



CITY OF COCKBURN DOC Set 0 2 OCT 2024 SUBJECT 109 RETENTION 124.2.3 TPS/3160 ur ref: PROPERTY **Enquiries: Local Planning Schemes** localplanningschemes@dplh.wa.gov.au Email: APP ACTION GAYLE O'LEARY

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

Transmission via electronic mail to: recordsrequests@cockburn.wa.gov.au

Dear Sir/Madam

#### **TOWN PLANNING SCHEME NO. 3 AMENDMENT NO. 170**

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 via email <a href="mailto:gazette@dpc.wa.gov.au">gazette@dpc.wa.gov.au</a> One signed set of the amending documents are returned for your records.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au

Yours sincerely

Ms Sam Boucher

Sam Bouche.

Secretary

Western Australian Planning Commission

26/09/2024

#### Planning and Development Act 2005

#### APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Cockburn Local Planning Scheme No. 3 Amendment No. 170

File: TPS/3160

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 Local Planning Scheme No. 3 on 24 September 2024 for the purpose of:

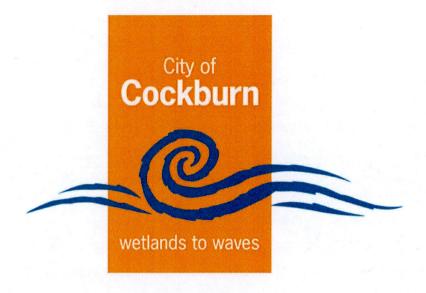
- Rezoning various lots within 'Development Area 26' and 'Development Area 27' from 'Development' to 'Residential (R20)', 'Residential (R25)', 'Residential (R30)', 'Residential (R30)', 'Residential (R50)', as depicted on the Scheme Amendment Map.
- 2. Rezoning Lot 46 Woodrow Avenue from 'Development' to 'Special Use 31' as depicted on the Scheme Amendment Map, and inserting the following into 'Table 8 Special Use Zones' of the Scheme Text:

No.	Descriptio	n of Land	Special Use	Conditions
SU31	Lot 46 Avenue, Park	Woodrow Hammond		<ol> <li>Development approval.</li> <li>Development shall generally accord with the layout depicted on the site Masterplan (as amended to the satisfaction of the City).</li> <li>A Traffic Impact Assessment is required to be submitted and implemented to the satisfaction of the local government as part of all future applications for development approval.</li> </ol>

- 3 Reclassifying land within 'Development Area 26' and 'Development Area 27' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage' and/or 'Local Road', as depicted on the Scheme Amendment Map.
- 4 Reducing the extent of the 'Development Area 26' and 'Development Area 27' Special Control Area boundaries, as depicted on the Scheme Amendment Map.

L HOWLETT MAYOR

D SIMMS CHIEF EXECUTIVE OFFICER



# Town Planning Scheme No.3 Amendment No.170 (Basic)

Rationalisation of various Structure Plans
Development Area 26 and 27 (Hammond Park)

**APRIL 2024** 

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

# City of Cockburn Town Planning Scheme No.3 Amendment No.170

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. Rezoning various lots within 'Development Area 26' and 'Development Area 27' from 'Development' to 'Residential (R20)', 'Residential (R25)', 'Residential (R30)', 'Residential (R35)', 'Residential (R40)', 'Residential (R50) and 'Residential (R60)', as depicted on the Scheme Amendment Map.
- Rezoning Lot 46 Woodrow Avenue from 'Development' to 'Special Use 31' as depicted on the Scheme Amendment Map, and inserting the following into 'Table 8 – Special Use Zones' of the Scheme Text:

No.	Description of Land	Special Use	Conditions
SU31	Lot 46 Woodrow Avenue, Hammond Park	Educational Establishment, Place of Worship	Development approval.     An updated Masterplan is required to be submitted with all future applications for development approval.     A Traffic Impact Assessment, is required to be submitted and implemented to the satisfaction of the local government as part of all future applications for development approval.

- 3. Reclassifying land within 'Development Area 26' and 'Development Area 27' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage' and/or 'Local Road', as depicted on the Scheme Amendment Map.
- 4. Reducing the extent of the 'Development Area 26' and 'Development Area 27' Special Control Area boundaries, as depicted on the Scheme Amendment Map.

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

- It is an amendment the local planning scheme that involves zoning land consistent with an approved structure plan for the same land; and/or
- It is an amendment that corrects minor anomalies/administrative errors.

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 plan(s):

Structure Plan #	Address	Latest WAPC Endorsement	WAPC Reference
26A	Lots 36, 37, 45 and 101 Gaebler Road, Frankland Avenue and Barfield Road, Hammond Park	4/3/2010	801/2/23/0045P
26B	Lot 40 Gaebler Road, Hammond Park	7/3/2012	SPN/0327
26C	Lots 43 and 44 Frankland Avenue, Hammond Park	3/02/2012	SPN/0181
26D	Lots 9001 and 35 Gaebler Road, Hammond Park	29/10/2012	SPN/0361
26E	Lots 39 Frankland Avenue, Hammond Park	17/7/2013	SPN/0400
26F	Lot 46 Woodrow Avenue, Hammond Park	N/A (use only)	N/A
26H	Lot 126 Frankland Avenue, Hammond Park	22/05/2014	SPN/0549
26J	Lot 8 Barfield Road, Hammond Park	23/7/2015	SPN/0724
26K	Lot 33 Barfield Road, Hammond Park	10/8/2015	SPN/0751
26L	Lot 47 Frankland Avenue, Hammond Park	27/11/2015	SPN/0739
26N	Lot 31 Barfield Road, Hammond Park	22/3/2016	SPN/0663
260	Lot 29 Barfield Road, Hammond Park	12/12/2017	SPN/2101
27C	Lots 1,111 and 810 Wattleup Road, Hammond Park	22/10/2015	SPN/0675

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

CHIEF EXECUTIVE OFFICER

#### **AMENDMENT REPORT**

#### 1.0 INTRODUCTION

Structure Plan No.'s 26A, B, C, D, E, F, H, J, K, L, N, O and 27C have all been fully implemented.

The purpose of this 'basic' scheme amendment is to transfer the zones and reserves shown on the applicable structure plans into Town Planning Scheme No.3 (TPS3), to ensure the City of Cockburn (the City) maintains appropriate development controls upon expiration of the structure plans on (or shortly after) they expire on 19 October 2025.

This process is referred to as the rationalisation of structure plans.

#### 2.0 BACKGROUND

Development Area 26 previously formed part of Development Area 9 (DA9 – Gaebler Road) which was expanded to cover this area when TPS3 was first gazetted in December 2002. At the same time a new (unnamed) Development zone was also created west of the future Hammond Road Other Regional Road extension.

In 2005 the City adopted the Southern Suburbs Stage 3 District Structure Plan (DSP) over the land south of Gaebler Road. The DSP was updated in 2012 to reflect the outcome of State Government strategic decisions in and around the area and remains the key planning instrument that guides the local planning framework.

In particular, the DSP informed lifting of the land's Urban Deferred status in the Metropolitan Region Scheme in 2008, and Scheme Amendment 28, which adjusted the extent of DA9 back to its original configuration (north of Gaebler Road) and introduced two new Special Control Areas (DA 26 – Rowley Road and DA 27 – Wattleup Road), either side of Hammond Road.

Gazetted in December 2014, Scheme Amendment 28 also introduced two new Development Contribution Areas over the same precincts (DCA 9 – Hammond Park and DCA 10 – Wattleup), to proportionately divide the costs of enabling regional drainage infrastructure, and the widening and construction of Hammond Road (between Gaebler and Rowley Roads).

As summarised in the following table, DA 26 currently includes 18 operative structure plans, of which:

- 12 are ready to be rationalised into the scheme;
- · 2 are incomplete and require an extension of time; and
- 6 are incomplete but are not due to expire for several years.

