the exception of Gaebler Road, due to the location of an existing power easement.

#### VEHICLE ACCESS & CAR PARKING

Direct vehicle access from Lyon and Gaebler Roads is not permitted. Car parking shall be provided on-site in accordance with Part V of Council's Town Planning Scheme.

This Detailed Area Plan has been adopted by Council and signed by the Principal Planner:

Principal Planner: *[Signature]* Date: 20/5/05



# Local Centre

## Detailed Area Plan

### Lot 444 Gaebler Road



APPENDIX B



