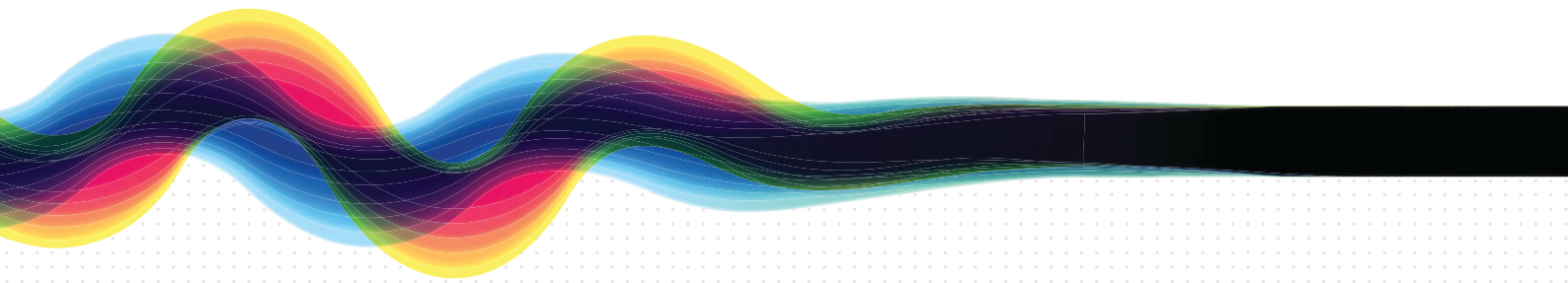


Lots 97 – 102 Watson Road

Structure Plan

March 2022 | 21-657



We would like to acknowledge the Kariyarra, Ngarla, and Nyamal people as the Traditional Custodians of the Town of Port Hedland lands. We recognise their strength and resilience and pay our respect to their Elders past and present.

| Document ID: /Volumes/Graphics/2021/21-657 Beeliar, Lots 97-102 Watson Road/Planning/Structure Plan Amendment/Final | | | | |
|---|----------|--------|--------------|-------------|
| Issue | Date | Status | Prepared by | Approved by |
| 1 | 21.12.21 | Final | Ella Compton | Justin Page |
| 2 | 29.03.22 | Final | Ella Compton | Justin Page |

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CERTIFICATION OF APPROVED STRUCTURE PLAN

This Structure Plan is prepared under the provisions of the City of Cockburn Town Planning Scheme No. 3 and in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*

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

.....20 February 2018.....Date

Signed for and on behalf of the Western Australian Planning Commission

.....
An officer of the Commission duly authorised by the Commission pursuant to section 16 of the *Planning and Development Act 2005* for that purpose, in the presence of:

.....Witness

..... 20 February 2018Date

.... 20 February 2028 Date of Expiry of this Structure Plan

Table of Amendments to Structure Plan

| Amendment No. | Description of Amendment | Amendment Type | Date Endorsed by WAPC |
|---------------|---|----------------|-----------------------|
| | Original Structure Plan Approval | | 20 February 2018 |
| 1 | Removal of road reserve abutting public open space to the north and replace with residential R40. | Standard | 13 October 2022 |

Executive Summary

The Lots 97 – 102 Watson Road Local Structure Plan (LSP) was endorsed by the Western Australian Planning Commission (WAPC) on 209 February 2018.

The LSP provides the guiding framework for the residential development of Lots 97 – 102 Watson Road, including the provision of public open space and appropriate road connections to adjoining properties.

Further detail on the land use breakdown as proposed by this structure plan amendment is provided in the Table 1 - Summary Table.

Table 1. Summary of the proposed structure plan

| Item | Data | Section number referenced within the Structure Plan Report |
|---|--|--|
| Total area covered by the Structure Plan | 2.43 hectares | 1.3 |
| Area of each land use proposed | | 1.3 |
| <ul style="list-style-type: none"> Residential Public Open Space and Drainage | 1.49 hectares 0.29 hectares | |
| Total estimated lot yield | 40 dwellings (This amendment introduces two additional dwellings) | 1.3 |
| Estimated number of dwellings | 40 | 1.3 |
| Estimated residential density | | 1.3 |
| Per site hectare | 27 dwellings per site hectare | |
| Per gross urban hectare | 16 dwellings per site hectare | |
| Estimated Population | 112 | 1.3 |
| (average 2.8 people/household) | | |
| Estimated area and percentage of public open space given over to: | | 1.3 |
| Local Parks | 0.29 hectares (POS 10%) | |

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Part One - Implementation

1. Structure Plan Area

This structure plan shall apply to the land contained within the inner edge of the line denoting the 'Structure Plan Boundary' on the Structure Plan Map.