Structure Plan #	Address	Latest Approval (& Expiration Dates)	Proposed Action
26A	Lots 36, 37, 45 and 101 Gaebler Road, Frankland Avenue and Barfield Road, Hammond Park	WAPC: 4/3/2010 (Expires: 19/10/2025)	Included in this Amendment
26B	Lot 40 Gaebler Road,	WAPC: 7/3/2012	Included in this
	Hammond Park	(Expires: 19/10/2025)	Amendment
26C	Lots 43 and 44 Frankland Avenue, Hammond Park	City Modified: 1/7/2013 (Expires: 19/10/2025)	Included in this Amendment
26D	Lots 9001 and 35 Gaebler Road, Hammond Park	City Modified: 1/7/2015 (Expires: 19/10/2025)	Included in this Amendment
26E	Lot 39 Frankland Avenue,	City Modified: 11/9/2014	Included in this
	Hammond Park	(Expires: 19/10/2025)	Amendment
26F	Lot 46 Woodrow Avenue, Hammond Park	City Approval Only: 12/9/2013 (Expires: 19/10/2025)	Included in this Amendment
26G	Lots 114, 123-125 Wattlelup Road, Hammond Park	WAPC Modified: 3/8/2023 (Expires: 19/10/2025)	Extension Request being sought
26H	Lot 126 Frankland Avenue,	City Modified: 22/7/2015	Included in this
	Hammond Park	(Expires: 19/10/2025)	Amendment
261	Barfield Road / Frankland Avenue, Hammond Park	WAPC Modified: 6/5/2022 (Expires: 19/10/2025)	Extension Request being sought
26J	Lot 8 Barfield Road,	WAPC: 23/7/2015	Included in this
	Hammond Park	(Expires: 19/10/2025)	Amendment
26K	Lot 33 Barfield Road,	WAPC: 10/8/2015	Included in this
	Hammond Park	(Expires: 19/10/2025)	Amendment
26L	Lot 47 Frankland Avenue,	WAPC: 27/11/2015	Included in this
	Hammond Park	(Expires: 27/11/2025)	Amendment
26M	Lot 32 Barfield Road,	WAPC: 7/2/2017	No Current Action
	Hammond Park	(Expires: 7/2/2027)	(valid until 2027)
26N	Lot 31 Barfield Road,	WAPC Modified: 5/1/2016	Included in this
	Hammond Park	(Expires: 19/10/2025)	Amendment
260	Lot 29 Barfield Road,	WAPC: 12/12/2017	Included in this
	Hammond Park	(Expires: 12/12/2027)	Amendment
26P	Lot 9008 Frankland Ave,	WAPC: 16/9/2021	No Current Action
	Hammond Park	(Expires: 16/9/2021)	(valid until 2031)
26Q	Lot 50 Barfield Road,	WAPC: 10/2/2022	No Current Action
	Hammond Park	(Expires: 10/2/2022)	(valid until 2032)
26R	Lot 28 Barfield Road,	WAPC: 23/1/2024	No Current Action
	Hammond Park	(Expires: 23/1/2034)	(valid until 2034)

DA 27 currently includes five (5) operative structure plans of which:

- 1 is ready to be rationalised into the scheme;
- 1 is incomplete and require an extension of time; and
- 3 are incomplete but are not due to expire for several years.

Structure Plan #	Address	Latest Approval (& Expiration Dates)	Proposed Action
27C	Lots 1,111 and 810 Wattlelup Road, Hammond Park	WAPC: 22/10/2015 (Expires: 19/10/2025)	Included in this Amendment
27D	Lots 109-110 Wattlelup Road, Hammond Park	WAPC: 3/11/2015 (Expires: 3/11/2025)	Extension Request being sought
27E	Hammond Park West – Lots 71, 74-76 and 303-305 Wattlelup Road, Hammond Park	WAPC Modified: 28/9/2022 (Expires: 28/9/2027)	No Current Action (valid until 2027)
27F	Lots 107, 150, 9159 Wattlelup Road, Hammond Park	WAPC: 11/6/2019 (Expires: 11/6/2029)	No Current Action (valid until 2029)
27G	Hammond Quarter – Lots 816, 1000, 803, 805, 200, 9001, 817, 1001 and 9002 Wattleup Road, Hammond Park	WAPC: 14/2/2024 (Expires: 14/2/2034)	No Current Action (valid until 2034)

The extent of DA 26 and 27 (thick black dotted line), this scheme amendment proposal (red solid line), and the relevant Structure Plans are depicted on **Figures 1 and 2**.

As Structure Plans 26G, I, M, P, Q, R and 27D, E, F and G are still undergoing development they are not being rationalised by this proposal and will retain their existing 'Development' zoning.

Many of the structure plans include 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.

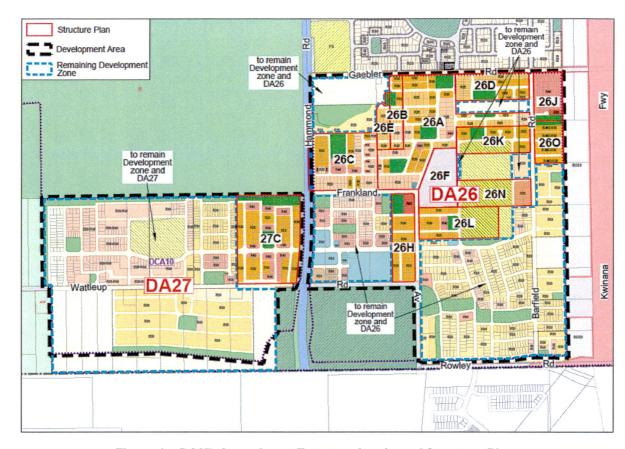


Figure 1 - DA27, Amendment Extent and endorsed Structure Plans

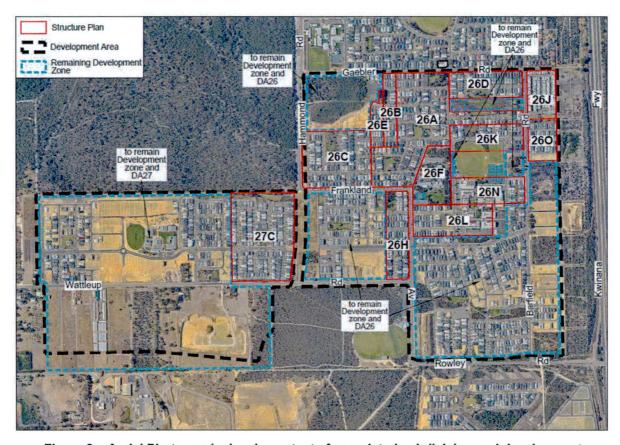


Figure 2 – Aerial Photograph showing extent of completed subdivision and development

#### 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 'basic' amendment, which Regulation 34 describes as any of the following:

- a) an amendment to correct an administrative error;
- b) an amendment to the scheme so that it is consistent with the model provisions in Schedule 1 or with another provision of the local planning scheme;
- c) an amendment to the scheme text to delete provisions that have been superseded by the deemed provisions in Schedule 2;
- d) an amendment to the scheme so that it is consistent with any other Act that applies to the scheme or the scheme area;
- e) an amendment to the scheme so that it is consistent with a State planning policy;
- f) an amendment to the scheme map to include a boundary to show the land covered by an improvement scheme or a planning control area;
- g) 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 currently includes zones of all the types that are outlined in the plan;
- h) an amendment that results from a consolidation of the scheme in accordance with section 92(1) of the Act;
- i) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area if the amendment will have minimal effect on the scheme or landowners in the scheme area.

This proposed amendment satisfies part g) of the above criteria.

Specifically, it is an amendment to the local planning scheme map that involves zoning/reserving land consistent with approved structure plans for the same land.

#### 4.0 TOWN PLANNING CONTEXT:

#### 4.1 State Planning Framework

The entirety of DA 26 and DA 27 are identified under *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, the amendment area is zoned 'Development' and identified on the Scheme Map and in Table 9 as 'Development Area 26' and 'Development Area 27'.

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, subdivision and development processes. For DA 26 and DA 27, it includes the following:

	TABLE 9 - DEVELOPMENT AREAS				
REF. NO.	AREA	PROVISIONS			
DA 26	Rowley Road (Development Zone)	An approved Structure Plan together will all approved amendments shall be given due regard in the assessment of application for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions.			
		To provide for residential development and compatible land uses.			
DA 27	Wattlelup Road (Development Zone)	An approved Structure Plan together will all approved amendments shall be given due regard in the assessment of application for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions.			
		To provide for residential development and compatible land uses.			

The land also forms the subject of Development Contribution Areas 9, 10 and 13 (DCA 9, DCA 10 & DCA 13 – Community Infrastructure) under TPS3. This amendment has no impact on the operation of these DCA's.

#### 5.0 PROPOSAL

Subdivision and development of substantial portions of Hammond Park is now complete, meaning that many structure plans have served their purpose and are no longer required.

This amendment therefore seeks to remove these areas from DA 26 and DA 27 and transfer the identified zonings and reservations for the land into TPS 3, ahead of the structure plans expiring on (or shortly after) 19 October 2025.

#### Development Areas 26 & 27:

As there remain large portions of DA 26 and DA 27 yet to be structure planned, or that involve structure plans in various stages of physical completion, deletion of DA 26 and/or DA 27 and their special provisions are not proposed at this time, rather just a reduction to the extent of both special control area boundaries to reflect the outcomes of this proposal.

#### **Local Structure Plans (LSP):**

Details on each structure plan (including the LSP map and a recent aerial of the area) are provided in this section to demonstrate the reasoning for rationalisation.

