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# LOCAL STRUCTURE PLAN *(revised)*

**Mell Gardens**  
*Over 55 Years Development (strata titled)*



**Lots 480 and 483 Rockingham Road  
Spearwood**



OFFICIAL

**ENDORSEMENT PAGE**

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

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

**9 October 2024**

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

Date of Expiry      19 October 2035



## TABLE OF VARIATION(S) TO STRUCTURE PLAN

Variation No.	Description of Variation	Date Adopted by Council	Date Endorsed by the WAPC (if required)
1	Proposed removal of Residential R40 land, which had been approved as part of the Local Structure Plan with a frontage to Rockingham Road. This land is proposed to be redesigned and incorporated into the Over 55 Years development.		
2	Proposed removal of the northernmost pedestrian access path to Rockingham Road and provision of required footpath through the approved area of public open space in this location.		
3	Proposed minor revisions to approved public open space areas. The revisions have no impact on the overall amount of POS (10% of the subdividable area) provided. A total of 2728m <sup>2</sup> of POS is provided.		
4	Deletion of Notation No. 2 which referred to Detailed Area Plans being required for the R40 lots. As the R40 lots are proposed to be removed as part of this variation to the Local Structure Plan, this notation is no longer applicable.		
5	Inclusion of Notation No. 8 which refers to the dwellings with a primary frontage to the internal road accessway and sharing a (rear) boundary with Rockingham Road being designed with a combination of solid and visually permeable fencing along the rear boundary, to ensure maximum security and noise amelioration for residents of Mell Gardens.		

## EXECUTIVE SUMMARY

Item	Data	Section number referenced within the Structure Plan Report
Gross Structure Plan Area	2.7281 hectares	Section 2.0
Area of each land use proposed <u>Zones:</u> Residential R30  <u>Reserves:</u> Parks and Recreation	2.45 hectares  0.2728 hectares (10%)	Section 6.2
Composition of Public Open Space - Local Park	0.2728 hectares 10%	Section 6.2
Estimated Lot Yield	89 lots	Section 6.1
Estimated Number of Dwellings	88 dwellings (aged and dependant persons) 1 dwelling lot for the community centre.	Section 6.1
Estimated Population	123 people @ 1.4 people/household (aged and dependant persons)	Section 6.1

## PART ONE – STATUTORY SECTION

### 1.0 Structure Plan Area

The Structure Plan is identified as the Mell Gardens Local Structure Plan (LSP1764-17).

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.

### 2.0 Structure Plan Content

The Structure Plan comprises the following sections:

- (i) Part One – Statutory Section. This section includes the Structure Plan Map and any textual provisions, standards or requirements that require statutory effect.
- (ii) Part Two – Explanatory Section (Non-Statutory). This section provides the planning context and justification for the Structure Plan Map and the textual provisions contained in Part One of the Structure Plan. Part Two is to be used as a reference to guide interpretation and implementation of Part One.
- (iii) Appendices, includes all specialist consultant reports and documentation used in the preparation of and to support the land use outcomes of the Structure Plan.

### 3.0 Interpretation and Relationship with City of Cockburn Town Planning Scheme No.3

3.1	Terms and Interpretations	As per Clause 6.2.6.3 of the City of Cockburn Town Planning Scheme No.3.
3.2	Relationship of the Structure Plan with City of Cockburn Town Planning Scheme No.3	This Structure Plan has been prepared under Clause 6.2 of the City of Cockburn Town Planning Scheme No.3 as the subject land is zoned 'Development' and contained within Development Area No. DA 31 which is shown on the Scheme Map and contained within Schedule No.11.
3.3	Provisions	Pursuant to Clause 6.2.6.3 and Clause 6.2.12.2 of the City of Cockburn Town Planning Scheme No.3.
3.4	Land Use Permissibility	As per Clause 4.3.2 of the City of Cockburn Town Planning Scheme No.3.

### 4.0 Operation

4.1	Operation Date	As per Clause 6.2.12 of the City of Cockburn Town Planning Scheme No. 3.
4.2	Variation to Structure Plan	As per Clause 6.2.14 and Clause 6.2.15 of the City of Cockburn Town Planning Scheme No.3.  <i>Note: A Detailed Area Plan (DAP), once approved, constitutes a variation of the structure plan pursuant to Clause 6.2.15.7 of the City of Cockburn Town Planning Scheme No. 3.</i>

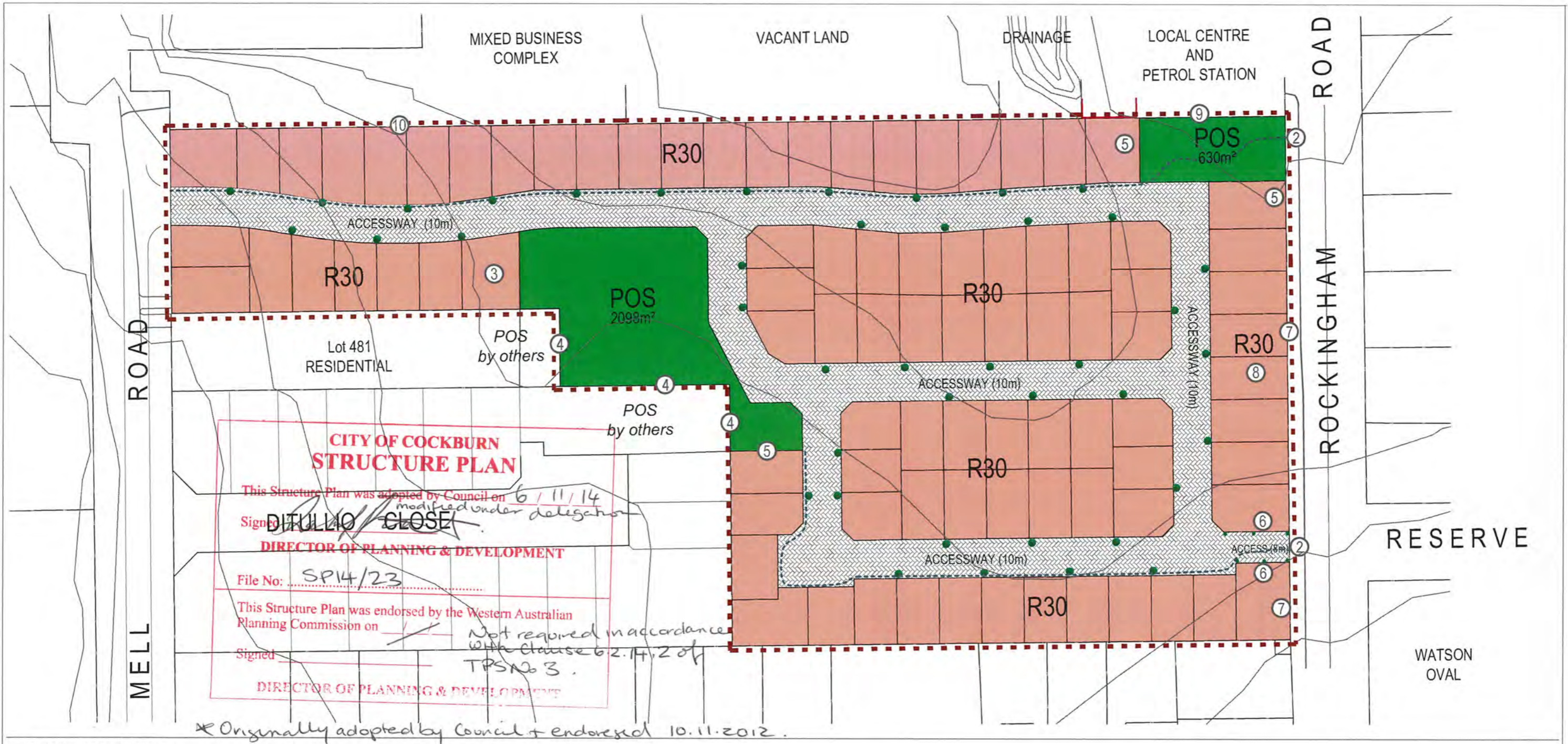
5.0 Land Use

5.1	Residential Density	Residential R30 (aged and dependant persons dwellings)
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# **LOCAL STRUCTURE PLAN**





**PLAN NOTATIONS**

- ① R30 lots to be developed for Over 55 Years Development, in accordance with the site area requirements for aged and dependant persons' dwellings, pursuant to the Residential Design Codes of WA (R Codes).
  - ② No vehicle access permitted to Over 55 Years Development from Rockingham Road. Pedestrian access only. Footpaths are required to connect to the existing footpath on Rockingham Road, to maximise connectivity between the development and surrounding locality. An easement in gross is required to be attached to the Strata Plan to ensure the general public has legal access to the brick paved accessways (and footpaths incorporated within the accessways) of the development. Signage to notify the public of its right for pedestrian use of the footpaths is to be installed at the Rockingham and Mell Roads entrances to the development.
  - ③ A small community centre is to be developed for the use of the Over 55 Years Community. The centre is to be owned and maintained by the residents of this community. The design of the building and garden is to have an appropriate interface with the adjacent public open space (POS) and accessway frontages to allow for passive surveillance.
  - ④ POS is to be designed to allow for connection with the future public open space areas to be developed on the neighbouring lots, in accordance with the District Structure Plan for Packham North.
  - ⑤ Dwelling to be designed with an appropriate interface to POS. Visually permeable fencing is required along at least 50% of the side boundary shared with the POS to allow for casual surveillance over the parkland.
  - ⑥ Dwellings to be designed to allow for casual surveillance of access footpath connection to Rockingham Road, while being secure. Visually permeable fencing is required along at least 50% of the side boundaries of the lot which interface with the access path and Rockingham Road.
  - ⑦ No vehicle access onto Rockingham Road for properties adjacent to Rockingham Road.
  - ⑧ Dwellings with a primary frontage to the internal road accessway and sharing a (rear) boundary with Rockingham Road are to be designed with a combination of solid and visually permeable fencing along the rear boundary, to ensure maximum security and noise amelioration for the residents, while still maintaining an appropriate level of interaction with the Rockingham Road interface.
  - ⑨ A masonry wall is to be constructed along the common boundary shared with the adjacent Service Station to enable the proprietor of the Service Station to address any non-compliant noise impacts emanating from components of the Service Station use.
  - ⑩ Boundary fencing is to address the impact of noise and light emissions from the adjacent commercial businesses located to the north, should it be determined that such emissions are at a level which will adversely impact on the residential amenity of the subject land.
- note: all lot areas and dimensions are subject to survey.*

**LOCAL STRUCTURE PLAN - MELL GARDENS (revised)**

LOTS 480 AND 483 ROCKINGHAM ROAD  
 SPEARWOOD

COUNCIL APPROVED DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 WAPC ENDORSED DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

LEGEND	
ZONES/RESERVES	OTHER
<span style="display: inline-block; width: 15px; height: 10px; background-color: #d9ead3; border: 1px solid #000;"></span> RESIDENTIAL R30	<span style="display: inline-block; width: 15px; border-bottom: 1px dashed black;"></span> SUBJECT SITE
<span style="display: inline-block; width: 15px; height: 10px; background-color: #5cb85c; border: 1px solid #000;"></span> PUBLIC OPEN SPACE	<span style="display: inline-block; width: 15px; border-bottom: 1px dashed black;"></span> FOOTPATH

**MONTAGUE GRANT ARCHITECTS** PTY LTD  
 26 BRISBANE STREET, PERTH WA 6000 TEL: 9328 2233 FAX: 9227 6346  
*in association with*  
**PETER D WEBB AND ASSOCIATES**  
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**PART TWO – EXPLANATORY SECTION**

# **LOCAL STRUCTURE PLAN** *(revised)*

**Mell Gardens**  
*Over 55 Years Development (strata titled)*



**Lots 480 and 483**  
**Mell Road/Rockingham Road**  
**Spearwood**

## LOCAL STRUCTURE PLAN

APPLICANT REF: C1764SP2

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*Landowner:* **Aegis Aged Care Group Pty Ltd**

*Property Description:* Lots 480 and 483 Mell Road/Rockingham Road,  
Spearwood

*Area:* Lot 483: 9778m<sup>2</sup>  
Lot 480: 1.7503ha  
combined land area of 2.7281ha

*Certificates of Title:* Lot 483: Certificate of Title Volume 1116, 88  
Lot 480: Certificate of Title Volume 1171, 943

*Local Authority:* City of Cockburn

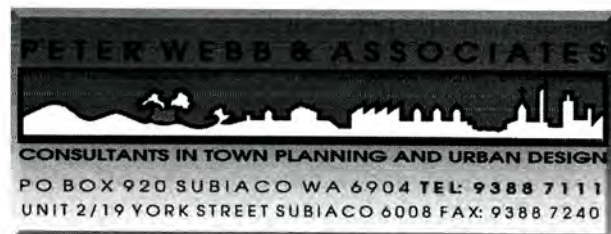
*Town Planning Scheme:* Town Planning Scheme No. 3

*Zoning:* Development (DA 31, DCA 12)

*Proposal:* Proposal to develop an Over 55 Years (strata unit)  
Development with integrated community and  
recreational facilities.