2. Structure Plan Content

This structure plan consists of:

- Part One – Implementation Section (this section);
- Part Two – Explanatory Information; and
- Appendices – Technical information/reports supporting the structure plan.

3. Structure Plan Operation

This structure plan is prepared in accordance with Part 4 of Schedule 2 (Deemed Provisions) in the Planning and Development (Local Planning Schemes) Regulations 2015 ('the Regulations'). It fulfils the requirements of the City of Cockburn Town Planning Scheme No. 3 for the applicable 'Development' zone.

The Regulations require decision-makers to have due regard for the provisions of this structure plan, which takes effect on the date on which it is approved by the Western Australian Planning Commission ('WAPC').

Unless otherwise specified in this Part, all words and expressions used in this structure plan have the same meaning as the same words and expressions in the Regulations and City of Cockburn Town Planning Scheme No. 3 (as amended).

4 Staging

Under the WAPC 155966 subdivision conditional approval, staging will occur from the south and proceed northwards. The southern area topography is higher with stormwater draining to the north. The first stage of subdivision will create lots fronting East Churchill Avenue and the new subdivision to complete the neighbourhood cell. The pace of future subdivision to complete the development of the structure plan will be subject to market forces.

5. Subdivision and Development Requirements

5.1 Zones and Reserves

Subdivision and development of land within the structure plan area should be in accordance with the structure plan and the corresponding Zone or Reserve under the City of Cockburn Town Planning Scheme No. 3 (TPS 3).

5.2 Residential Density

Residential densities applicable to the structure plan area are shown on the Structure Plan map.

5.3 Residential Design Code Variations

The City of Cockburn Local Planning Policy 1.16 'Single House Standards for Medium Density Housing in the Development Zone' sets out acceptable variations to the deemed-to-comply provisions of the R-Codes for lots coded R25 – R60 (where enabled).

Except in a situation where an approved Local Development Plan ('LDP') imposes variations to the deemed-to-comply provisions of the R-Code, the standards set out in Local Planning Policy 1.16 shall apply to all residential lots in this structure plan.

5.4 Public Open Space

A minimum of 10% public open space is to be provided generally in the location shown on the Structure Plan Map and landscaped in accordance with City approved Landscape Drawings prepared as a condition of subdivision approval.

6. Local Development Plans

At the subdivision stage, the City of Cockburn may request that the WAPC impose a condition/s of approval requiring local development plan(s) to be prepared, in accordance with Part 6 of the Regulations, for lots with the following site attributes:

- i. Lots that abut public open space so as to make provision for an appropriate interface between residential lots and public open space.

7. Other Requirements

7.1 Notifications on Title

In respect of applications for the subdivision of land the City of Cockburn may recommend to the WAPC that a condition be imposed on the grant of subdivision approval for a notification to be placed on the Certificate(s) of Title(s) of affected lots to advise of the following:

- i. This lot is located within 300 metres of a small market garden and has the potential to be affected by odours, noise, spray drift and dust that are associated with the continued operation of a small market garden.

7.2 Developer Contributions

The Structure Plan area is subject to the requirements of Developer Contribution Area No. 4 and Developer Contribution Area No. 13 (Community Infrastructure), as detailed in Clause 5.3 and Table 10 of TPS 3.

8. Additional Information

At the subdivision stage, the WAPC may require and/or impose a condition(s) of approval requiring the preparation, submission and approval of the following technical reports (where applicable):

- Urban Water Management Plan
- Public Open Space Landscape Plan.