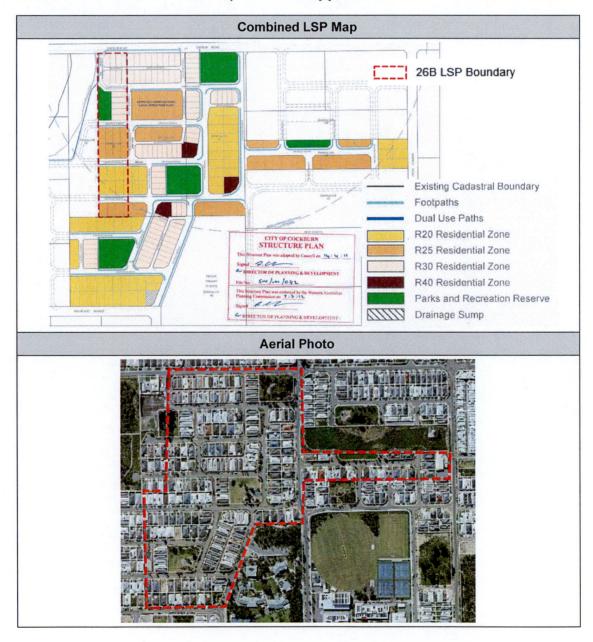
Unless otherwise stated, all the approved structure plan designations directly correlate to zonings and reserves pursuant to TPS 3. All the public roads have been constructed and ceded, and all other public reserves embellished to the required standard and transferred into either public or utility operator ownership, in accordance with the applicable subdivision approvals.

### Lots 36, 37, 45 & 101 Gaebler Road, Frankland Avenue & Barfield Road (26A) and Lot 40 Gaebler Road, 17 & 18 Hammond Road, Hammond Park (26B)

Located centrally within the northern portion of DA 26, these consolidated structure plans identify an interconnected local road and public open space (POS) network and one fenced drainage reserve, primarily servicing low (R20 to R30) density single residential housing.

The R30 coding is restricted to laneway typologies throughout, with pockets of medium (R40) density, accommodating single and grouped housing in higher amenity locations near POS. With exception to two vacant R20 coded single house lots, subdivision and development of both structure plans is complete.

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the consolidated Structure Plan Map shown in **Appendix A**.



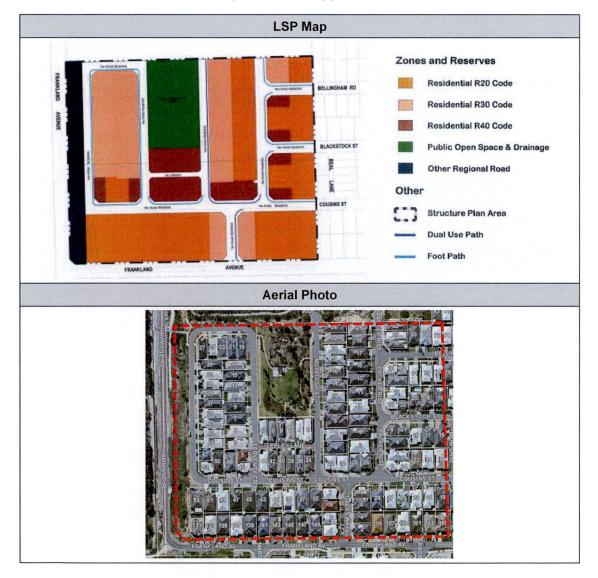
#### Lots 43 and 44 Frankland Avenue, Hammond Park (26C)

Located mid-way along the western boundary of DA 26 north of Frankland Avenue, this structure plan identifies an interconnected local road network radiating out from one large area of POS (Serventy Park), primarily servicing a range of low (R20 to R30) density single residential housing.

Pockets of medium (R40) density, accommodating laneway and squat-lot single house typologies are located on street-block corners and directly adjacent the POS. With exception to the land ceded for future widening of Hammond Road (in accordance with the MRS), the area is completely subdivided and developed.

McIntosh Street and Packer Rise currently terminate at temporary cul-de-sac heads that will be removed and replaced with connections to Neilson Street, Weetman Toad and Serventy Crescent upon development of land to the north (LSP 26P).

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the consolidated Structure Plan Map shown in **Appendix B**.



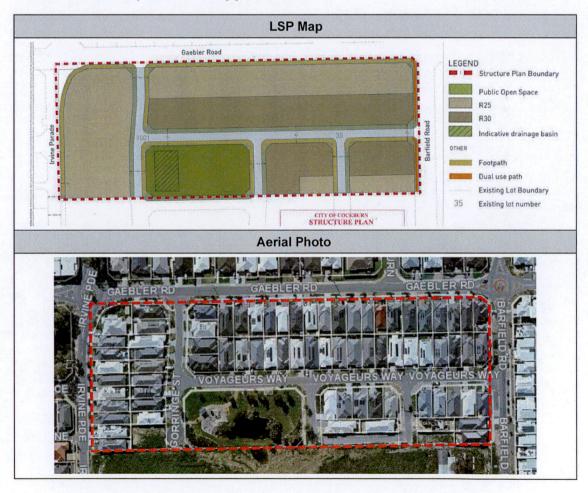
#### Lots 9001 and 35 Gaebler Road, Hammond Park (26D)

Located along the northern boundary of DA 26 towards the eastern end of Gaebler Road, this structure plan identifies an interconnected local road network radiating out from one large area of POS (Voyageurs Park), servicing a range of low (R25 to R30) density single residential housing.

The R30 coding is generally located in higher amenity locations based on proximity or direct access to the POS. With exception to five single dwelling lots currently held in balance title primarily to accommodate temporary roads/access easements pending structure planning and development of Lot 100 (#116) Barfield Road to the south, development of the structure plan area (in particular, the provision and construction/embellishment of all public reserves) is effectively complete.

Tie-in works relating to the extension of the carriageway and paths along Gorringe Street, Pratley Street and Bischoff Road can be addressed via subdivision of the balance lot without the need for the structure plan to be retained.

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix C**.



#### Lot 39 Frankland Avenue, Hammond Park (26E)

Located within the northern portion of DA 26, this structure plan basically involves a small western extension of structure plan 26B. It includes westward extension of Neilson Street, Weetman and Bellingham Roads and a small POS expansion (Neilson Park), servicing low (R25) density single residential housing.

With exception to the Neilson Street extension (and the POS for which the City received a bond), development of the structure plan area is complete.

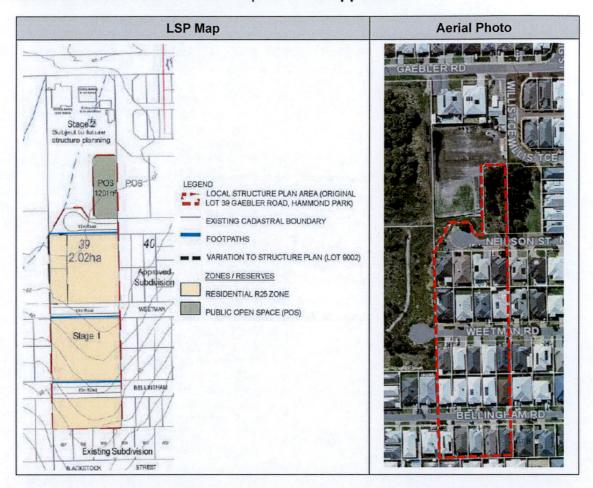
The northern portion of the original parent lot (now #34 and #36 Gaebler Road) were deliberately excluded from the structure plan pending resolution of wetland buffer and bushfire planning requirements (from a neighbouring Conservation Category Wetland). Consequently, they will remain zoned 'Development'.

A portion of the existing Neilson Street reserve forms the subject of a road closure proposal supported by Council and submitted to the Department of Planning, Lands and Heritage for assessment in September 2023. The relevant portion was initially dedicated to accommodate a cul-de-sac head that will become redundant as a result of current works to extend Neilson Street westward to match the approved structure plan and subdivision approvals for Lot 9008 Frankland Avenue (LSP 26P). Pending agreement between Landgate and the applicant on valuation, the process is expected to be approved by the Minister for Lands and finalised later this year.



Should the road closure ultimately be approved by the Minister for Lands (under the Land Administration Act 1997), the resultant Unallocated Crown Land will likely be acquired and amalgamated with Lot 9500 (#36) Gaebler Road. To avoid the risk of causing injurious affection, it is proposed that this small portion of road reserve be excluded from this proposal and retained within the existing 'Development' zone and DA 26.

Otherwise, all the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix D**.