*Date:* October 2014

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*Source:*

*Much of the background information included in this Local Structure Plan report has been obtained from the City of Cockburn Packham North District Structure Plan (December 2010). Our use of that background data is acknowledged.*

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## EXECUTIVE SUMMARY

This revision to the Local Structure Plan (LSP) is lodged on behalf of Aegis Aged Care Group Pty Ltd.

The proposed revisions to the endorsed LSP include:

1. the removal of the portion of the land identified as being suitable for development at a density of Residential R40 which was located adjacent to Rockingham Road, at the eastern end of the site. This portion of the land had been retained by the previous owner for later development as a separate medium density housing development. Aegis has now purchased this portion of the land and seeks to integrate it with the land currently approved for the Over 55 Years development. Stage 1 of this development is now under construction.
2. the removal of the northernmost eight (8) metre wide pedestrian accessway to Rockingham Road. This accessway is superfluous given that the proposed pedestrian footpath link to Rockingham Road is designed to form an integral part of the area of public open space in this north eastern part of the development. The proposed integrated footpath through the POS continues to achieve the City's objective of providing a permeable pedestrian link between the development and Rockingham Road.
3. minor adjustments to the land areas of public open space, with the central area of POS being marginally reduced in land area from 2210m<sup>2</sup> to 2098m<sup>2</sup> and the POS in the north eastern corner of the land being increased in land area from 585m<sup>2</sup> to 630m<sup>2</sup>. These revisions are required as a result of the redesign of the eastern end of the site involving the removal of the R40 coded land and its integration into the Mell Gardens development. The combined total POS provided for the land is 2728m<sup>2</sup> which accords with the POS (10%) requirement. The revisions to the POS are minor and ensure a seamless connection is maintained to the adjacent connecting area of POS to be developed as part of the recent residential subdivision on Ditullio Close.

This Local Structure Plan refers to the proposed development of Lots 480 and 483 Rockingham Road, Spearwood, which land forms part of the City of Cockburn Packham North District Structure Plan Area.

The development of the amalgamated land parcel is to allow for the construction of a strata titled, 'Over 55 Years development' by Aegis Aged Care Group Pty Ltd (Aegis).

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Aegis is the largest owner and operator of nursing homes in Western Australia. Aegis is also involved in the development of strata titled, Over 55 Years developments. A similar recent development undertaken by Aegis involved the construction of a high quality, Over 55 Years development which comprised 15 independently owned dwelling units. That development is located at 40 Mell Road, Spearwood. The development has proven extremely successful, with all of the dwelling units having been promptly sold to local residents. To respond to the continuing demand for more of this type of housing in Spearwood, Aegis proposes to develop a similar high quality Over 55 Years Development on the amalgamated subject site, at a considerably larger scale. The proposed development is located in close proximity to the existing Over 55 Years Development described above, with the land the subject of this Local Structure Plan being located approximately 350 metres further north on Mell Road.

The Local Structure Plan includes a detailed plan describing the land use and form of urban development for the subject site. It includes all of the facilities and describes the vehicle and pedestrian movement systems through the Local Structure Plan area.

The following report provides the background and justification for the proposed Local Structure Plan, in accordance with the relevant Clause 6.2.6 (f) - Details of Proposed Structure Plan of the City's Town Planning Scheme No. 3 (TPS 3).

## 1.0 INTRODUCTION

Peter D Webb and Associates (PWA) acts for Aegis Aged Care Group Pty Ltd (Aegis) which company owns Lots 480 and 483 Rockingham Road, Spearwood.

PWA has been instructed to prepare a Local Structure Plan over Lots 480 and 483 Rockingham Road, Spearwood on behalf of Aegis. This Local Structure Plan is required to be integrated with other Structure Plans over adjoining and nearby parcels of land situated within Development Contribution Area (DCA) 12 - Packham North.

The Packham North District Structure Plan (DSP) area comprises a total land area of approximately 79 hectares, generally extending between the Fremantle to Rockingham rail line in the north; Rockingham and Mell Roads to the east; Mell Road to the south and to a line extending north and south of Cross Road, in the west. (Refer to Figure 1: Packham North.)

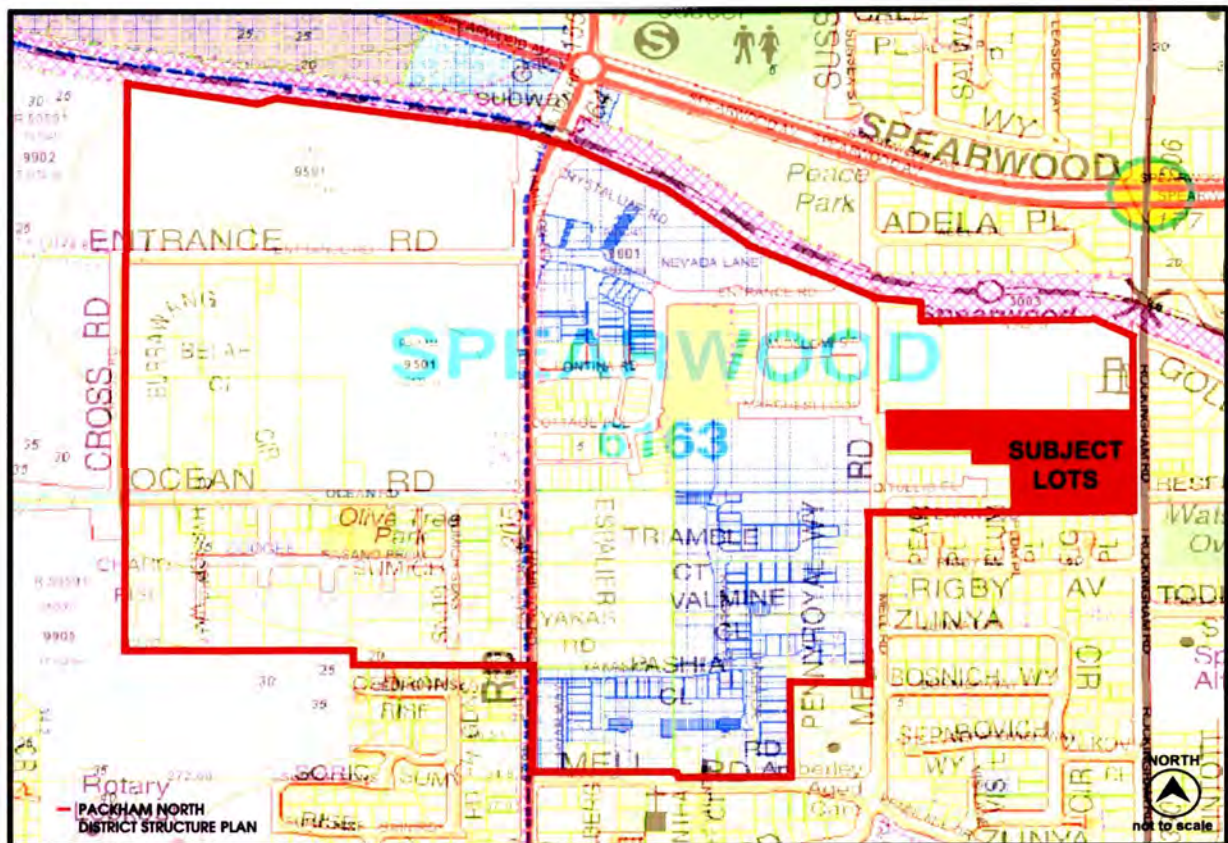


Figure 1: Packham North

source: landgate

The land which forms this Local Structure Plan is also the subject of a number of other actions by the local government (City of Cockburn), including Amendments No. 81 and 87 to the District Planning Scheme (relating to developer contributions for community and engineering infrastructure facilities).

## 2.0 LOCATION AND TITLE PARTICULARS

The two lots the subject of this Local Structure Plan are situated in the eastern sector of the Packham North District Structure Plan Area and are bound to the east and west by Rockingham and Mell Roads, respectively. (Refer to Figure 2: Aerial Photograph of Subject Site and surrounding land uses.)



Figure 2: Aerial Photograph of Subject Site

source: *nearmaps*

The subject site is bound in part to the south by the rear of residential lots (zoned Residential R30), which lots have frontages to Fig and Plum Places. The site is bound to the north by a mixed business complex which has a primary frontage to Mell Road; a vacant lot (Lot 14); a local commercial centre and petrol station which have a primary frontages to Rockingham Road, and a drainage sump on Lot 4874. Watson Oval is located on the eastern side of Rockingham Road, directly opposite the south eastern corner of Lot 483. (Refer to Annexure 1: Photographs of Site and Surrounding Environs.)

Lot 480 is described on Certificate of Title Volume 1116, Folio 88, on Deposited Plan 31729. Lot 483 is described on Certificate of Title Volume 1171, Folio 943 on Deposited Plan 31729. (Refer Annexure 2: Certificates of Title.)

The subject site has a combined land area of 2.7281 hectares with a total (combined) frontage to Rockingham Road of 135.18 metres and a secondary frontage to Mell Road of



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47.48 metres. The site has a northern side boundary length (extending between Mell and Rockingham Road) of 289.18 metres.

To the south and west of Lot 480 is a residential lot (Lot 481) which comprises a total land area of 2023m<sup>2</sup>. This lot (Lot 481) contains an older style single storey residential dwelling with a small market garden to the rear of the site. Lot 480 shares part of its southern (side) boundary with Lot 481, for a total length of 100.58 metres. The rear boundary width of Lot 481 is 20.12 metres, which rear boundary is also shared with Lot 480. The southern (side) boundary of Lot 480 extends to the east, from the south eastern corner of the rear (western) boundary of Lot 481, for a length of 44.04 metres. This part of the southern (side) boundary of Lot 480 is shared with the recently developed residential (R30 density) subdivision on Ditullio Close.

Lot 483 completes the western and southern extent of the combined subject area, with a rear boundary length of 67.59 metres, which boundary is shared with the eastern extent of the recently developed residential subdivision on Ditullio Close, and a southern (side) boundary of 144.68 metres.

Existing improvements include a single residential dwelling on both of Lots 480 and 483. These dwellings are to be demolished as part of the subsequent survey strata subdivision of the land.

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### 3.0 SITE CHARACTERISTICS

The City describes the land area which forms the Packham North District Structure Plan (DSP) as being located on the Swan Coastal Plain within the Aeolian Deposits of the Cottesloe Dune System, which System is referred to in the Packham North DSP as *'low, hilly landscape with shallow brown sands over limestone with exposed limestone outcropping (Department of Agriculture, 2003)'*.

In the Packham North DSP document, the City refers to a review having been undertaken of geological maps of the locality which indicates that, *'...there are small pockets within the structure plan area which form part of an inter-dunal wetland chain. The wetland areas are composed primarily of silt....described as brownish grey, calcareous in part, soft, some fine sand content in places...(Gozzard 1983)'*.

The topography of the overall Packham North DSP Area is described as ranging from 1.0 metre AHD to 25.0 metres AHD. The predominant land form of the DSP Area is described as being characterised by, *'two low depressions forming wetland areas in the central and western areas and elevated heights in the western and north-eastern portions of the structure plan area.'*

Immediately opposite (to the west) of the Local Structure Plan area is a central spinal low depression, generally situated between Hamilton and Mell Roads. This low area is described by the City as forming, *'part of an inter-dunal wetland chain in the district, which includes Lake Coogee to the south and the wetlands within the Beeliar Regional Park.'*

The topography of the Packham North DSP Area slopes upwards from the wetland (situated to the west of this Local Structure Plan Area) to higher ground to the east of Mell Road which ranges between 9.0 metres and 13.0 metres AHD. The subject site is located in this area, being the higher ground to the east of Mell Road. (Refer Annexure 3: Contours, Local Structure Plan Area.)

The elevated height of the subject land and the other two lots located on the eastern side of Mell Road are best described as the north eastern cell of the Packham North DSP area. This north eastern cell exhibits topographical characteristics which separate it from the wider (western part) of the DSP area in that it enjoys significantly higher elevation. This cell is therefore not affected by any of the wetland systems and drainage constraints which relate to the land to the west of Mell Road.