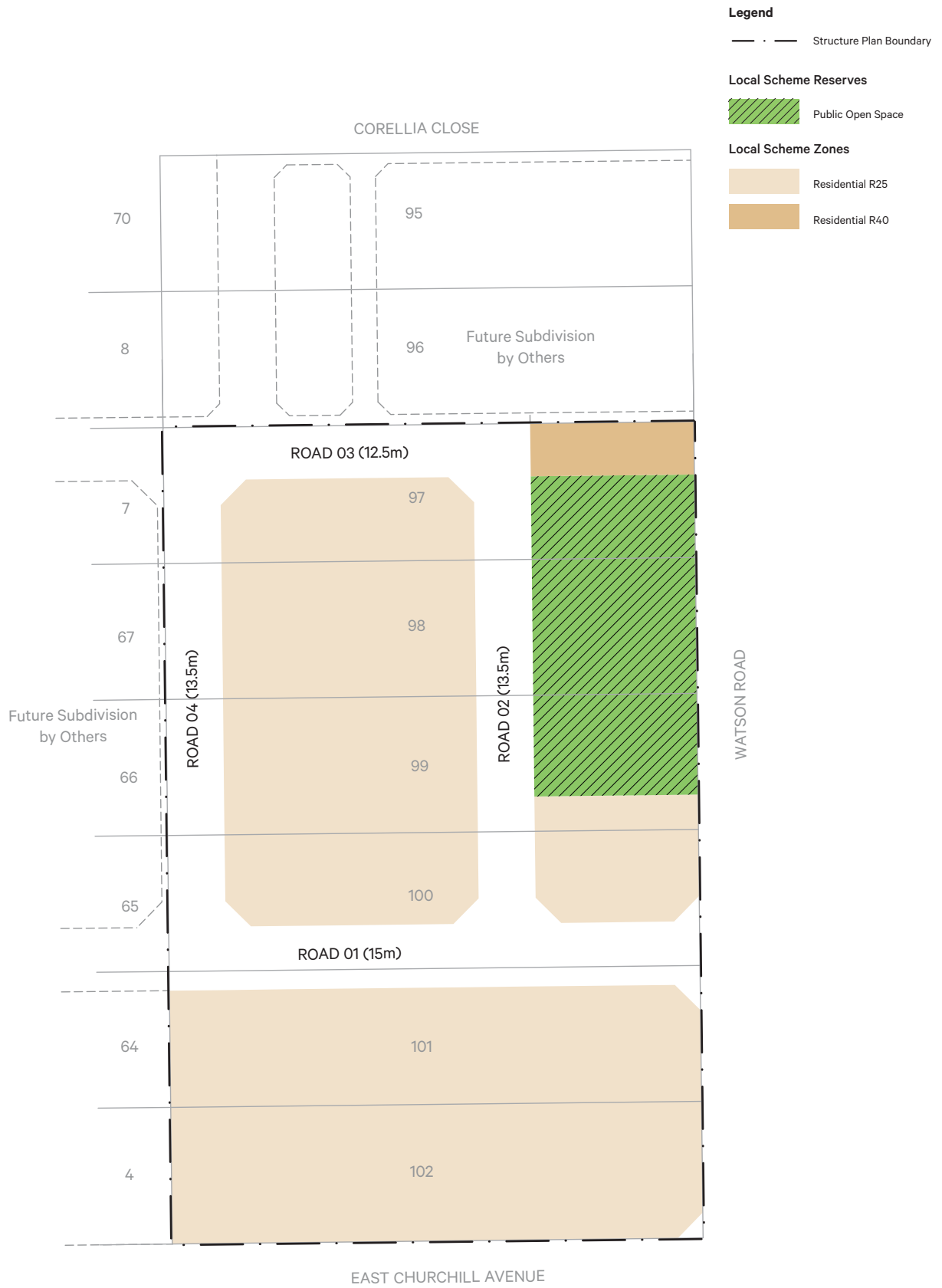


Figure 1 - Structure Plan

Part Two – Explanatory Information

Amendment No. 1

The Lots 97 – 102 Watson Road Local Structure Plan (LSP) is the official structure plan to guide planning decision making, which led to the WAPC conditional subdivision approval of WAPC 155966 subdivision. A copy of the WAPC endorsed LSP is contained in **Appendix 1**.

Refer to Appendix 1 – Lots 97 – 102 Watson Road Structure Plan

The approved LSP should be read in conjunction with this amendment. The amendment to the structure plan seeks a more efficient design by eliminating unnecessary road reserve and substituting residential land use. The planning rationale for the amendment is outlined in this report.

1.1 Pre-lodgement consultations

The following **Table 2** is a list of key stakeholders that were consulted during the preparation of the Amendment.

Table 2 – Key Stakeholder Consultations

| Stakeholder | Comments | Actions |
|--|---|--|
| Landowner Lot 96 Watson Road, Beelihar Circa July 2021 | Landowner verbally indicates support for the Proponent's proposal to remove the road reserve and create two residential lots abutting Lot 96. Owner of Lot 96 has no intention of demolishing the substantial existing dwelling in the medium-long term. | Proponent to continue to update owner of Lot 96 and later on obtain written confirmation. |
| City of Cockburn Planning Services Meeting 30 November 2021 | Proponent provided a background of the proposal and planning rationale, including discussions with the neighbouring landowner (Lot 96) and proposed two new lots to front Watson Road and internal subdivision road. During discussions the City officers requested further information on the interface of the lots siding onto the POS and impacts on drainage and 10% POS requirement. | Proponent to provide City with further information for City written pre-lodgement consultation feedback. |