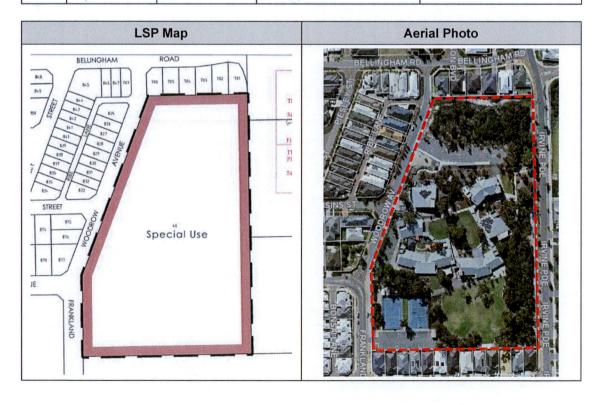


#### Lot 46 Woodrow Avenue, Hammond Park (26F)

Centrally located within DA 26, this structure plan applies to one landholding, which is currently occupied by the Hammond Park Catholic Primary School. Development of the existing primary school has occurred over several stages between 2012 and 2020. Further development is anticipated over the northern and eastern portions of the site but does not involve the creation of any new public reserves.

The structure plan (**Appendix E**) identifies the land as a 'Special Use' zone, limiting land use to 'Educational Establishment' and 'Place of Worship', subject to specific conditions. Consistent with how similar facilities are recognised in TPS3, it is proposed that the zoning and approvable land uses be directly transferred into 'Table 8 – Special Use Zones', but with adjusted conditions to reflect current practice.

		TABLE 8	- SPECIAL	USE ZONES	
No.	Description of Land	Special Use	Co	nditions	Reason for Changes
SU31	Lot 46 Woodrow Avenue,	Educational Establishment, Place of	1. Plannir approv	ngDevelopment al.	To reflect term used since release of the 2015 Regulations.
	Hammond Park	Worship	genera the lay the site Master to be s future a	pment shall Illy accord with out depicted on An updated plan is required ubmitted with all applications for oment approval.	Requiring future development to be in accordance with the 2013 Master Plan may unnecessarily hinder future development. The adjusted wording provides greater flexibility whilst still ensuring development occurs in a coordinated manner.
			satisfac govern require prepare and im the sat local go part of applica	ement, to the estion of the local ment, is d to be edsubmitted plemented to isfaction of the overnment as all future tions for gdevelopment	To ensure future applications properly measure the collective impact of these potentially high traffic generating land uses on the surrounding road network, consistent with the intention of the original Special Use condition.



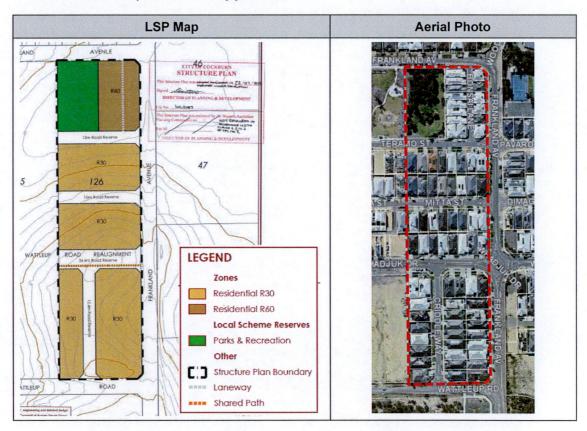
#### Lot 126 Frankland Avenue, Hammond Park (26H)

Centrally located within DA 26 west of Frankland Avenue, this structure plan identifies a local road network and a POS reserve in the northwest corner (eastern half of Teramo Park), servicing primarily low (R30) density single residential housing.

One pocket of medium (R60) density, accommodating laneway and squat-lot single house typologies is located directly adjacent the POS.

With exception to removal of a temporary cul-de-sac head that currently sits over the southwest corner of the POS at No.10 Teramo Street (for which the City took a bond and anticipates completing the works later this year), the area is completely subdivided and developed.

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix F**.



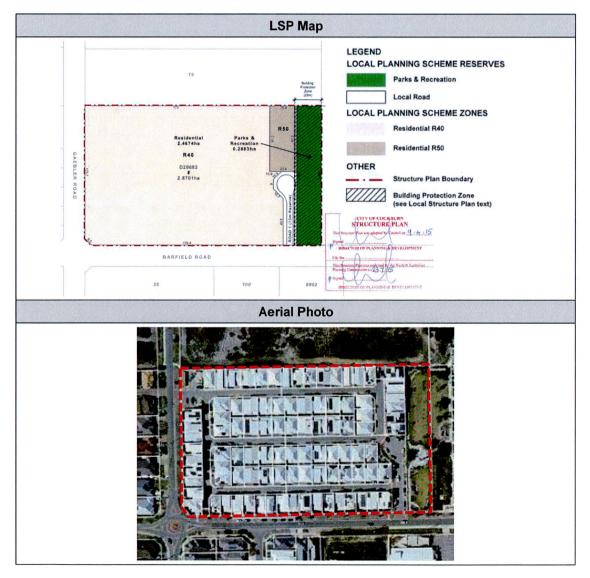
#### Lot 8 Barfield Road, Hammond Park (26J)

Located in the northeast corner of DA 26, this structure plan identifies one short culde-sac and a linear POS reserve (northern half of Minigwal Park) along the southern boundary, servicing medium (R40 to R50) density grouped housing.

A Local Development Plan was prepared to ensure comprehensive development occurred in accordance with Quiet House Design principles (due to the site's proximity to the Kwinana Freeway), bushfire management requirements, and lots with a direct interface to the POS. With exception to removal of the sales office and reinstatement of the communal parking facility in the northeast corner of the site, subdivision and development is complete.

Use of the POS as an asset protection zone is no longer necessary as a result of subdivision and development of Lot 19 to the south (LSP 26I).

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix G**.

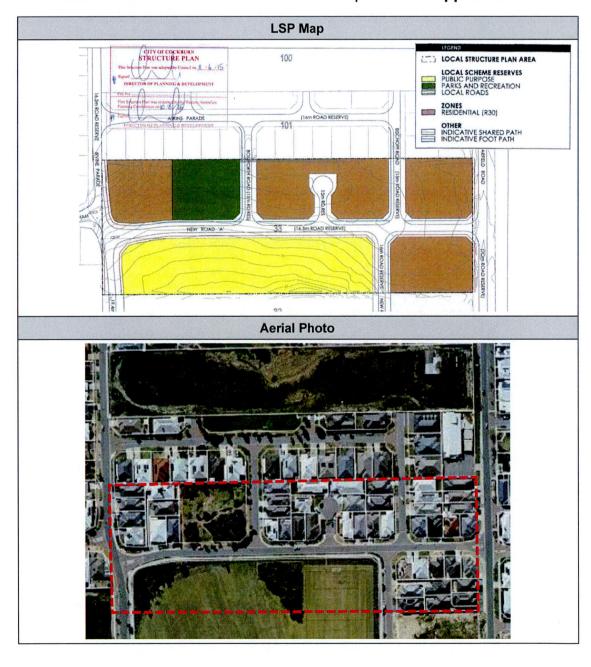


#### Lot 33 Barfield Road, Hammond Park (26K)

Located towards the northeast corner of DA 26 east or Irvine Parade, this structure plan basically involves a small southern extension of structure plan 26A. It identifies an interconnected local road network and a POS reserve (Alberod Park), servicing low (R30) density single residential housing.

The area is completely subdivided and developed, including the southwest portion as the northern-most portion of the Hammond Park Secondary College.

Aside from the school which has subsequently been reserved for 'Public Purposes – High School' under the MRS, all the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix H**.



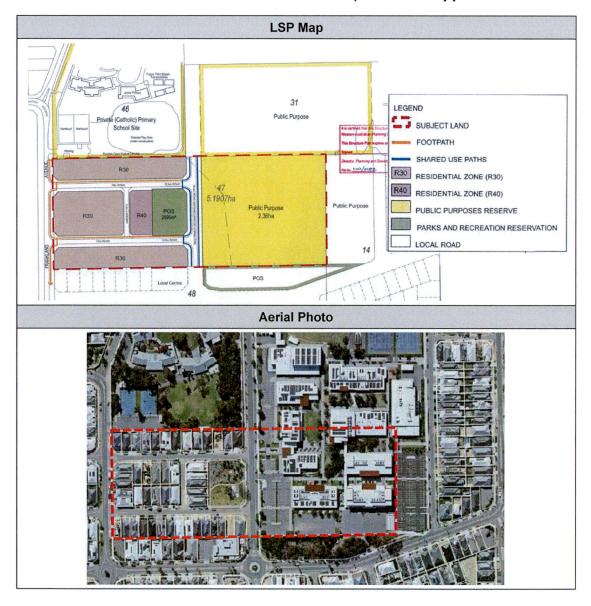
#### Lot 47 Frankland Avenue, Hammond Park (26L)

Centrally located in DA 26 east of Irvine Parade (and immediately south of LSP 26F), this structure plan identifies an interconnected local road network and a centrally located POS reserve (Dimago Park), primarily servicing low (R30) density single residential housing.

A pocket of medium (R40) density, accommodating single houses accessed via a rear laneway directly fronts and takes primary pedestrian access from the POS.