The Packham North DSP Area is mostly cleared land which has historically been used for agricultural and stock agistment purposes (including semi-rural and market gardens).

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Other predominant uses include the former Watsonia Factory, light and service industry and residential development.

The two lots which form this Local Structure Plan previously operated as local market gardens. The properties have not been used for this purpose since about 2007/2008. Investigations concerning any possible contamination of this site by this earlier market garden use and any possible contamination of the site which may have been caused by the adjacent Service Station (situated to the north of the subject land), although there is no ground evidence to suggest that such contamination from the Service Station has occurred, will be undertaken as a condition of subdivision/development approval, should it be determined at that time, that this investigation is required.

It should be noted that the need for any contaminated soil investigation is to be determined by a suitably qualified environmental consultant. Informal advice provided by an Environmental Scientist is to the effect that, on land which is characterised by free draining sandy soils (such as this site), that after a certain period of time, residual herbicides and/or fungicides present in the soil will no longer exist. Therefore, it may be determined that a contaminated soil investigation is not required for this site.

Should it be determined as necessary, any areas of contamination will be managed or remediated prior to the commencement of construction activities on the subject land, in accordance with the guidelines adopted by the then Department of Environment (DoE), as detailed in the then Department of Environment's Contaminated Sites Management Series.

The City appointed Cardno in 2008 to undertake groundwater monitoring at different locations across the Packham North DSP Area. The primary objective of this monitoring was to determine the characteristics of the *'pre-development hydrological environment'* of the DSP Area. The monitoring results are contained in the Groundwater Monitoring Report (May 2010), prepared by Cardno.

Cardno measured the groundwater depths on a monthly basis from October 2008 to March 2010. The measurements were taken at ten bore locations installed at various locations across the area. The results indicate a groundwater flow in a westerly direction and a minimum surface to groundwater separation distance of 2.05m in the central northern part of the DSP Area.

The depth to groundwater recorded at the bore located to the immediate north of the subject site is significantly greater than the minimum recorded depth in the Cardno program (of 2.05m). In Table C.1 of the Groundwater Monitoring Report, the depth to groundwater data recorded at the bore located to the immediate north of Lot 480

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Rockingham Road ranges from a minimum 12.07m in October 2008 to a maximum recorded depth in March 2010 of 12.39m. The greater depth to groundwater of the subject land relates to the higher elevated topography of the land.

The proposed development of the land will result in minimal ground disturbance, required only for the laying of the building foundations (to a depth of 800mm) and the installation of soakwells for on-site stormwater management. Given the nature of this development and the relatively high elevation of the land, there is no risk to the groundwater in this location.

The proposed Over 55 Years (strata titled) development is to be designed to contain all stormwater on site. The nature of the development poses no risk to water resources in this area. The Department of Water (DoW) has considered the proposal for an Over 55 Years development on this land and has confirmed in writing that the development is low risk and that a Local Water Management Strategy is not required. A copy of the email correspondence from the Senior Natural Resource Management Officer at the DoW to the Chief Executive of Aegis, which confirms that a Local Water Management Strategy is not required for this development, is attached at Annexure 4.

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## 4.0 SERVICES INFRASTRUCTURE

All of the usual engineering services infrastructure exist adjacent or within close proximity to the site. The land is capable of being serviced by sewer, water, electricity, gas and telecommunications. Our investigations confirm that these services have sufficient capacity to service the land. Where necessary, services are able to be extended to service the development of this land.

Western Power has confirmed that electricity infrastructure exists in the road reservations of both Rockingham and Mell Roads. This infrastructure consists of 22kv overhead powerlines. Western Power will review the proposal at development approval stage to determine whether the existing network has the capacity to service the additional load required (approximately 290kVA) for this proposal or whether an upgrade is required.

The land is able to be connected to reticulated sewer by the extension of the existing gravity sewer in Rockingham Road, adjacent to the south eastern corner of Lot 483 and extension of the existing sewer main constructed in Mell Road.

The land is able to be serviced by reticulated water by connection to the existing water mains in Mell and Rockingham Roads. (Refer to Annexure 5: Water Corporation Services Infrastructure.)

All of the other services are readily available in Mell Road and able to be extended to the proposed development. These services include Alinta Gas and telecommunications infrastructure.

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## 5.0 TOWN PLANNING CRITERIA

### 5.1 METROPOLITAN REGION SCHEME (MRS) AND CITY OF COCKBURN TOWN PLANNING SCHEME NO. 3 (TPS 3)

The land the subject of the Local Structure Plan is zoned 'Urban' in the Metropolitan Region Scheme (MRS).

The subject site forms part of the eastern cell of the wider Packham North District Structure Plan (DSP) Area. All of the land within the Packham North DSP Area is zoned 'Development' and identified as Development Area 31 (DA 31) and Developer Contribution Area 12 (DCA 12) on the relevant Scheme Map, pursuant to the City of Cockburn Town Planning Scheme No. 3 (TPS 3). (Refer Annexure 6: TPS 3 Zoning Map.)

Clause 6.2 - Development Areas of TSP 3 details the Scheme requirements for land identified as being within a 'Development Area'. In particular, reference is made to sub-clause 6.2.3.1 of TPS 3 which states that subdivision and development of land within a Development Area is to comply with the specific requirements for the Development Area included at Schedule 11 of TPS 3. Development of land within the Packham North DSP Area is to be guided by provisions for DA 31, which are to be introduced into Schedule 11 - Development Areas of TPS 3.

The proposed provisions for DA 31 include the adoption of a structure plan to appropriately zone and apply residential densities to land and provide development requirements which are to include built form guidelines and sustainability initiatives.

This Local Structure Plan has been prepared to accord with Clause 6.2.4 - Structure Plan Required of TPS 3, which states that the City is not to recommend approval of subdivision or approve any development on land within a Development Area without a structure plan being in place.

The proposed Local Structure Plan is described in detail at Section 6.0 of this supporting document. The proposed Local Structure Plan has been designed to accord with the land use objectives of the Packham North DSP and includes the required information, in order to comply with Clause 6.2.6 (e).

At Clause 6.2.6 (e), the following detail is required to be included on the proposed Local Structure Plan. The requirements included in this Clause which are not relevant to the subject site have not been included in the following list.

- Street block layouts.
- Street network including street types.

- 
- Pedestrian networks.
  - Land uses including residential densities and estimates of population.
  - Public parklands and community facilities.

In regard to the Developer Contribution Area (DCA 12) which applies to the Packham North DSP area, Aegis is aware that all landowners within DCA 12 are required to equitably contribute to the costs of infrastructure items including road improvements. In addition, Aegis is aware that all landowners are required to contribute towards the provision of community infrastructure in the suburb of Spearwood, being Developer Contribution Area 13 (DCA 13) to TPS 3. The City has recognised that the density bonus applied to the development of this land (as aged and dependant persons' dwellings) results in the need for the contribution fee (DCA 13) to be calculated differently to that which applies to a standard development proposal, in order for it to be equitable. Therefore, a standard Plan of Subdivision has been prepared and agreed by the City which is used to base the DCA 13 contribution amount to be paid for each stage of development. This subdivision design proposes a typical Residential R30 coded development, which achieves a total of 37 lots.

## 5.2 CITY OF COCKBURN LOCAL PLANNING STRATEGY

The land use proposed for this Local Structure Plan is consistent with the following actions identified in the City's Local Planning Strategy (amended August 2000) and listed in the Packham North DSP.

- *'Promote higher density and mixed use developments to reduce car use and promote cycling, walking and public transport;*
- *ensure there is appropriate housing and density mix to fulfil existing and potential demand from various groups;*
- *promote medium and high density housing in and near regional and district centres and near public transport facilities; and*
- *provide a range of housing opportunities.'*

The land use of this Local Structure Plan addresses the above objectives of the Local Planning Strategy. The proposed Over 55 Years development assists by providing a greater supply of this type of housing which caters for the specific needs of this age group in the community. Further, the proposed development is appropriately located directly adjacent to Rockingham Road which is a high frequency bus route providing easy access to community and retail infrastructure including the nearby Phoenix Town Centre. The

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future residents will also be within walking distance of the local shopping facilities situated immediately adjacent to the north east of the subject land.

### **5.3 CITY OF COCKBURN LOCAL COMMERCIAL STRATEGY**

The City of Cockburn Local Commercial Strategy was adopted by the Council in 2006 to guide the future development of commercial centres.

This Local Commercial Strategy identifies Phoenix Town Centre as a District Centre.

Within the Packham North District Structure Plan Area, the Local Commercial Strategy identifies the Watsonia Factory site as an 'Industrial Complex', and the local commercial centre on Rockingham Road located to the immediate north of this Local Structure Plan as 'Neighbourhood/Local Centre/Complex'.

These adjacent and nearby commercial uses support the land uses and residential density being proposed as part of this Local Structure Plan.

### **5.4 PHOENIX CENTRAL REVITALISATION STRATEGY AND ACTIVITY PLAN**

The City's Phoenix Central Revitalisation Strategy and Activity Plan (May 2009) provides a strategic framework for improvements to the Phoenix Town Centre and parts of the suburbs of Spearwood and Hamilton Hill for the next 10 years.

The part of the Packham North DSP Area situated to the east of Hamilton Road and including the area the subject of this Local Structure Plan, is identified as 'Precinct 6 - Watsons Structure Plan Area'. At Part 5.7 - 'Precinct 6 - Zoning Changes to the Watson's Study Area' of this Strategy, it is recommended that a Scheme Amendment and associated Structure Plan be undertaken to identify the most appropriate land uses for this area, which recommendations have now been addressed by the City. (Refer to Annexure 7: Figure 12 of Phoenix Central Revitalisation Strategy and Activity Plan.)

### **5.5 COCKBURN COAST DISTRICT STRUCTURE PLAN**

In the Packham North DSP document, the City refers to the close proximity of the Packham North DSP Area to the areas the subject of Improvement Plan No. 33 - North Coogee (May 2006) and the Cockburn Coast District Structure Plan (September 2009).

In this regard, the City states in the DSP document that the development opportunities identified in the DSP Area are compatible with those of the Cockburn Coast District Structure Plan and will not compromise the implementation of that latter Plan.



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## **5.6 LIVEABLE NEIGHBOURHOODS (WAPC, Jan 2009 (Update 02))**

The proposed Local Structure Plan has been designed in accordance with the District Structure Plan and responds to the principle aims, objectives and relevant requirements of the Design Elements of Liveable Neighbourhoods (WAPC).

In particular, the Local Structure Plan incorporates the following specific design element requirements of Liveable Neighbourhoods.

### **5.6.1 Design Element 1 - Community Design**

#### **Integrating with adjoining development (R5):**

The proposed layout ensures maximum connectivity with the existing and proposed developments in this locality. The public open space is strategically positioned to allow connection with the public open space areas to be developed on the adjacent sites (Lots 481 and 482), in accordance with the Packham North District Structure Plan proposed by the City. In addition, a strong pedestrian footpath network is provided through the development and the public open space is to provide for additional integration with the adjoining developments.

#### **Street network and lot layout (R8-R13):**

The proposed layout of the private accessway network is based on a grid-pattern design which ensures a high level of internal connectivity. Vehicular access to the Over 55 Years development is provided from Mell Road. No vehicular access will be provided to this development from Rockingham Road. This is due to there being insufficient sight lines to allow for significant increases to vehicular access and egress onto Rockingham Road.

A pedestrian footpath network is proposed through the development to ensure the proposed development provides strong external walkable linkages connecting Rockingham and Mell Roads and the central area of public open space.

The layout of the lots and internal private accessways ensures that all the dwellings are able to front the private accessways, footpaths and the public open space to enhance the amenity of the development and provide a high level of passive surveillance over the common areas.

#### **Density and mix of housing types (R16 - R20):**

The proposed layout includes detail of the strata titled lots, private accessway network and identifies the proposed land uses and residential densities. The proposed land use is a strata titled Over 55 Years development at a density of Residential R30.

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The residential density proposed on the Local Structure Plan is well suited to this location, with the land being situated adjacent to a high frequency bus route (Rockingham Road), which provides the residents with convenient access to the Phoenix Town Centre. The land is also conveniently located within walking distance to a smaller local commercial centre, which is located immediately adjacent to the north of the subject land.

The following Liveable Neighbourhoods requirement (R19) states:

*'Residential developments should not be provided in gated street formats. Where lifestyle, retirement or other special-interest developments are proposed, these should aim to maximise development on public streets, with good linkages to surrounding urban areas...together with provisions to specifically ensure that these developments do not disrupt the overall walkable urban structure.'*

The proposed Over 55 Years development is designed to provide specialised housing for this specific aged group within the community which maximises connectivity with the surrounding locality. The community will not be gated. The layout provides for a high level of connectivity with the adjacent existing and proposed urban developments, whilst still providing the necessary degree of security for the ageing residents.