| Stakeholder | Comments | Actions |
|--|---|--|
| City of Cockburn Planning Services Emails 7 December 2021 | <p>The City supports Element and Terranovis preparing a draft structure plan amendment for the Lot 97-102 Watson Road, Beeliar Structure Plan, based on the reclassification of the road reserve between Lot 96 Watson Road and the approved public open space as 'Residential R40'. City support is based on the preparation of the structure plan amendment only and should not be construed as the City or Council's support for the amendment when it is formally received.</p> <p>As part of the structure plan amendment submission, the following matters to be addressed in the documentation:</p> <ul style="list-style-type: none"> Updating of the POS Schedule in Part Two (Section 4.4) of the Structure Plan to specify the unrestricted POS, consistent with the draft UWMP prepared for the site; Updating the Structure Plan map to reflect the reclassification of the northern road reserve as 'Residential R40'; Inclusion of a Subdivision Concept Plan which reflects the intended lot layout, including any proposed revisions to the POS; Inclusion of the prepared Urban Water Management Plan, reflecting the proposed lot layout (and changes that result from the removal of the road) and the partial drainage function of the POS; and Inclusion of written correspondence from the landowner of Lot 96 Watson Road consenting to the removal of road reserve on part of Lot 97 (note this should be separate to the amendment report and technical appendices). <p>The proposed amendment is not considered to be a 'minor' amendment as per clause 17 of the WAPC's Structure Plan Framework, as it represents a change that does materially alter the intent of the structure plan and places a restriction on development of adjoining land (i.e. Lot 96 Watson Road). Noting the amendment will not be considered as 'minor', the proposal will be advertised when it is formally received.</p> | Proponent has provided the necessary information in the LSP amendment documentation. |

1.2 Planning Rationale

The Proponent seeks to remove the requirement under the current LSP Part One Clause 4.7 for the creation of road reserve with a temporary cul-de-sac. Clause 4.7 states:

4.7 Northern Road abutting Public Open Space

An easement in gross in accordance with Sections 196 and 197 of the *Land Administration Act 1997* for the benefit of the City of Cockburn is to be placed on the public open space reserve specifying access rights to facilitate the construction of a temporary cul-de-sac.

This amendment replaces the road reserve abutting the northern portion of the public open space with Residential use under an R40 density code. Two new residential "squat lots" (12.5m x 19.35m) potentially can be created as shown in the Subdivision Concept Plan (**Appendix 2**).

The planning rationale for removing the road reserve and replacing with residential lots includes:

- The neighbouring landowner of Lot 96 Watson Rd has indicated a desire to retain the existing substantial dwelling in the long term and therefore as such:
 - The Proponent's constructed road adjoining their property/house would reduce the amenity of their property;
 - Has no intention of subdividing to create lots fronting the Proponent's road reserve, which would be significantly more costly to develop. This would involve contributing to half the cost of the Proponent's road construction under Section 159 of the *Planning and Development Act*, along with the costs of upgrading and extending services to the proposed lots.
 - If the existing dwelling were to be demolished/removed, a more cost effective and efficient form of residential development would be either in the form of grouped housing or two lots (side-by-side) where in both of these options the development would front Watson Road and connect to services already available in Watson Road.

- The road reserve connection to Watson Rd between Lot 96 and the POS currently shown in the approved LSP serves no significant benefit. Another road connection to Watson Road is already available via Corella Close, which would be completed in future development as shown in the approved LSP document.
- Replacing the road reserve land with residential lots will be a better outcome for the neighbouring owner of Lot 96, which will result in the neighbour's existing property siding onto the rear boundary of the Proponent's residential lots.
- The required minimum 10% POS is retained in the WAPC 155966 subdivision. The road reserve land therefore does not need to become more POS.
- The owner of Lot 96 does not want public land POS abutting his existing house as this presents a security issue for the neighbour's land.
- The dwelling on Lot 239 Watson Road (and existing crossover), would be directly opposite where the road reserve will connect with Watson Rd. Removal of the road reserve will benefit Lot 239 by not having this road intersection onto Watson Rd (i.e. headlight glare shining towards the dwelling).
- Creation of two extra residential lots is more efficient use of land and will improve the target density yield. It will also provide for increased housing choice and affordability by creating smaller lower priced lots.

1.3 Residential Densities and Yield

The current approved structure plan provides for approximately 38 dwellings under the existing density code R25. The WAPC 155966 subdivision creates 38 residential lots, roads and public open space at a density of R25. The amendment proposes an additional two lots at a density of R40, given these lots are smaller 'squat lots'.