With exception to two vacant R30 coded single house lots, subdivision and development of structure plan is complete, including the eastern half as the southwest corner of the Hammond Park Secondary College.

Aside from the school which has subsequently been reserved for 'Public Purposes – High School' under the MRS, all the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix I**.

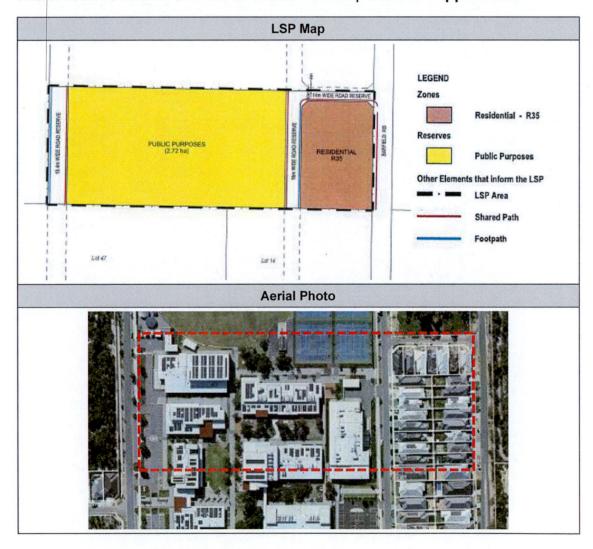


#### Lot 31 Barfield Road, Hammond Park (26N)

Centrally located in DA 26 east of Irvine Parade (and immediately south of LSP 26L), this structure plan identifies a local road network primarily servicing low (R35) density single residential housing.

Boota Way is currently an under-width road reserve, with the northern verge to be provided upon subdivision of Lot 9013 (#144) Barfield Road. Otherwise, the area is completely subdivided and developed, including the western half as the central portion of the Hammond Park Secondary College.

Aside from the school which has subsequently been reserved for 'Public Purposes – High School' under the MRS, all the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix J**.



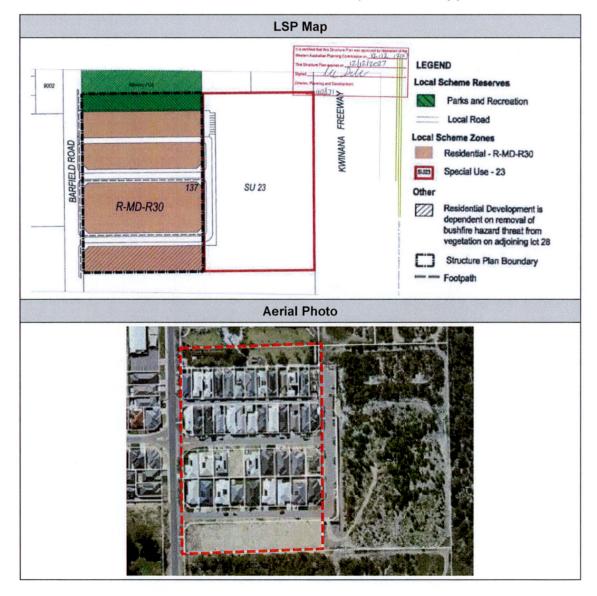
#### Lot 29 Barfield Road, Hammond Park (260)

Located along the eastern boundary of DA 26 east of Barfield Road, this structure plan identifies a simple loop local road (and laneway) network and a linear POS reserve (southern half of Minigwal Park) along the northern boundary, servicing low (R30) density single residential housing.

With exception to one vacant single house lot subdivision and development of structure plan is complete, including construction of the roads, parking embayments and a large drainage basin within the adjoining Special Use (SU23) zone, that contains Western Power operated high-voltage powerlines.

Identification of the Residential Medium Density Policy (R-MD) on a Structure Plan map reflects an outdated practice, corrected via Planning Bulletin 112/2016.

Aside from the R-MD codes, all the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix K**.



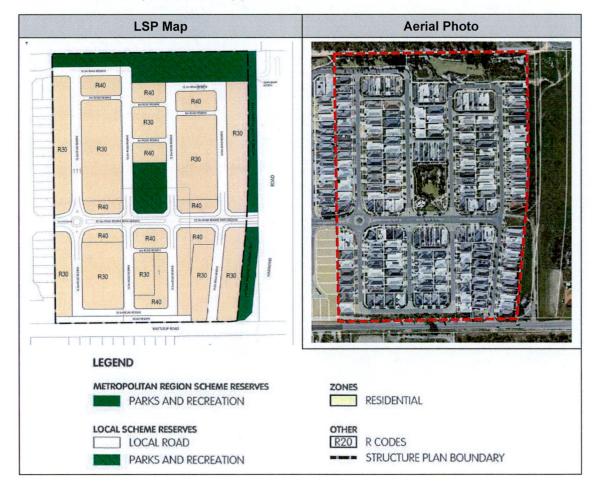
#### Lots 1, 111 and 810 Wattleup Road, Hammond Park (27C)

Located along the eastern boundary of DA 27 immediately west of the and historical Baldivis Tramway trail and future Hammond Road extension, this structure plan identifies an interconnected local road network, with a central POS reserve (Sayers Park) and two POS reserves (Dickerson and McPhee Parks) that act as a buffer to the Harry Waring Marsupial Reserve to the north.

The reserves primarily service low (R30) density single residential housing, with pockets of medium (R40) density accommodating laneway and squat-lot single house typologies generally in higher amenity locations adjacent, directly opposite or with direct access to POS.

All the structure plan area is completely subdivided and developed.

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix L**.



#### 6.0 CONCLUSION

For the following reasons, it is now an appropriate time for the structure plans discussed above to be revoked, and the applicable zones and reserves rationalised into the scheme:

- all public reserves (including local roads, drainage, public open space and public purpose) have been suitably constructed/embellished and transferred into public or utility provider ownership;
- all zoned land on the endorsed structure plans has been substantially subdivided and/or developed for private education and/or residential purposes; and
- where further subdivision and/or development is still to occur on private landholdings, the proposed zoning is consistent with the designation that would have applied under the applicable structure plan.

Recognising these zones and reserves within TPS 3 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; whilst still
- ensuring 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 provide greater flexibility to the landowner in a manner that do not pose any significant adverse impact on surrounding development.

#### **POSTSCRIPT: Inclusion of Minister's modifications**

Modifications required by the Minister for Planning were outlined in correspondence dated 27 August 2024 sent to the City of Cockburn and are set out further below. In carrying out these modifications, the Council resolution dates are not modified, although in this case there is a change to the scheme text and amendment map #1 from what was set out originally in those Council decisions.

In the interests of posterity and to provide some clarity to persons who may compare the original recommendation and/or Council minutes to these documents and/or the amended version of Town Planning Scheme No. 3, below are the Minister modifications:

1. Replace Item 2. with the following:

Rezoning Lot 46 Woodrow Avenue from 'Development' to 'Special Use 31' as depicted on the Scheme Amendment Map, and inserting the following into 'Table8 – Special Use Zones' of the Scheme Text:

No.	Description of Land	Special Use	Conditions
SU31	Lot 46 Woodrow Avenue, Hammond Park	Educational Establishment, Place of Worship	<ol> <li>Development approval.</li> <li>Development shall generally accord with the layout depicted on the site Masterplan (as amended to the satisfaction of the City).</li> <li>A Traffic Impact Assessment, is required to be submitted and implemented to the satisfaction of the local government as part of all future applications for development approval.</li> </ol>

2. Update the Scheme maps accordingly and reclassify the portions of constructed road in 'Development Area 26' covered by Structure Plan# 26M Lot 32 Barfield Road, Hammond Park from the 'Development' zone to 'Local Road' reserve.

Planning and Development Act 2005

# City of Cockburn Town Planning Scheme No.3 Amendment No.170

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:

- Rezoning various lots within 'Development Area 26' and 'Development Area 27' from 'Development' to 'Residential (R20)', 'Residential (R25)', 'Residential (R30)', 'Residential (R35)', 'Residential (R40)', 'Residential (R50) and 'Residential (R60)', as depicted on the Scheme Amendment Map.
- Rezoning Lot 46 Woodrow Avenue from 'Development' to 'Special Use 31' as depicted on the Scheme Amendment Map, and inserting the following into 'Table 8 – Special Use Zones' of the Scheme Text:

No.	Description of Land	Special Use	Conditions
SU31	Lot 46 Woodrow Avenue, Hammond Park	Educational Establishment, Place of Worship	Development approval.     Development shall generally accord with the layout depicted on the site Masterplan (as amended to the satisfaction of the City).
			<ol> <li>A Traffic Impact Assessment, is required to be submitted and implemented to the satisfaction of the local government as part of all future applications for development approval.</li> </ol>

- 3. Reclassifying land within 'Development Area 26' and 'Development Area 27' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage' and/or 'Local Road', as depicted on the Scheme Amendment Map.
- 4. Reducing the extent of the 'Development Area 26' and 'Development Area 27' Special Control Area boundaries, as depicted on the Scheme Amendment Map.