Further, the Local Structure Plan provides an extensive pedestrian footpath network through the development, which footpath has two separate connections to the existing footpath on Rockingham Road. A provision is included on the Local Structure Plan requiring appropriate signage to be installed at both the Rockingham and Mell Road entrances to the site to advise the public of its right to use the footpaths of the development.

#### **Community Safety, social capital and health (R23-R24):**

The proposed lots are designed with frontages to the internal accessways as well as the public open space and the two pedestrian footpaths which are to connect to the footpath along Rockingham Road. A provision is included on the Local Structure Plan for those lots with dual frontages to have visually permeable fencing along at least 50% of the side boundaries of the lot.

Further, to enhance community wellbeing, a small community centre to be owned and managed by this Over 55 Years Community is proposed with a frontage towards the public open space. This community centre will provide the Over 55 Years Community with a sense of ownership over its own community centre and will encourage physical activity and interaction amongst the residents, in accordance with R24.

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## 5.6.2 Design Element 2 - Movement Network

### Street network (R12-R14) and Footpath and/or shared path construction (R45):

Vehicle access to the individual strata lots is provided by a network of 10 metre wide brick paved accessways. The vehicle accessway and footpath network is designed to be highly interconnected providing convenient access throughout the development, in accordance with R12 and R13.

### Walkable catchments (R37):

All of the lots contained within the Over 55 Years development are located within 400m of the local centre and bus stops located on both sides of Rockingham Road. A strong pedestrian footpath network provides safe and convenient access to this local centre and the nearby bus stops on Rockingham Road.

### Streetscape (R46-R47):

The design of the private accessway network accords with the following requirement of Liveable Neighbourhoods (R46),

*'The design of each street should convey to the user its primary function, character and identity, and encourage appropriate driver behaviour.'*

The brick paved accessway network will be designed with smooth and levelled surfaces, for the safety of the ageing residents. The design of the accessways with flush kerbing is proven to be a successful mechanism in reducing traffic speed, which is essential to ensure the safety of the members of this Over 55 Years community. Different natural earth toned brick paving is to be used to visually separate the vehicular accessway and footpath systems. High quality street lighting will be installed along the vehicle accessways to provide for a secure and safe living environment for the residents. (Refer to Annexure 8: Typical Internal Accessway.)

## 5.6.3 Design Element 3 - Lot Layout

### Density and diversity (R2-R6):

The proposed strata titled Over 55 Years development assists in providing for a greater variety of housing choices for people who have specific housing needs in a location which is close to local shops and a high frequency bus route, in accordance with R2 and R4.

### Lot size and shape (R7-R14):

The proposed lot sizes have been designed in association with Montague Grant Architects Pty Ltd (MGA). MGA is responsible for designing each of the residential dwellings and

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community centre for this Over 55 Years development. The lot sizes and layout illustrated on the Local Structure Plan has been specifically designed to accommodate these dwellings. Further detail of the design of the individual dwellings of the Over 55 Years Development is provided at Section 6.1 - Strata Titled, Over 55 Years development of this document.

**Subdivision orientation and response to site (R17-R18):**

The orientation of the lots allows for environmentally and energy efficient housing design, in accordance with the principles of R17 and R18. The design of the dwellings is detailed in Section 6.1 - Strata Titled, Over 55 Years development.

**Access to residential lots (R26)**

Vehicle access is not permitted to Rockingham Road from the proposed lots with side and rear boundaries to Rockingham Road which ensure the operational and safety requirements of Rockingham Road are maintained, which accords with the principle of R26.

**Frontage to parks and natural areas (R27-R28):**

The Over 55 Years development is designed with lots which are orientated towards the public open space, which enhances the amenity of the area and provides an opportunity for passive surveillance over the parkland, in accordance with main design principles outlined at R27.

In regard to the dwelling lot and the privately owned community centre lot which have boundaries abutting the public open space, appropriate provisions are included on the Local Structure Plan to ensure the buildings are designed with appropriate interfaces to the public open space. These provisions accord with the design principles of R28 which require lots abutting the boundaries of parklands to be appropriately responsive.

**Frontage to streets and arterial routes (R29)**

The dwellings on the lots which are orientated towards the internal vehicle accessway and share side and rear boundaries with Rockingham Road are to be designed to provide an appropriate level of interaction with that (Rockingham) road, whilst ensuring maximum security and noise amelioration for the aging residents of Mell Gardens. The design of the dwellings along the Rockingham Road frontage of Mell Gardens will provide good streetscape amenity and surveillance, in accordance with R29.

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#### **5.6.4 Design Element 4 - Public Parkland**

##### **Amount of public open space (R4):**

The area of land set aside for public open space meets the minimum contribution of 10% of the gross subdivisional area, as detailed at R4.

#### **5.6.5 Design Element 5 - Urban Water Management**

The proposed Over 55 Years (strata titled) development is to be designed to contain all stormwater on site. The nature of the development poses no risk to water resources in this area. The Department of Water (DoW) has considered the proposal for an Over 55 Years development on this land and has confirmed in writing that the development is low risk and that a Local Water Management Strategy is not required. A copy of the email correspondence from the Senior Natural Resource Management Officer at the DoW to the Chief Executive of Aegis, which confirms that a Local Water Management Strategy is not required for this development, is attached at Annexure 4.

#### **5.6.6 Design Element 6 - Utilities**

The engineering servicing provisions for this development are detailed at Section 4.0 - Servicing Infrastructure of this document.

The development of this site will ensure the essential servicing provision of underground power, gas, sewer, water, public lighting and telecommunications.

### **5.7 DIRECTIONS 2031 AND DRAFT SUB-REGIONAL STRATEGY**

This Local Structure Plan accords with the relevant objectives of Directions 2031 which *inter alia* encourages infill development to provide additional housing stock and actively promotes the need for greater housing diversity in established areas to meet the different needs of the community, together with the provision of higher residential densities along high frequency bus routes and near local commercial centres.

In particular, reference is made to Figure 56 - South-West Sub-Regional Framework Map of the draft Directions 2031 sub-regional strategy which identifies the Packham North DSP Area as 'WAT1 900+'. At Appendix 4 of the draft Strategy, 'WAT1' refers to the area name of 'Watsons' which is identified as providing an estimated dwelling yield of 900. The proposed development of this Local Structure Plan will assist the City in achieving this dwelling yield target for the Packham North DSP Area by providing an additional 88 dwellings for the Over 55 Years community in a suitable location.

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## 5.8 TOWN PLANNING CONCLUSIONS

It is evident therefore that the Local Structure Plan the subject of this submission is consistent with the objectives and criteria associated with all of the above, relevant statutory and policy framework adopted by the local and state government agencies.

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## 6.0 PROPOSED LOCAL STRUCTURE PLAN

The proposed Local Structure Plan is attached.

The land use which forms this Local Structure Plan comprises a strata titled, Over 55 Years development (designed to meet the requirements of the Residential R30 density code) and public open space facilities.

The following sections provide a detailed description of the major land use components of this Local Structure Plan.

### 6.1 STRATA TITLED, OVER 55 YEARS DEVELOPMENT

The land use of this Local Structure Plan involves the construction of a strata titled, Over 55 Years development. The development is designed to accord with the residential density code of Residential R30 and Part 6.1.3 - Variation to the minimum site area requirement, Acceptable Provision A3 (i) of the Residential Design Codes of WA (R Codes), which states,

*'A3 i for the purposes of an aged or dependent persons' dwelling...the minimum site area may be reduced by up to one third...'*

At a density code of Residential R30, the average site area requirement is 300m<sup>2</sup> with a minimum site area requirement of 260m<sup>2</sup>, which for the purposes of this Over 55 Years Development is able to be reduced by one third, resulting in an average site area requirement of 200m<sup>2</sup> with a minimum site area requirement of 173m<sup>2</sup>.

This development is planned to provide landowners with a sense of belonging to a community of like-minded people, whose residents will enjoy recreational opportunities within a secure residential environment.

Vehicular access to the site is proposed only from Mell Road. No vehicular access will be provided to this development from Rockingham Road. This is due to there being insufficient sight lines to allow for significant increases to vehicular access and egress onto Rockingham Road.

The Over 55 Years development will comprise approximately 88 dwelling units which are to be specifically designed to cater for the needs of this age group within the community. The average number of persons per dwelling unit within an Over 55 Years development is generally found to be 1.4 persons. It is therefore estimated that 123 persons will ultimately reside within this part of the development.

The overall design concept for the development will follow the built form model of the established Over 55 Years development at 40 Mell Road, Spearwood, which was also

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designed by the project Architect (Montague Grant Architects Pty Ltd (MGA)) for this proposal and Aegis. It has proven to be extremely successful. (Refer to Annexure 9: Photographs of the existing over 55 years development at 40 Mell Road, Spearwood.)

The development will offer prospective owners two bedroom (plus a study) independent living units with a small manageable area of private open space and high quality security features. All dwellings will include an enclosed single bay garage. A tandem visitor bay will be provided for each dwelling, in front of the residents carport. Each unit is to be sold on its own strata titled lot, which lots comprise an approximate average land area of 200m<sup>2</sup>, which complies with the R30 density code requirements for aged and dependant persons accommodation of the R Codes.

The individual strata lots are to be accessed by an internal, 10 metre wide vehicular accessway which is to be brick paved with high quality products and extensively landscaped. The vehicle accessway and the associated footpath networks are to be designed with smooth and levelled surfaces. Different natural earth toned brick paving is to be used to visually separate the vehicular accessway and footpath systems. High quality street lighting will be installed along the vehicle accessways and within the public open space area to provide for a secure and safe living environment for the residents. The external perimeter of each dwelling, vehicle accessways, pedestrian paths and recreational area will be extensively landscaped with a range of plant species to provide visual interest and create a strong local character for this Over 55 Years Community. (Refer to Annexure 8: Typical Internal Accessway.)

Each dwelling within this development will be designed with its own unique character to cater for the different styles and needs of the individual. The landscaping around the dwelling units will contain a variety of plant species, which will differ between each unit. The combination of styles, building materials and landscaping of the dwelling units will create an attractive and visually interesting streetscape. The different dwelling styles will also ensure the Over 55 Years development is able to fit cohesively with the surrounding urban area, whilst ensuring the development offers the residents a secure living environment with a strong community focus.

The internal design of the dwellings are to include features which respond to needs of the ageing community such as elevated stoves or wall ovens, grab rails in toilets and showers, matching floor levels at showers and door thresholds, recessed sliding door sills and elevated power points. The dwellings will be designed to be environmentally sustainable, with each dwelling being installed with solar panels and water sensitive gardens. An



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example of the range of different internal layouts of the dwelling units approved as part of stage 1 of Mell Gardens (designed by MGA) are attached at Annexure 10.

## **6.2 PUBLIC OPEN SPACE FACILITIES**

The Local Structure Plan proposes a centrally located area of landscaped public open space with a land area of approximately 2098m<sup>2</sup> and a smaller area of public open space in the north eastern corner with a land area of approximately 630m<sup>2</sup>. The total combined area of public open space provided as part of the Local Structure Plan is approximately 2728m<sup>2</sup>, which comprises 10% of the total subdividable area of land (2.728 hectares).

The provision of the central public open space area in this location enables it to connect with the area of public open space to be developed as part of the recently constructed residential subdivision on Ditullio Close and the future residential development of Lot 481 Mell Road, in accordance with the principles of the Packham North DSP. (Refer to Annexure 11: Packham North DSP.)

The central public open space area is to be designed with an interconnecting footpath network. The parkland will be more than sufficient to cater for the needs of the future residents of this Over 55 Years Community, which are only likely to utilise this area for passive recreational use. This community is far more likely to recreate in the privately owned and managed community centre which is proposed on an adjoining private lot.

The small parkland area which is located in the north eastern corner of the land provides an attractive interface for the development to Rockingham Road. This parkland area is to be designed as a small intimate space with attractive landscaping and a meandering footpath with casual surveillance from adjacent residences, to allow safe pedestrian connectivity between the development and Rockingham Road. This parkland area acts as an appropriate buffer between the adjacent Service Station use (to the north of the subject land) and the future residential dwellings on the subject land. The buffer of POS together with a boundary wall of masonry (reinforced) construction will provide adequate protection to any potentially non-compliant impacts emanating from the Service Station.

## **6.3 COMMUNITY CENTRE (PRIVATELY OWNED AND MANAGED)**

The community centre building is proposed on a private lot which will overlook the public open space. This facility is necessary to provide appropriate (age relevant) recreational facilities for the Over 55 Years community. This community centre facility is to be maintained and managed by this community.