Table 2 provides development statistics which measure the performance of the structure plan against the density targets in the Perth and Peel@3.5million planning framework.

Table 2 – Development Statistics (based on Subdivision Concept Plan – Appendix 2)

| | Site Outcomes | Target Density |
|--|-------------------------------|---|
| Total Structure Plan Area | 2.43 hectares | - |
| Area of each land use proposed | | - |
| • Residential | 1.49 hectares | |
| • Roads, Public Open Space and Drainage | 0.94 hectares | |
| Area for residential development | 1.49 hectares (approximate) | - |
| Estimate ultimate number of single/grouped dwellings | 40 dwellings | - |
| Estimated number dwellings per gross urban hectare | 16 dwellings per site hectare | Directions 2031/Perth and Peel@3.5million 15 dwellings per gross urban hectare |
| Estimated number dwellings per site hectare ¹ | 27 dwellings per site hectare | Liveable Neighbourhoods 12-20 dwellings per site hectare for standard lot layouts; or 20-30 dwellings per site hectare for areas within 400m of neighbourhood centres |
| ¹ Liveable Neighbourhoods definition of site hectare is the area available for residential development excluding roads, non-residential uses, public open space and drainage areas. | | |

1.4 Public Open Schedule

The current approved structure plan provides for approximately 38 dwellings, which is demonstrated in the approved WAPC 155966 subdivision approval. Approximately 0.264 hectares of combined drainage and public open space is provided in the structure plan, as outlined in Table 3. Calculating the minimum 10% POS requirement under the public open space calculations of WAPC Liveable Neighbourhoods, potentially the structure plan delivers the minimum 10% POS requirement, including land required for drainage infrastructure, as detailed in the Urban Water Management Plan.

A Landscaping Concept Plan for the public open space has been prepared for the POS created under WAPC 155966. The proposed amendment (Residential R40) lots have been illustrated on the landscaping concept plan to show how the lots would interface with the POS (Appendix 3). As part of subdivision approval of the R40 lots, an update to the public open space landscaping plan will need to be prepared and submitted to the satisfaction of the local authority.

Refer to Appendix 3 – Landscaping Concept Plan (showing R40 lots)

Refer to Appendix 5 - Urban Water Management Plan

Table 3. Public Open Space Schedule based on Subdivision Concept Plan

| Calculation of Required POS Provision | | |
|---|---------------|--------------|
| | Hectares | Hectares |
| Total Site Area | 2.43 | 2.43 |
| <i>Deductions</i> | | |
| Surplus Restricted Public Open Space (Drainage Dry Basin 1:100yr 1% AEP) | 0.03 | |
| Total Deductions | | 0.03 |
| Gross Subdivisible area (total area minus deductions) | | 2.40 |
| Required POS (10%) | | 0.240 |
| Breakdown of POS Provided | | |
| May comprise: | | |
| • minimum 80 per cent unrestricted POS | 0.19 | |
| • Maximum 20 per cent restricted use POS | 0.05 | |
| Restricted Public Open Space | | |
| 1:100yr (1% AEP) drainage dry swale integrated with adventure play and passive recreation (shaded seating area for contemplation) | 0.05 | |
| Total Restricted POS Credited to a maximum of 20% | | 0.05 |
| Surplus Restricted Use Public Open Space | | 0.03 |
| Unrestricted Public Open Space : by function | | |
| <i>Local Park</i> | | |
| Local Park No. 1 | 0.2139 | |
| Total Unrestricted POS | 0.2139 | |
| Public open space provision provided | 0.2639 | |
| POS Provision as Percentage of Gross Subdivisible Area | 10.8% | |

1.5 Local Development Plan

A Local Development Plan will be required to guide the built form development of residential lots abutting the POS. In particular, development of the proposed R40 lots abutting the northern portion of the POS should incorporate the following design elements (as shown in the built form concept sketch in **Appendix 4**):

- Dwellings to orientate towards the POS with a minimum of one major opening to a habitable room and the main entry to the dwelling to face the POS;
- Where fencing along the boundary of the POS and residential lots is desired, the fencing should be visually permeable; and
- For the R40 lots, garage/vehicular access should be from public streets.

Refer to Appendix 4 – Proposed Lot Interface with POS (R40 lots)

APPENDIX 1

Lots 97 – 102 Watson Road Structure Plan (2018)

APPENDIX 2

Subdivision Concept Plan

APPENDIX 3

Landscaping Concept Plan

APPENDIX 4

Proposed Lot Interface with POS (R40 Lots)

APPENDIX 5

Urban Water Management Plan

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