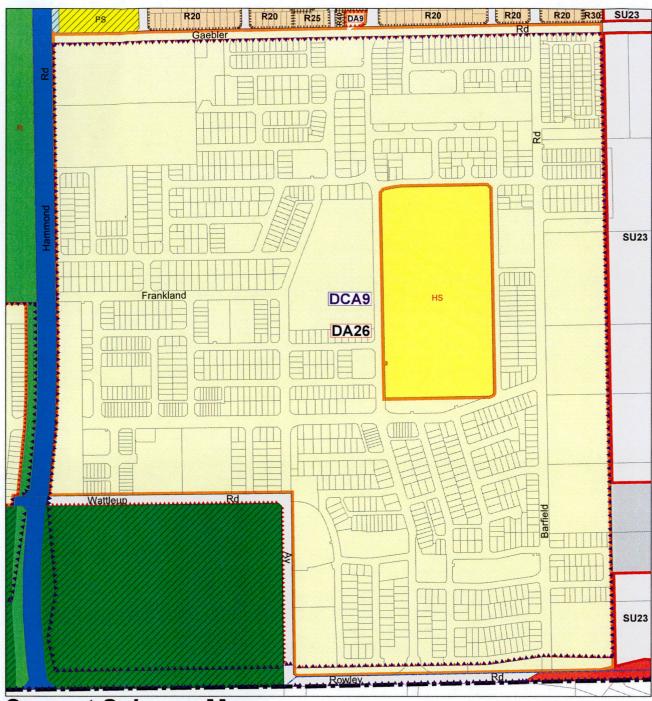
The Amendment is 'basic' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- It is an amendment the local planning scheme that involves zoning land consistent with an approved structure plan for the same land; and/or
- It is an amendment that corrects minor anomalies/administrative errors.

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 plan(s):

Structure Plan #	Address	Latest WAPC Endorsement	WAPC Reference
26A	Lots 36, 37, 45 and 101 Gaebler Road, Frankland Avenue and Barfield Road, Hammond Park	4/3/2010	801/2/23/0045P
26B	Lot 40 Gaebler Road, Hammond Park	7/3/2012	SPN/0327
26C	Lots 43 and 44 Frankland Avenue, Hammond Park	3/2/2012	SPN/0181
26D	Lots 9001 and 35 Gaebler Road, Hammond Park	29/10/2012	SPN/0361
26E	Lots 39 Frankland Avenue, Hammond Park	17/7/2013	SPN/0400
26F	Lot 46 Woodrow Avenue, Hammond Park	N/A (use only)	N/A
26H	Lot 126 Frankland Avenue, Hammond Park	22/5/2014	SPN/0549
26J	Lot 8 Barfield Road, Hammond Park	23/7/2015	SPN/0724
26K	Lot 33 Barfield Road, Hammond Park	10/8/2015	SPN/0751
26L	Lot 47 Frankland Avenue, Hammond Park	27/11/2015	SPN/0739
26N	Lot 31 Barfield Road, Hammond Park	22/3/2016	SPN/0663
260	Lot 29 Barfield Road, Hammond Park	12/12/2017	SPN/2101
27C	Lots 1,111 and 810 Wattleup Road, Hammond Park	22/10/2015	SPN/0675

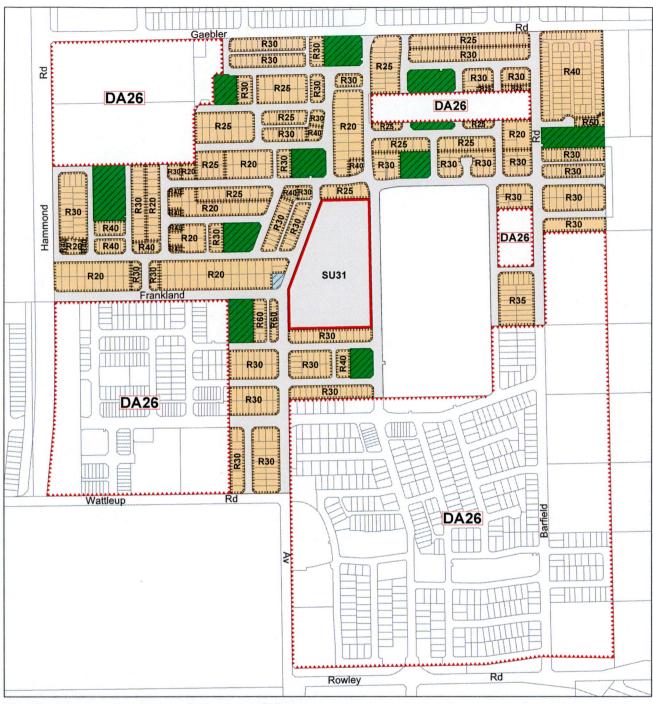
Upon the amendment taking effect, the above structure plans are to be revoked.



### **Current Scheme Map**

Scale

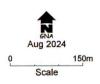
#### Map 1 of 2 GENERAL **REGION RESERVES LOCAL RESERVES ZONES** Scheme Boundary Parks & Recreation Parks and Recreation Residential R20 Residential Density Codes Parks & Recreation - Restricted Public Access Lakes and Drainage Development Local Road Railways Special Use SPECIAL CONTROL AREAS: Public Purposes - Primary School DA1 Development Areas **Primary Regional Roads** Development Contribution Areas Other Regional Roads Public Purposes - High School Peel-Harvey Coastal Plain Catchment Area **Amendment No.170** Apr 2024 150m Town Planning Scheme No.3



# Scheme Amendment Map Map 1 of 2

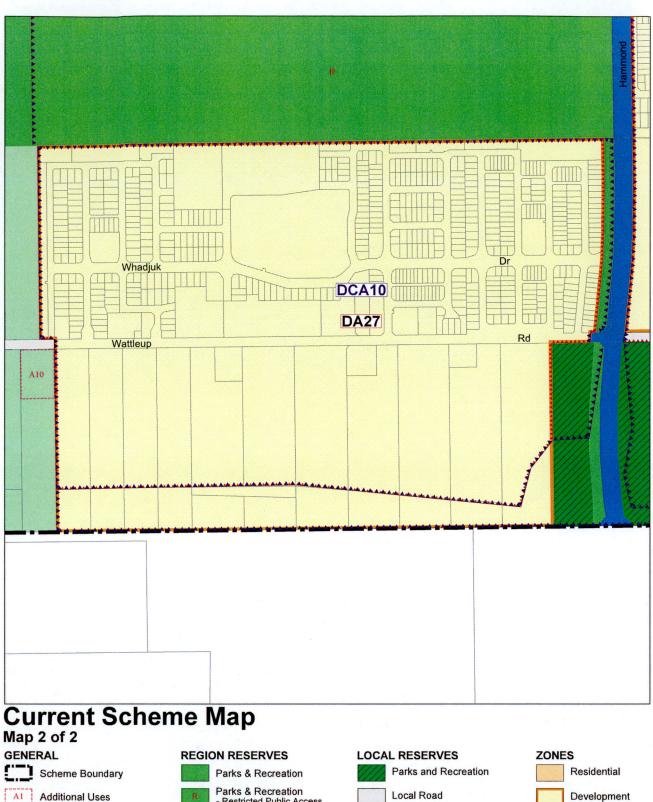






#### **Amendment No.170**

Town Planning Scheme No.3



A1 Additional Uses SPECIAL CONTROL AREAS:

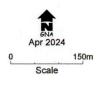
DA1 Development Areas Development Contribution Areas

Parks & Recreation - Restricted Public Access Other Regional Roads

Local Road

Rural



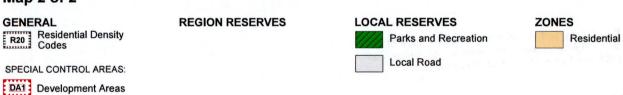


**Amendment No.170** 

Town Planning Scheme No.3



# Scheme Amendment Map Map 2 of 2







**Amendment No.170** 

Town Planning Scheme No.3

This Basic Amendment was adopted and is recommended for approval by resolution of the City of Cockburn at the Ordinary Meeting of the Council held on the 14th day of MAY 2024 , 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:

,	1
COMMON SEAL COMMON	MAYOR
(Seal)	
	OHIEF EXECUTIVE OFFICER
WAPC ENDORSEMENT (r.63)	DELEGATED UNDER S.16 OF THE P&D ACT 2005
	DATER 10 SEPTEMBER
APPROVAL GRANTED  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 All 91 2024  Certified by	MINISTER FOR PLANNING
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) Regulation and Development	DATE

2024.