The provision of the community centre adjacent to the area of public open space will ensure that the use of the open space is maximised by the residents of the Over 55

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Years Development, which building will be orientated towards the adjacent open space providing an opportunity for passive surveillance.

#### **6.4 PEDESTRIAN NETWORK**

A network of interconnecting footpaths are proposed to be constructed along the internal accessways of the development, as indicatively illustrated on the attached Local Structure Plan. These footpaths will provide residents and the local community with pedestrian links between Rockingham and Mell Roads as well as the public open space facilities proposed as part of the development. The footpaths are proposed to connect to the existing footpath on Rockingham Road at both the northern and southern ends of the subject site. The southernmost footpath is to be designed to be constructed within an eight (8) metre wide landscaped accessway. The adjacent dwellings will be designed to provide for casual surveillance of this accessway. The northern most footpath is to be designed as an integral part of the small parkland area proposed in the north eastern corner of the land. The adjacent dwellings will be designed to allow for good visual supervision and casual surveillance of this space.

These footpaths provide convenient access for residents to and from the local centre situated to the north of the land, nearby bus stops and the large recreational area (Watson Oval) located on the eastern side of Rockingham Road, directly opposite the south eastern corner of the land.

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## 7.0 IMPLEMENTATION PROGRAMME

The first stage of the development has been granted Approval by the City and is currently under construction. This stage involves the construction of 21 dwellings, the community centre, the central area of public open space, and the footpath and brick paved accessway closest to Mell Road.

The remaining area of public open space and northern parts of the development will be constructed as part of the second stage of development. A temporary fence will be constructed along the boundary of the first stage of development to ensure that the residents already occupying the dwellings maintain their security and are protected from site works being undertaken as part of the second stage.

The final stage of development will involve construction of the dwellings and footpath networks in the south and east sections of the development.

Vehicular access to the site from Rockingham Road will be necessary only during the construction phases of the development. Appropriate traffic controls will be implemented to ensure that construction vehicles entering and leaving the site are safely managed and result in minimal disruptions to traffic flows on Rockingham Road.

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## 8.0 CONCLUSION

The proposed Local Structure Plan conforms with the requirements of the Packham North District Structure Plan and all other relevant strategic and statutory frameworks of the local and state government agencies.

The proposed land use provides the City with an opportunity to provide greater housing diversity in this locality, in an area which is well serviced by essential engineering and social infrastructure.

The high quality development to be undertaken by Aegis includes the design and construction of each individual dwelling with its own a unique character and style, fitting into an attractive, comprehensively landscaped environment. Aegis will also extensively develop the landscaped front verge areas with different plant species to provide an aesthetically pleasing streetscape which will act as a catalyst for other quality urban developments to be undertaken in the Packham North Structure Plan area.

The design of this development ensures a sustainable, community focused development is created which promotes the concept of a walkable neighbourhood with an attractively landscaped centrally located area of public open space, small community centre and a network of interconnecting footpaths with excellent access provided to nearby local services and public transport.

Accordingly, the City of Cockburn's adoption of this Local Structure Plan is respectfully sought.

**Peter D Webb and Associates**

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# ANNEXURES

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**ANNEXURE 1**  
*Photographs of Site  
and Surrounding Environs*



Photograph 1: Looking in a north easterly direction from Mell Road towards the first stage of construction of Mell Gardens.



Photograph 2: Looking west towards the construction of dwellings as part of first stage of Mell Gardens.



Photograph 3: Looking in a north westerly direction towards dwelling construction as part of the first stage of construction of Mell Gardens.



Photograph 4: Looking north along Mell Road towards Mell Gardens site. Note recent construction of residential development and local access road (Ditullio Close).



Photograph 5: Looking west from Mell Road towards developing residential area of Packham North.



Photograph 6: Looking in an easterly direction towards the cul-de-sac of Ditullio Close and area of public open space to be designed to connect to the central public open space developed as part of Mell Gardens.



Photograph 7: Looking south along Rockingham Road along the frontage of the subject land.

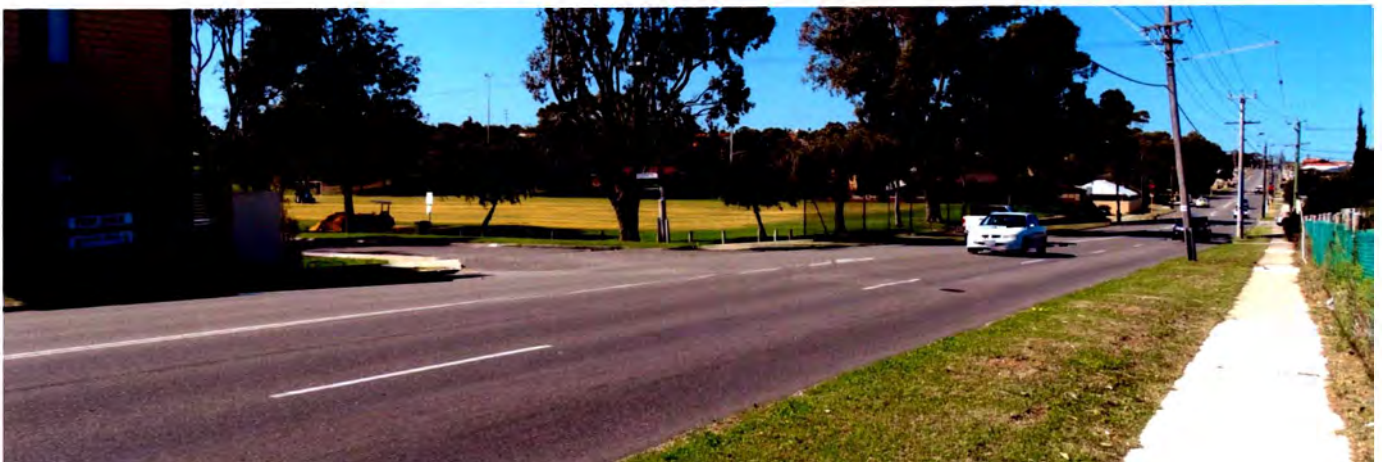




Photograph 8: Looking west along northern wall of residential building on Lot 480, which dwelling is to be demolished as part of the development of Mell Gardens.



Photograph 9: Looking north west from opposite (eastern) side of Rockingham Road towards residential building on Lot 482 (to be demolished) and existing frontage of land to Rockingham Road.



Photograph 10: Standing in front of subject land, looking south east from Rockingham Road towards intersection of Reserve Road and Watson Oval.

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**ANNEXURE 2**  
*Certificates of Title*

WESTERN



AUSTRALIA

REGISTER NUMBER <b>480/DP31729</b>	
DUPLICATE EDITION <b>2</b>	DATE DUPLICATE ISSUED <b>26/11/2010</b>

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

VOLUME  
**1116**

FOLIO  
**88**

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

REGISTRAR OF TITLES



**LAND DESCRIPTION:**

LOT 480 ON DEPOSITED PLAN 31729

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

AEGIS AGED CARE GROUP PTY LTD OF 90 GOODWOOD PARADE, BURSWOOD  
(T L454847 ) REGISTERED 15 OCTOBER 2010

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

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

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

**STATEMENTS:**

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

SKETCH OF LAND: DP31729.  
PREVIOUS TITLE: 317-46.  
PROPERTY STREET ADDRESS: 341 ROCKINGHAM RD, SPEARWOOD.  
LOCAL GOVERNMENT AREA: CITY OF COCKBURN.

WESTERN



AUSTRALIA

REGISTER NUMBER <b>483/DP31729</b>	
DUPLICATE EDITION <b>2</b>	DATE DUPLICATE ISSUED <b>26/11/2010</b>

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

VOLUME  
**1171**

FOLIO  
**943**

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

REGISTRAR OF TITLES



**LAND DESCRIPTION:**

LOT 483 ON DEPOSITED PLAN 31729

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

AEGIS AGED CARE GROUP PTY LTD OF 90 GOODWOOD PARADE, BURSWOOD  
(T L454847 ) REGISTERED 15 OCTOBER 2010

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

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

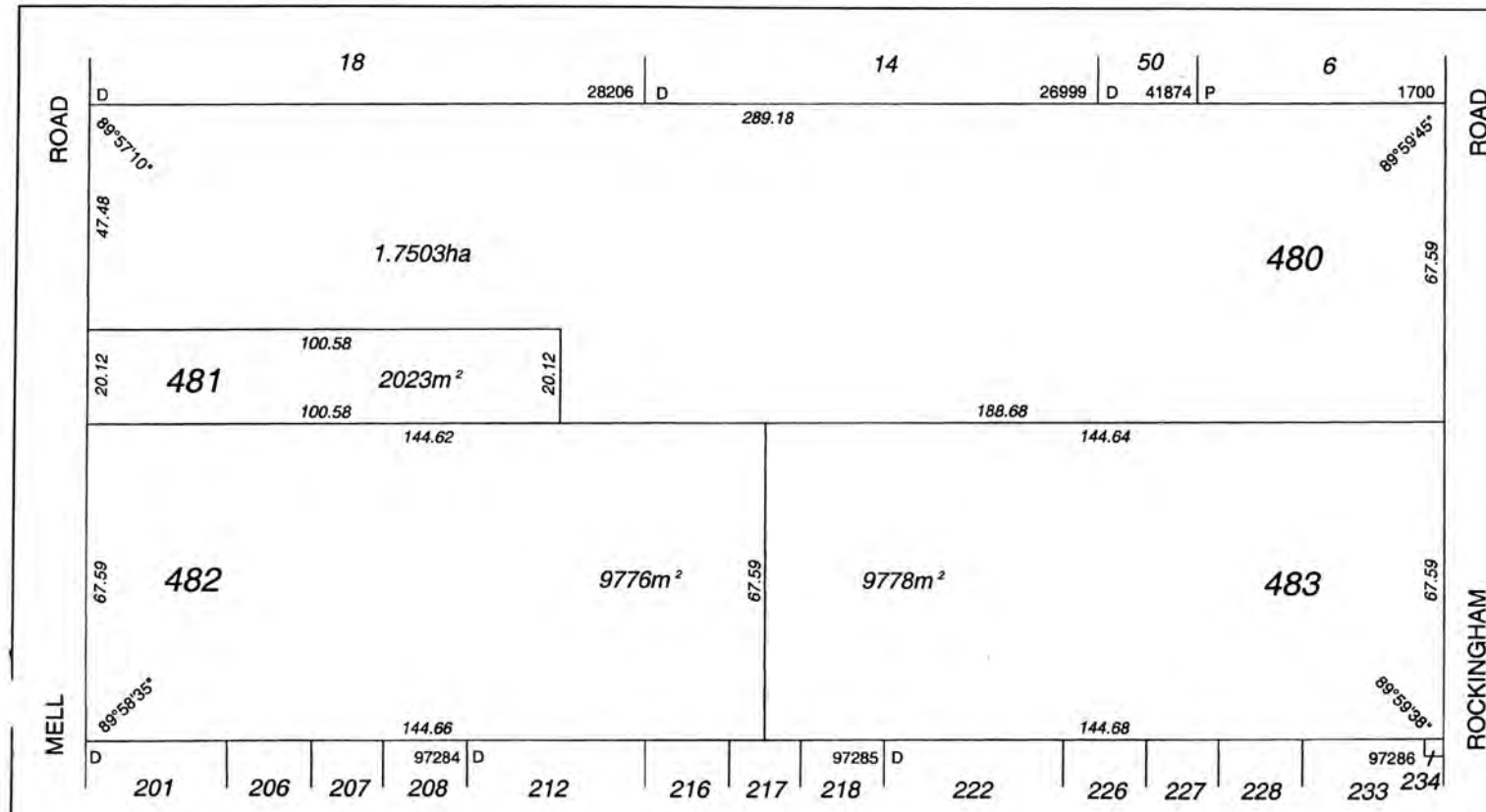
-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

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

SKETCH OF LAND: DP31729.  
PREVIOUS TITLE: 1009-947.  
PROPERTY STREET ADDRESS: 347 ROCKINGHAM RD, SPEARWOOD.  
LOCAL GOVERNMENT AREA: CITY OF COCKBURN.

LANDGATE COPY OF ORIGINAL NOT TO SCALE MON JUL 26 17:00:22 2010 JOB 34905889



**DP 31729**

THE DIMENSIONS SHOWN ON THIS PLAN MAY NOT REPRESENT THE MOST RECENT DIMENSIONS AVAILABLE FROM PRECEDING SURVEY RECORDS AND DOCUMENTS FOR THE LOT(S) SHOWN HEREON.



**FORMER TENURE**

LOT	FORMER PI / TENURE	ON SURVEY	TITLE
480	PT LOT 7	PLAN 1700	1116/088
481	PT LOT 7	PLAN 1700	1530/881
482	PT LOT 8	PLAN 1700	1994/600
483	PT LOT 8	PLAN 1700	1171/943

**TYPE** FREEHOLD

**PURPOSE** CONVERSION

**CERTIFICATE OF TITLE**  
 VOL 1116 FOL 088 VOL 1530 FOL 881  
 1171 943 1994 600

**COMPILED FROM**  
 P 1700, D 28206, D 41874,  
 D 97284 & D 97286

**PREPARED BY** MATT PESTELL 10.05.2002  
**DATE**

**CHECKED BY** RACHAEL HAZLES 27.05.2002  
**DATE**

**CREATED FOR**

ALLOCATION OF A LOT NUMBER FOR TITLE DESCRIPTION PURPOSES TO THE BALANCE OF LOTS 7 & 8 ON PLAN 1700 REMAINING AFTER SUBDIVISION.

**DISTRICT** COCKBURN SOUND **DOLA FILE**

**TOWNSITE**

**LOCAL AUTHORITY** CITY OF COCKBURN  
**LOCALITY** SPEARWOOD

**FORMER TENURE**  
 SEE FORMER TENURE TABLE

**ON**  
**INDEX** BG34 (2) 8.07 & 9.07  
 BG34 (2) 8.08 & 9.08

**PUBLIC**

**CSD REFERENCE**  
 GART-CSD/DP31729.CSD

**RECORDED**

**THIS PLAN PROVIDES A GRAPHIC REPRESENTATION OF EXISTING LOT(S) AND ALLOCATES WHOLE LOT(S) LAND DESCRIPTIONS FOR THE CONVERSION TO A DIGITAL REGISTER.**

**SCALE** 1:1000  
 ALL DISTANCES ARE IN METRES

**DOLA**  
 Department of LAND ADMINISTRATION

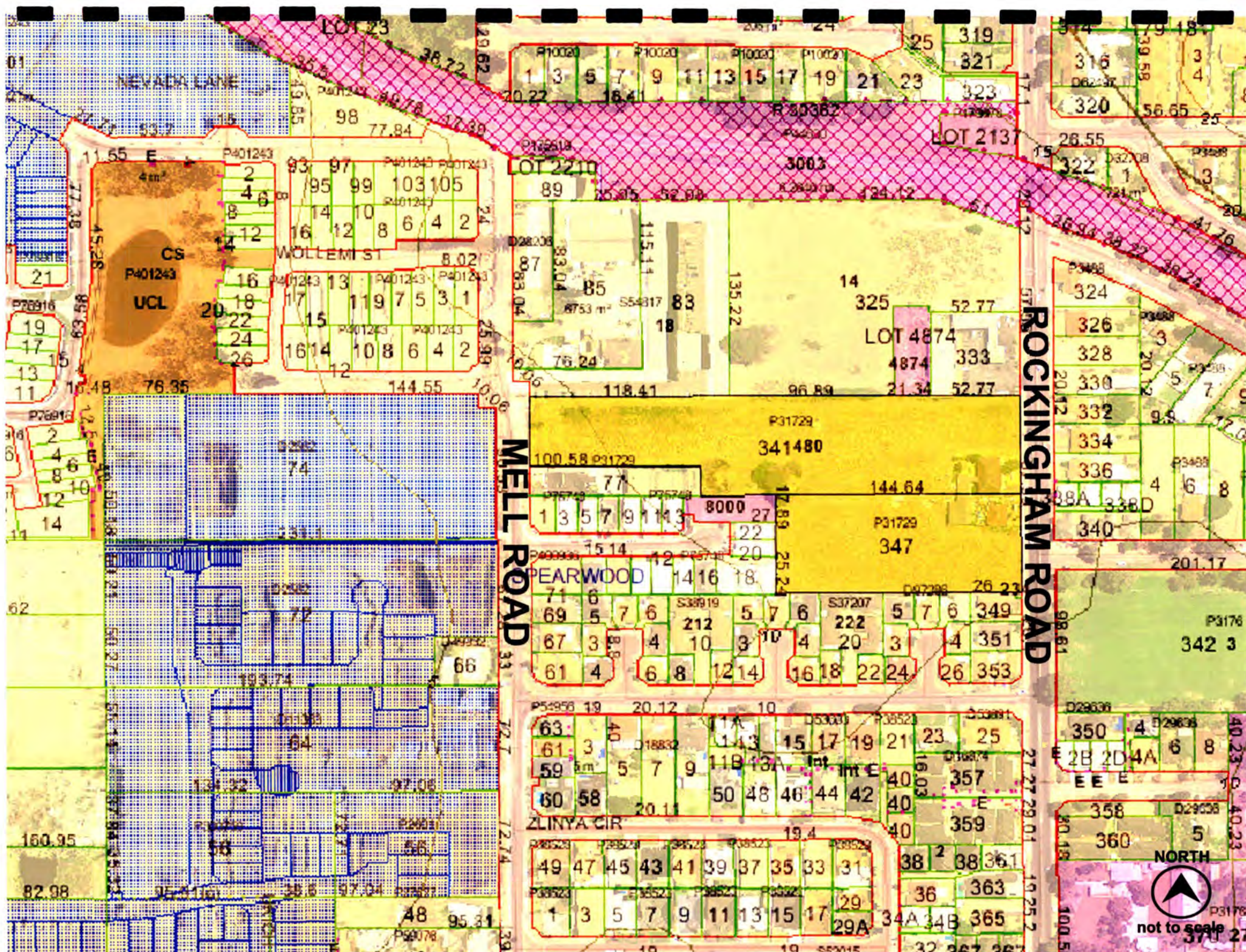
**DEPOSITED PLAN**

**31729**

**SHEET** 1 **OF** 1  
**EDITION** 1 **VERSION** 1

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**ANNEXURE 3**  
*Contours, Local Structure Plan Area*



not to scale

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**ANNEXURE 4**  
*DoW email correspondence*



## Clare Mclean, Peter D Webb and Associates

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**From:** DUNN Brett [Brett.Dunn@water.wa.gov.au]  
**Sent:** Monday, 25 October 2010 8:51 AM  
**To:** 'Michael Cross'  
**Cc:** 'Clare Mclean, Peter D Webb and Associates'; 'Mario Carbone'; 'Montague Grant Architects'; 'Geoff Taylor'  
**Subject:** RE: Aegis : Mell Gardens Village

Hi Michael,

Thank you for your e-mail.

The Department of Water (DoW) has reviewed the proposal for an aged care facility at Lot 480 & 483 Rockingham Road, Spearwood. The DoW considers this proposal to be of low risk to water resources based on its small size, infill nature and lack of sensitive receiving environments on or around the site. Accordingly, the DoW would not require a Local Water Management Strategy (LWMS) to be prepared to support the Local Structure Plan for the site.

Please contact me if you have any further queries.

Kind Regards,

*Brett Dunn*

Senior Natural Resource Management Officer  
Department of Water  
Kwinana Peel Region  
PH: (08) 9550 4202  
Email: [brett.dunn@water.wa.gov.au](mailto:brett.dunn@water.wa.gov.au)

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**From:** Michael Cross [<mailto:michael@aegiscare.com.au>]  
**Sent:** Friday, 22 October 2010 12:54 PM  
**To:** DUNN Brett  
**Cc:** 'Clare Mclean, Peter D Webb and Associates'; 'Montague Grant Architects'; 'Geoff Taylor'  
**Subject:** Aegis : Mell Gardens Village

Brett,

I refer to our telephone conversation of yesterday following a referral by Ken MacIntosh and James Ewen of Department of Water (DoW) in Perth.

Aegis Aged Care is the largest owner and operator of Nursing Homes in WA as this is our core business, but we also build Strata Titled community housing for Over 55s residents. We recently opened a 114 bed Nursing Home and 15 Over 55s houses at 30 Mell Road, Spearwood. All of the houses were bought quickly by local elderly people and we received strong demand of more of a similar type.

In response to this community need, we recently acquired two nearby Vacant Lots also with a frontage to Mell Road. The aggregate vacant land area comprising Lot 480 (No. 341) and Lot 483 (No. 343) Rockingham Road, Spearwood is 2.73ha (Refer attached Aerial Photos and Landgate Plan).

Our Planning Consultants (Peter Webb & Associates) are submitting an Aegis Local Structure Plan to the City of Cockburn for this vacant land (Carol Catherwood, Strategic Planning) which is to be considered with several other such Submissions lodged by other landowners for the now well advanced District Structure Plan. The Council are indicating the DoW may consider it desirable to request a Local Water Management Strategy (LWMS) as part of this process. We have been quoted a fee estimate of \$30,000 plus GST by Consultant Hydrologists to provide this LWMS which amount overwhelmed us.

This quotation was provided based on the following knowledge:

- The land is vacant (excepting two small houses on Rockingham Road) and has been not used for any purpose at all for many years.
- The land is on the high side of Mell Road and is considerably higher than other vacant areas west of Mell Road that are to be developed by others.
- The soil on the land is highly porous and drains well as required.
- Our Over 55s development of the land will absolutely retain all storm water and other runoff to soak wells on the site, as for our previous nearby Mell Road development.
- The previous owner of the land advised us that substantial water testing had been undertaken on the site over the past 2 years, we believe for the DoW.

Given these factors, it would be greatly appreciated if the DoW would agree to waive the need for a LWMS for our site subject to us providing a commitment to retaining all water within our boundaries and we arrange a soil testing study if required by Council. Your earliest consideration of this request would be greatly appreciated.

Please do not hesitate to contact me if you need any additional information.

Thank you

Michael Cross  
Chief Executive  
Aegis Aged Care Group  
(08) 6254 8200  
(08) 6254 8254 (Direct)



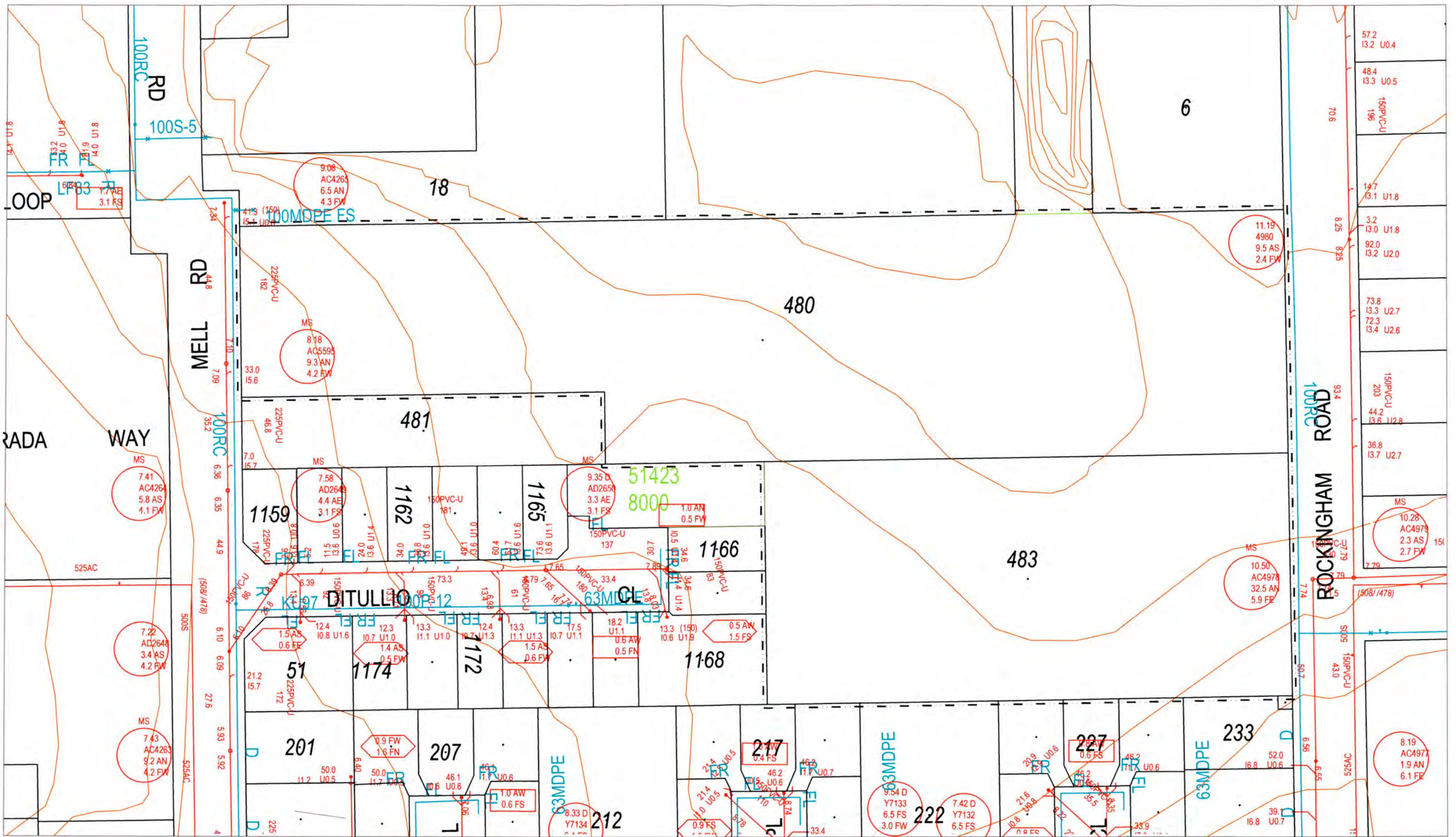
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**ANNEXURE 5**  
*Water Corporation Services Infrastructure*