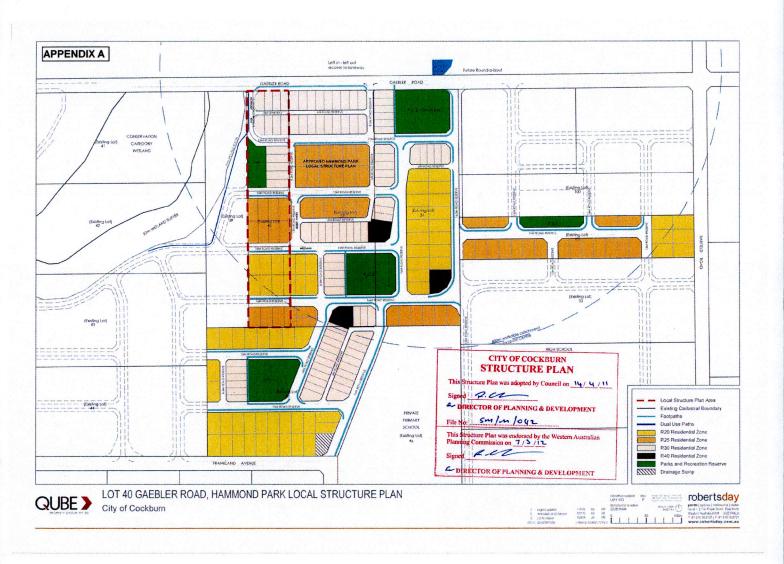
Document Set ID: 12070308 Version: 1, Version Date: 02/10/2024

(Local Planning Scheme) Regulations 2015.

### **APPENDIX A-L**

**Current Approved Structure Plans** 





#### APPENDIX B

N Lot 42 12m ROAD RESERVE FRANKLAND BELLINGHAM RD AVENUE **BLACKSTOCK ST** LANE **COUSINS ST** AVENUE FRANKLAND originally Adopted by Council on 10/11/2011 CITY OF COCKBURN STRUCTURE PLAN 114 This Structure Plan was adopted by Council on 1/7/2013 ← DIRECTOR OF PLANNING & DEVELOPMENT File No. 110/028

Lot 41

Beeliar Regional Park (Parks and Recreation Reserve)





Subdivision, Rezoning, Structure Planning, Development Planning, Design, Advocacy

PO Box 316 Kelmscott WA 6991

Level 1/252 Fitzgerald St, Parth T: [08] 9228 9291

6/2954 Albany Highway, Kelmscot T: [08] 9495 1947

Perth Lots

### **Local Structure Plan**

Lots 43 & 44 Frankland Ave HAMMOND PARK



28 June 2013

This Structure Plan was envorsed by the Western Australian

DIRECTOR OF PLANNING & DEVELOPMENT

Planning Commission on

### Plan 1

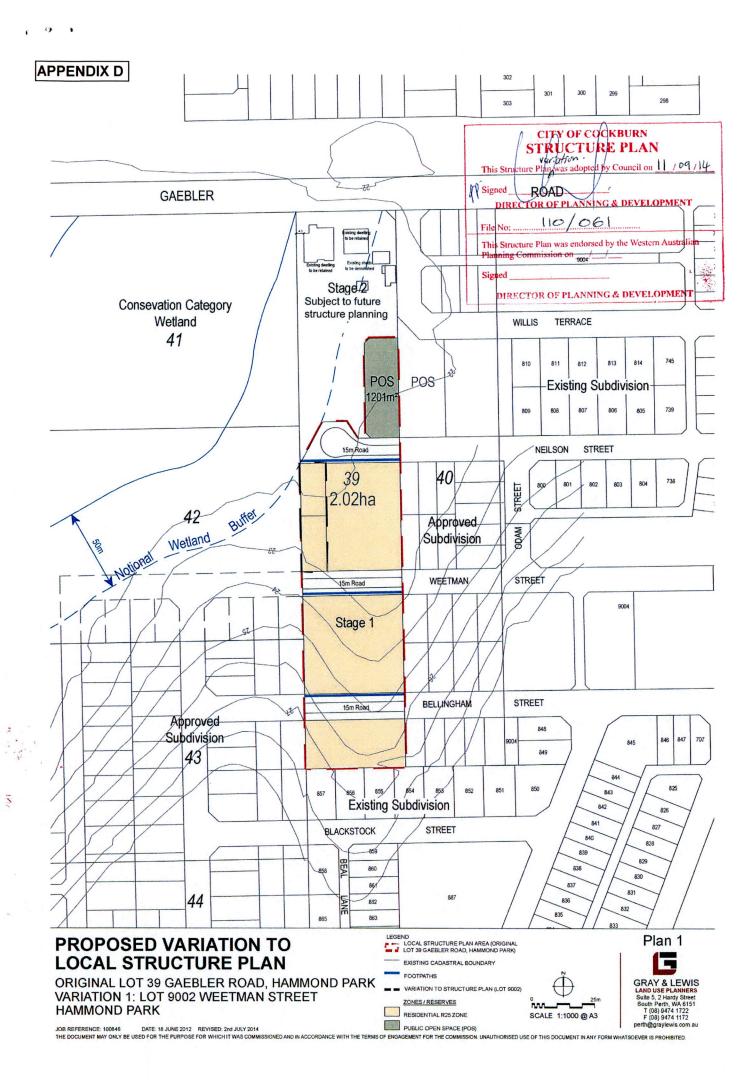
Not required in accordance with

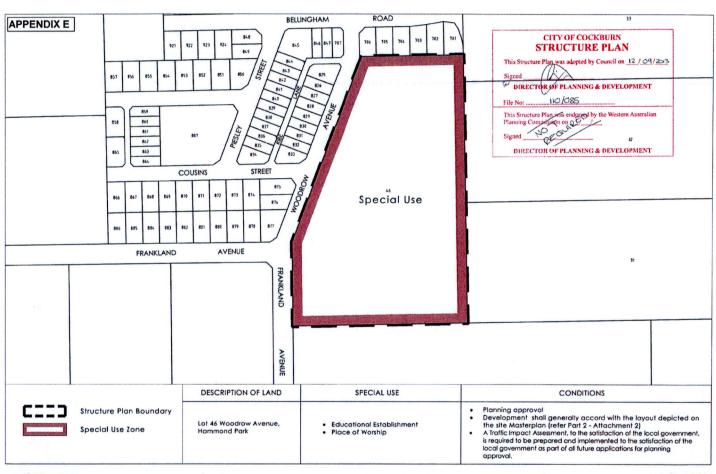
CI 6.2.14.2 of TPS No.3

This document may only be used for the purpose for which it was commissioned and in accordance with the Terms of Engagement.
 The dimensions, areas and number of lots are subject to