SOURCE: WATER CORPORATION

# EXISTING WATER/SEWER INFRASTRUCTURE

LOTS 480 AND 483 ROCKINGHAM ROAD,  
SPEARWOOD

scale: 1:1000

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**ANNEXURE 6**  
*TPS 3 Zoning Map*

**LEGEND**

**METROPOLITAN REGION SCHEME RESERVES**

- |                          |                                     |
|--------------------------|-------------------------------------|
| PARKS AND RECREATION     | PRIMARY REGIONAL ROADS              |
| RESTRICTED PUBLIC ACCESS | OTHER REGIONAL ROADS                |
| RAILWAYS                 | PUBLIC PURPOSES DENOTED AS FOLLOWS: |
| PORT INSTALLATIONS       | HOSPITAL                            |
| STATE FORESTS            | HIGH SCHOOL                         |
| WATER CATCHMENTS         | TECHNICAL SCHOOL                    |
| CIVIC AND CULTURAL       | CAR PARK                            |
| WATERWAYS                | UNIVERSITY                          |
|                          | COMMONWEALTH GOVERNMENT             |
|                          | STATE ENERGY COMMISSION             |
|                          | SPECIAL USES                        |
|                          | WATER AUTHORITY OF WA               |
|                          | PRISON                              |

**LOCAL SCHEME RESERVES**

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| LAKES & DRAINAGE                    | PUBLIC PURPOSES DENOTED AS FOLLOWS: |
| LOCAL ROAD                          | TELETRA                             |
| PARKS & RECREATION                  | WATER CORPORATION                   |
| PUBLIC PURPOSES                     | WESTERN POWER                       |
| PUBLIC PURPOSES DENOTED AS FOLLOWS: |                                     |
| AG DEPT OF AGRICULTURE              |                                     |
| CIVIC                               |                                     |
| DOT DEPT OF TRANSPORT               |                                     |
| FPA FREMANTLE PORT AUTHORITY        |                                     |
| FS FIRE STATION                     |                                     |
| GS GAS PIPELINE                     |                                     |
| K PRE SCHOOL                        |                                     |
| OP OIL PIPELINE                     |                                     |
| P POLICE STATION                    |                                     |
| PO POST OFFICE                      |                                     |
| PS PRIMARY SCHOOL                   |                                     |
| TAB TOTALISATOR AGENCY BOARD        |                                     |

**ZONES**

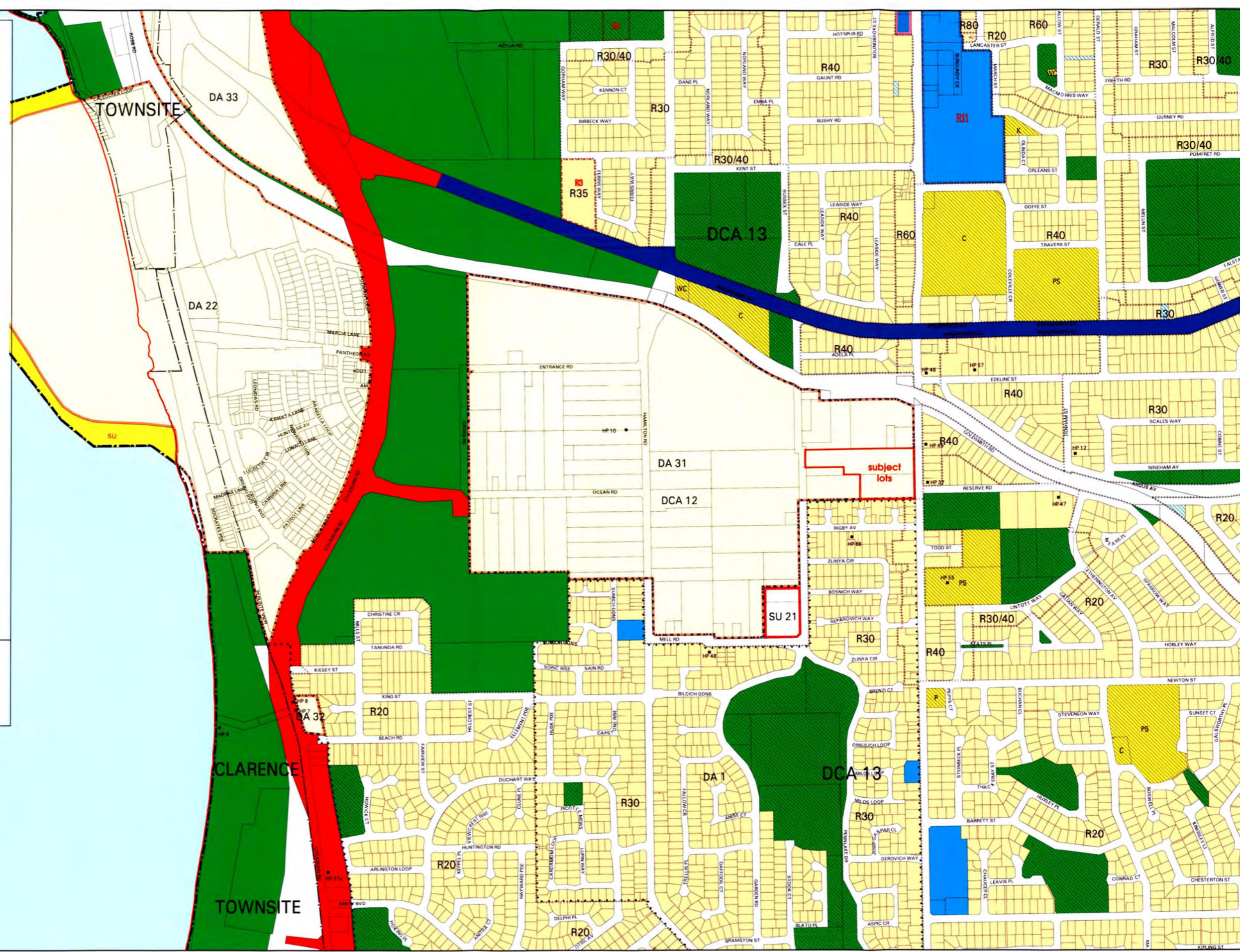
- |                 |                            |
|-----------------|----------------------------|
| DEVELOPMENT     | INDUSTRY                   |
| DISTRICT CENTRE | LIGHT AND SERVICE INDUSTRY |
| LOCAL CENTRE    | CONSERVATION               |
| REGIONAL CENTRE | RESOURCE                   |
| RESIDENTIAL     | RURAL LIVING               |
| BUSINESS        |                            |
| MIXED BUSINESS  |                            |
| SPECIAL USE     |                            |

**OTHER**

- |                                    |   |
|------------------------------------|---|
| R20 R CODES                        | DEVELOPMENT CONTRIBUTION AREA (SEE SCHEME TEXT) |
| ADDITIONAL USES                    | JANDAKOT AIRPORT (SEE SCHEME TEXT)              |
| RESTRICTED USES                    | BUILDING ENVELOPE                               |
| SCHEME BOUNDARY                    | PEEL HARVEY COASTAL PLAN CATCHMENT AREA         |
| LOCAL GOVERNMENT BOUNDARY          | HERITAGE PLACE (SEE SCHEME TEXT)                |
| TOWNSITE - LAND ACT                | NO ZONE   |
| SPECIAL USE AREA (SEE SCHEME TEXT) |   |
| DEVELOPMENT AREA (SEE SCHEME TEXT) |   |

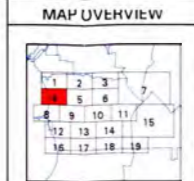
VERSION No 1

**CITY OF COCKBURN  
TOWN PLANNING SCHEME NO. 3  
(DISTRICT SCHEME)**



Produced by Mapping and GeoSpatial Data Branch, Department of Planning.  
Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.  
Consultation with the respective Local Government should be made to view a legal version of the Scheme. Please advise the Department of Planning of any omissions or errors in the document.  
Base Information Supplied by the Western Australian Land Information Authority, GL248 2007/2