131009-LSP-P1-130320-A



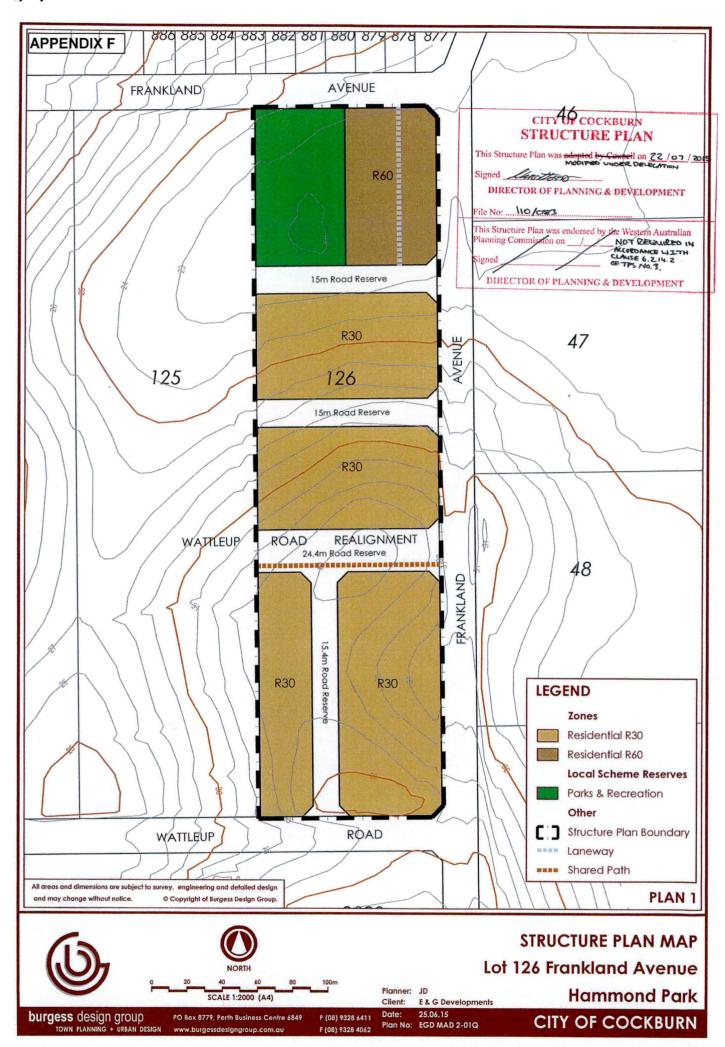




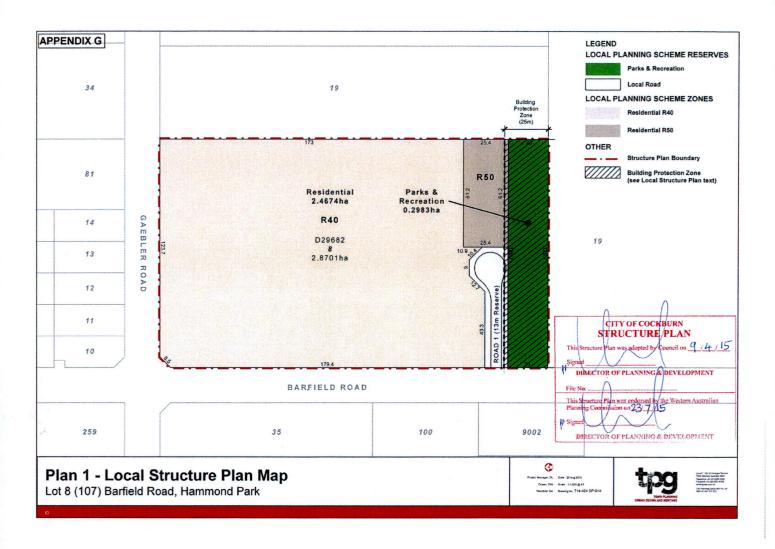


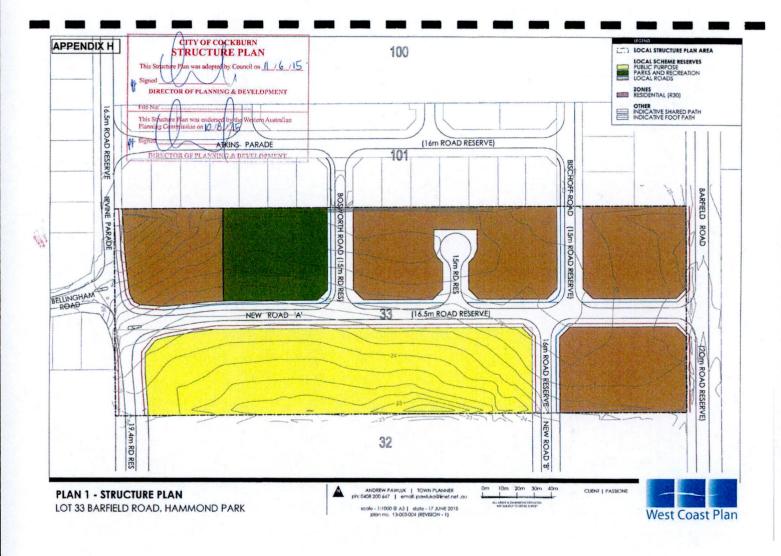
LOCAL STRUCTURE PLAN (PLAN A)
Hammond Park Catholic Primary School
Lot 46 Woodrow Avenue, Hammond Park - City of Cockburn

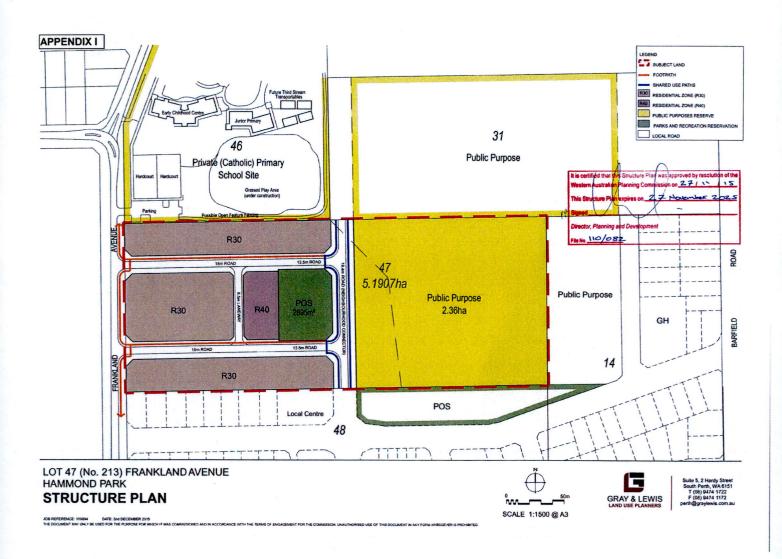
plan no: 2321-04C-01 scale: 1:2500 @ A4 date: 23.09.2013

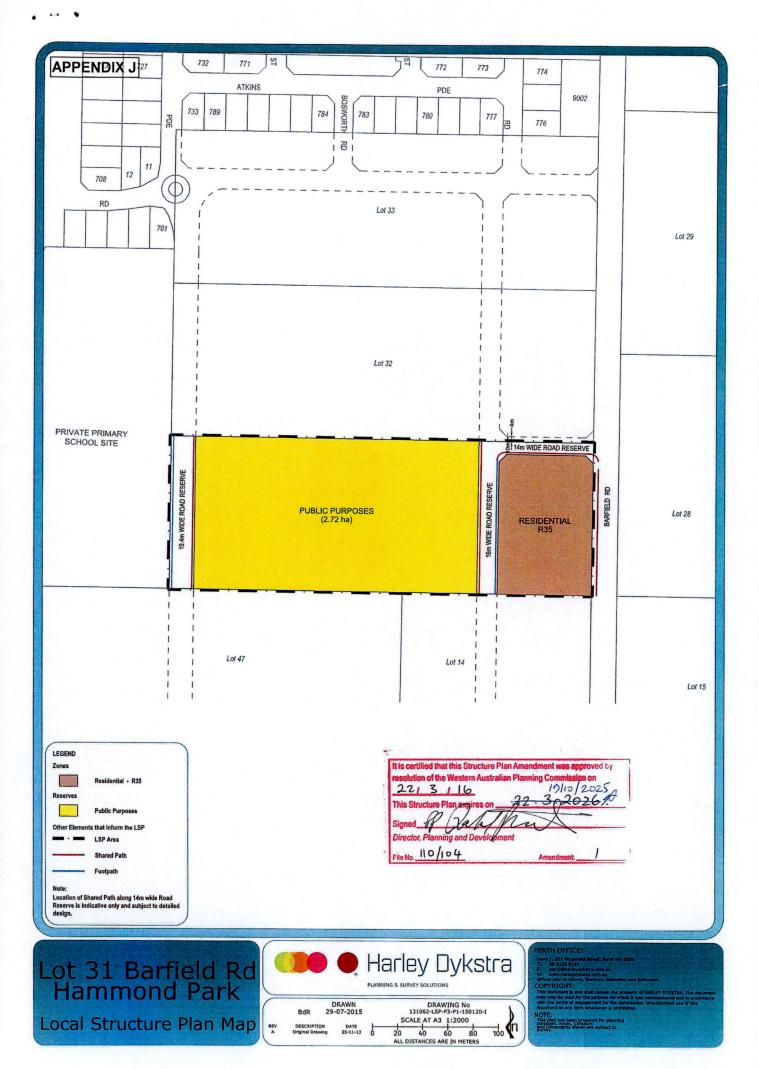


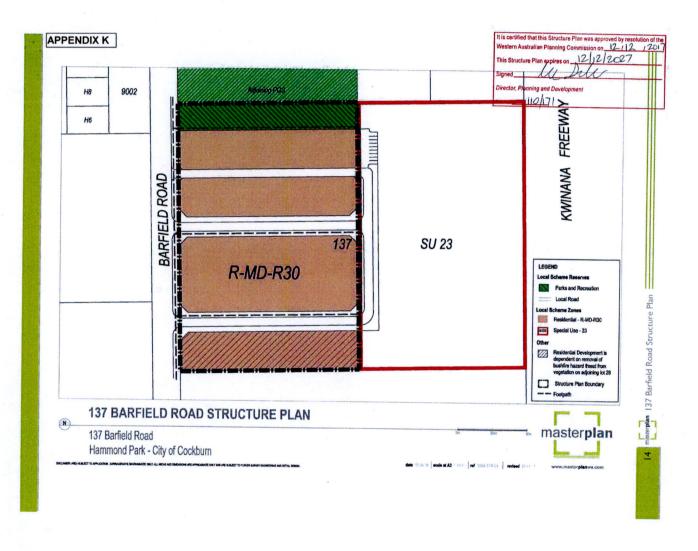
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NOOSHIEN, NOOSE FOR DESIGN BYTEN ONES, MEE MASSAU PARD DISSEPTIONS MICE SOURCE FOR DETAIL DESIGN ASSAULT