**CITY OF COCKBURN  
TOWN PLANNING SCHEME NO 3  
(DISTRICT SCHEME)**

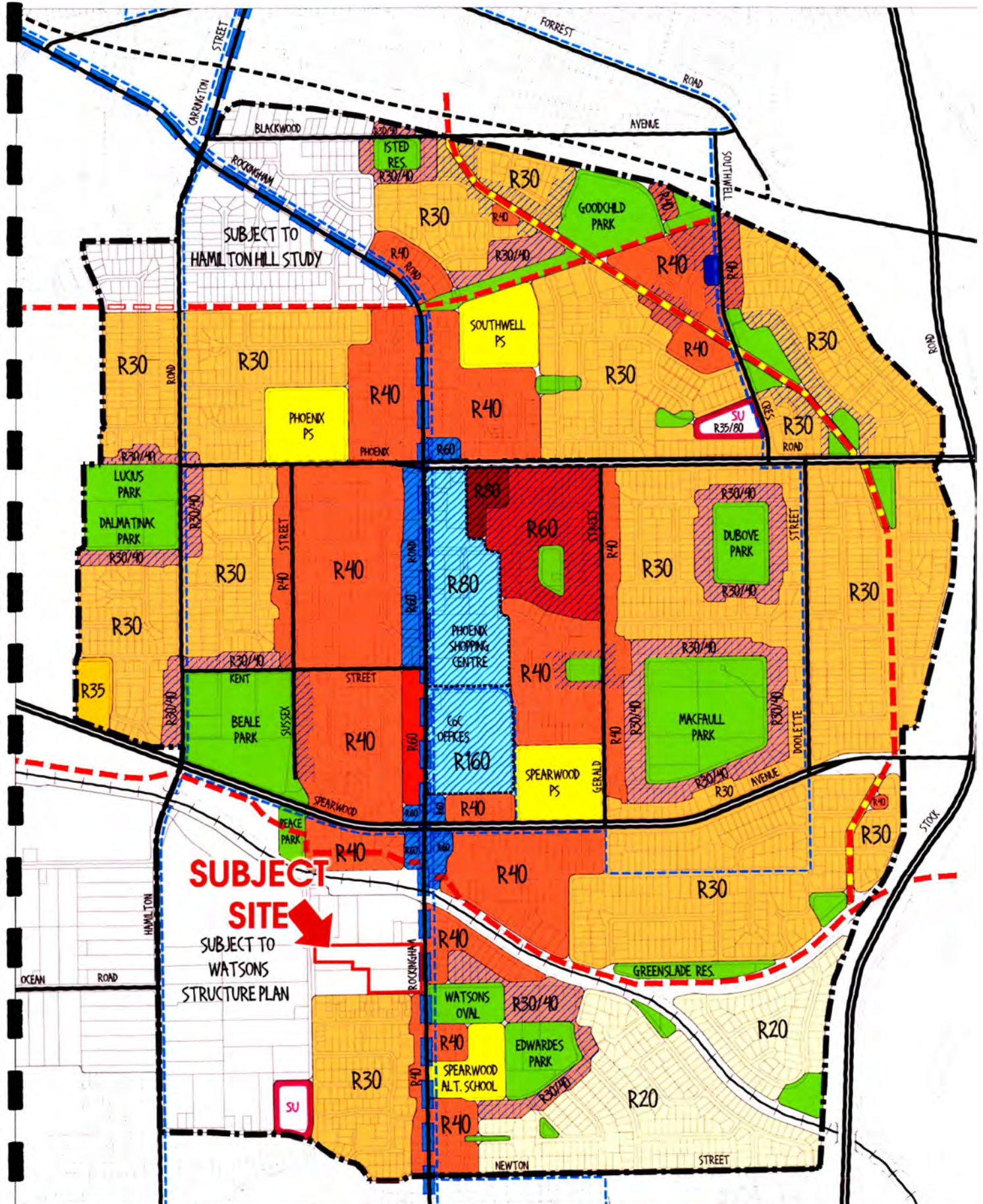


Authorised: Victor Chew  
Plot date: 15 May 2013  
G.Gazette: 20-December-2002

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## **ANNEXURE 7**

*Figure 12 of Phoenix Central Revitalisation  
Strategy and Activity Plan*



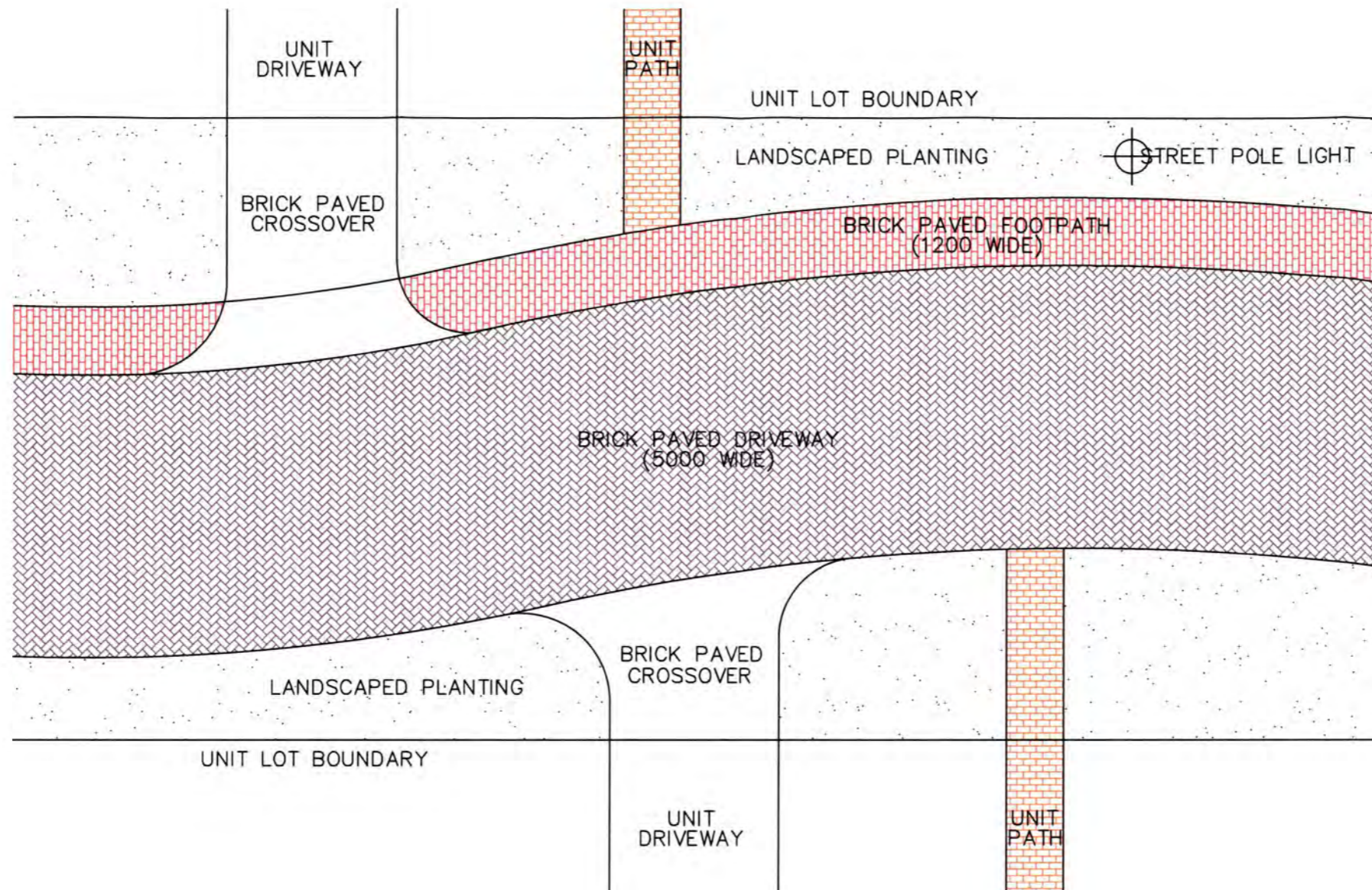
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**ANNEXURE 8**  
*Typical Internal Accessway*  
*prepared by Montague Grant Architects*



TYPICAL INTERNAL ACCESSWAY  
 MELL GARDENS

1:100

MONTAGUE GRANT ARCHITECTS PTY LTD  
 26 BRISBANE ST, PERTH WA 6000 TELEPHONE: 9328 2233 FAX: 9227 6346 A.C.N. 009 072 593  
 4.03.11



PHOTOGRAPHS ILLUSTRATING THE PROPOSED BRICKPAVED ACCESSWAY DESIGN FOR OVER 55 YEARS DEVELOPMENT

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## **ANNEXURE 9**

*Photographs of the existing over 55 years  
Development at 40 Mell Road, Spearwood*



Photograph 1: Looking west from Mell Road towards Over 55 Years Development at 40 Mell Road, Spearwood. Note high quality design and detail of dwellings and vehicle accessway.



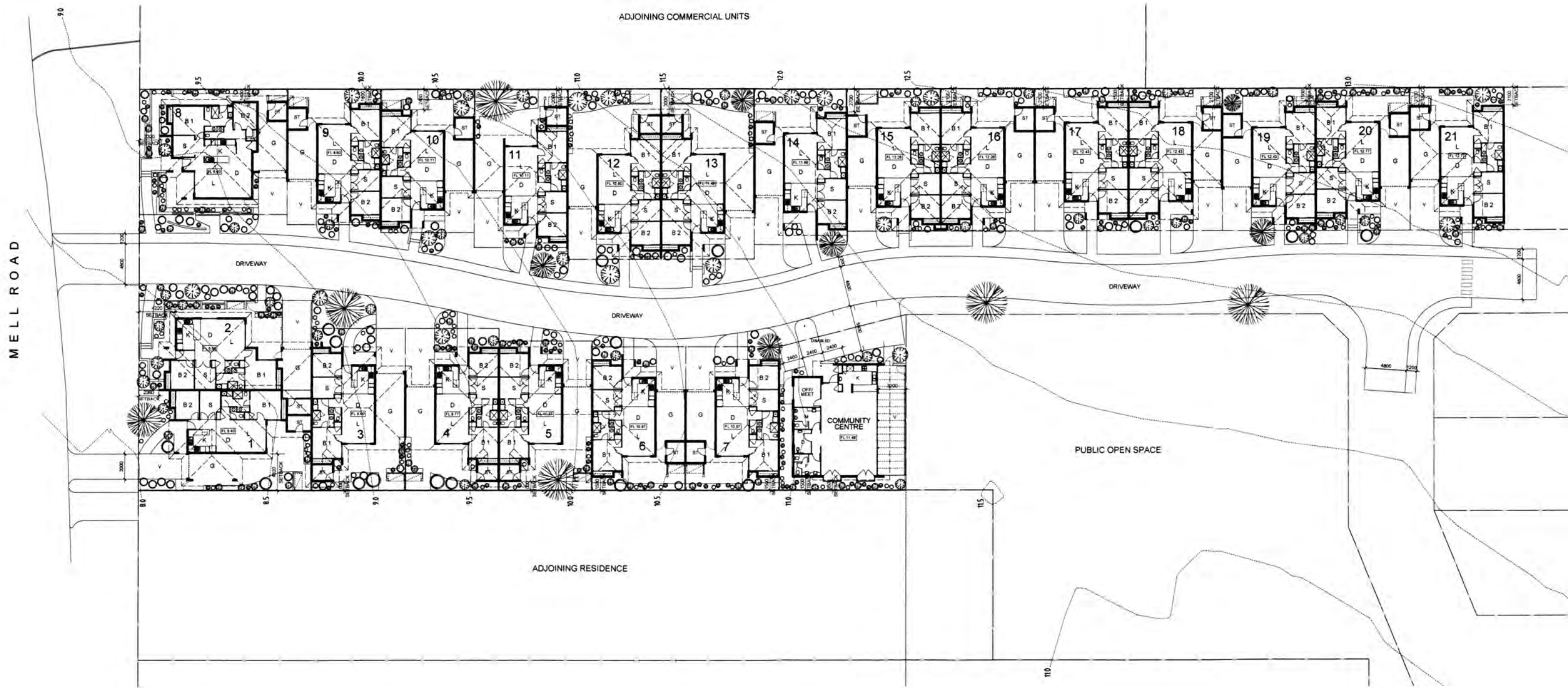
Photograph 2: Looking west standing on accessway of Over 55 Years Development. Note pedestrian footpath designed with no kerb edges to provide a safe walking environment appropriate for the ageing community. The footpath is visually separated from the vehicle accessway through the use of different coloured and patterned brick paving.



Photograph 3: Looking west along accessway at the different architectural styles and building materials of the dwellings of the existing Over 55 Years Development at 40 Mell Road.

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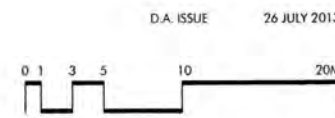
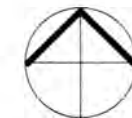
**ANNEXURE 10**  
*Stage 1 Mell Gardens  
Dwelling Unit Layout*



MELL GARDENS STAGE ONE  
21 OVER 55'S DWELLINGS

LOTS 480 AND 483 ROCKINGHAM ROAD SPEARWOOD

FLOOR PLAN  
1:200



D.A. ISSUE 26 JULY 2013

MONTAGUE GRANT ARCHITECTS PTY LTD

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**ANNEXURE 11**  
*Packham North District Structure Plan*



**NOTES:**

**PUBLIC OPEN SPACE AND DRAINAGE**

Public Open Space and Drainage areas are indicative only and subject to detailed design and modeling at the Local Structure Plan stage.

**TOWN CENTRE**

Uses within the Town Centre are as per the City of Cockburn's Town Planning Scheme No.3 use class table with an emphasis on encouraging a main street style local centre.

**RESIDENTIAL**

Uses within the Residential areas are as per the City of Cockburn's Town Planning Scheme No.3 use class table. Residential densities are indicative only and shall be confirmed at the local structure plan stage aiming to achieve a minimum density of R25 across the structure plan area with higher densities concentrated around high frequency public transport routes, public open spaces, commercial centres and schools.

**LOCAL STRUCTURE PLANS**

Subdivision and development of the subject area is to be in accordance with an endorsed applicable local structure plan.

**DEVELOPER CONTRIBUTIONS**

Development in this area is also subject to developer contributions. Schedule 12 of Town Planning Scheme No.3 details Developer Contribution Area provisions. Persons or companies proposing to undertake subdivision in this area should review Schedule 12 and also contact the City's Strategic Planning team to ascertain there are no pending amendments to this schedule.

**RESTRICTED USE:**

Mixed Business uses as set out in Table 1 of the Scheme. Residential uses are not permitted due to the proximity of the railway corridor, the nature of adjoining (non-residential) land uses and the nature of the constrained road network. Council will only consider residential development via a proposed local structure plan which demonstrates that issues such as noise, vibration, adjoining land use impacts/risks and structural elements of residential design are suitably addressed in accordance with State and Local planning requirements.

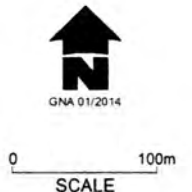


**CITY OF COCKBURN  
STRUCTURE PLAN**

This Structure Plan was adopted by Council on 13/3/14

**PROPOSED MODIFICATION TO  
DISTRICT STRUCTURE PLAN  
PACKHAM NORTH  
SPEARWOOD / COOGEE**

Signed *[Signature]*  
**DIRECTOR OF PLANNING & DEVELOPMENT**  
File No: 110/004  
This Structure Plan was endorsed by the Western Australian Planning Commission on 11/0/004  
Signed *[Signature]*  
**DIRECTOR OF PLANNING & DEVELOPMENT**  
**NOT REQUIRED**



- Structure Plan Boundary
- Residential
- Public Open Space
- Town Centre
- Local Centre
- Mixed Business (Restricted Use: Non-Residential)
- Drainage
- SUBJECT AREA
- Public Purposes
- Additional Uses / Restricted Uses
- Key Road Structure (Existing and Proposed)
- Indicative Road Connections
- Roundabout