

**AMENDMENT TO
CONSOLIDATED STRUCTURE PLAN
CELL 9, YANGEBUP & CELL 10, BEELIAR**

**LOTS 10, 11, 12, 13 & 101 (NOS. 34, 36, 38, 40 & 46) TINDAL
AVENUE, YANGEBUP**

Prepared by



December 2017

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

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

30 October 2001

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 2025

Table of Amendments

Amendment No.	Amendment Summary	Council Endorsement	WAPC Endorsement	WAPC Reference
-	Original Approval	16/01/2001	30/10/2001	-
1	Lots 38-42, 45, 56, 58 & 181 Tindal Avenue, Yangebup	20/07/2004	-	-
2	Lots 4, 55, 56, 58 & 181 Tindal Avenue, Yangebup	14/12/2006	-	-
3	Lots 6 & ROW Birchley Road	14/08/2008	-	-
4	Lot 9000 Ninghan Lookout and Lots 9007 & 9032 Beeliar Drive/Spearwood Avenue, Beeliar	08/11/2013	29/10/2013	SPN/0511
5	Lots 10-13 & 101 Tindal Avenue, Yangebup	-	13/12/2017	SPN/0511M-1
6	Lot 9040 Spearwood Avenue Revision of residential coding from R20 and R25 to R40	-	18/01/2018	SPN/0511M-2
7	Structure Plan amended in accordance with clause 29A(2): Land normalised into TPS 3 by Amendment No. 174 removed from structure plan area	TPS 3 Amendment No. 174 gazetted 14/02/2025	Structure Plan amended in accordance with Schedule 2 - Deemed Provisions, Clause 29A on 26/03/2025	SPN/0511M-2

EXECUTIVE SUMMARY

This Amendment to the Consolidated Structure Plan for Cell 9, Yangebup and Cell 10, Beeliar, applies to Lots 10, 11, 12, 13 and 101 (Nos. 34, 36, 38, 40 and 46) Tindal Avenue, Yangebup.

The Structure Plan Amendment involves changing the residential density coding of the subject land as follows:

- Lots 10 and 11 from 'Residential R20' to 'Residential R30';
- Lots 12, 13 and 101 from 'Residential R20' to 'Residential R40'.

This Structure Plan Amendment has been prepared in accordance with Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions) and the Western Australian Planning Commission's Structure Plan Framework.

The following summary table identifies the key statistics and planning outcomes of the Structure Plan Amendment.

Summary Table

Item	Data		Structure Plan Ref (section no.)
Total area covered by the structure plan amendment	0.3009 hectares		1.2.2
Area of each land use proposed: • Residential	Hectares 0.3009	Lot Yield 10	3.1, 3.3
Total estimated lot yield	10		3.3.2
Estimated number of dwellings	10		3.3.2
Estimated residential site density	33 dwellings per site/hectare		3.3.1
Estimated population	27		3.3.2

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PART ONE: IMPLEMENTATION

1. Structure Plan Area

This Amendment to the Consolidated Structure Plan for Cell 9, Yangebup and Cell 10, Beeliar, applies to Lots 10, 11, 12, 13 and 101 (Nos. 34, 36, 38, 40 and 46) Tindal Avenue, Yangebup, being the land contained within the inner edge of the line denoting the Structure Plan Amendment Area on the Structure Plan map (refer Plan 1).

2. Operation

This Structure Plan Amendment comes into effect on the day it is approved by the Western Australian Planning Commission.

3. Staging

Staging of subdivision and/or development is unknown at this stage. It is likely that each existing lot will be subdivided and/or developed individually.

4. Subdivision and Development Requirements

Residential densities for the Structure Plan Amendment Area are the residential densities shown on the Structure Plan map.

Land use permissibility within the Structure Plan Amendment Area shall accord with the corresponding land use classification in the City of Cockburn Town Planning Scheme No. 3.

5. Local Development Plans

Local development plans are required for lots with frontages of less than 12 metres, to address driveway and crossover requirements.

6. Other Requirements

Pursuant to City of Cockburn Town Planning Scheme No. 3, the following Developer Contribution Plan is applicable to the Structure Plan Amendment Area:

a) Development Contribution Area 13 (DCA 13) – community infrastructure.

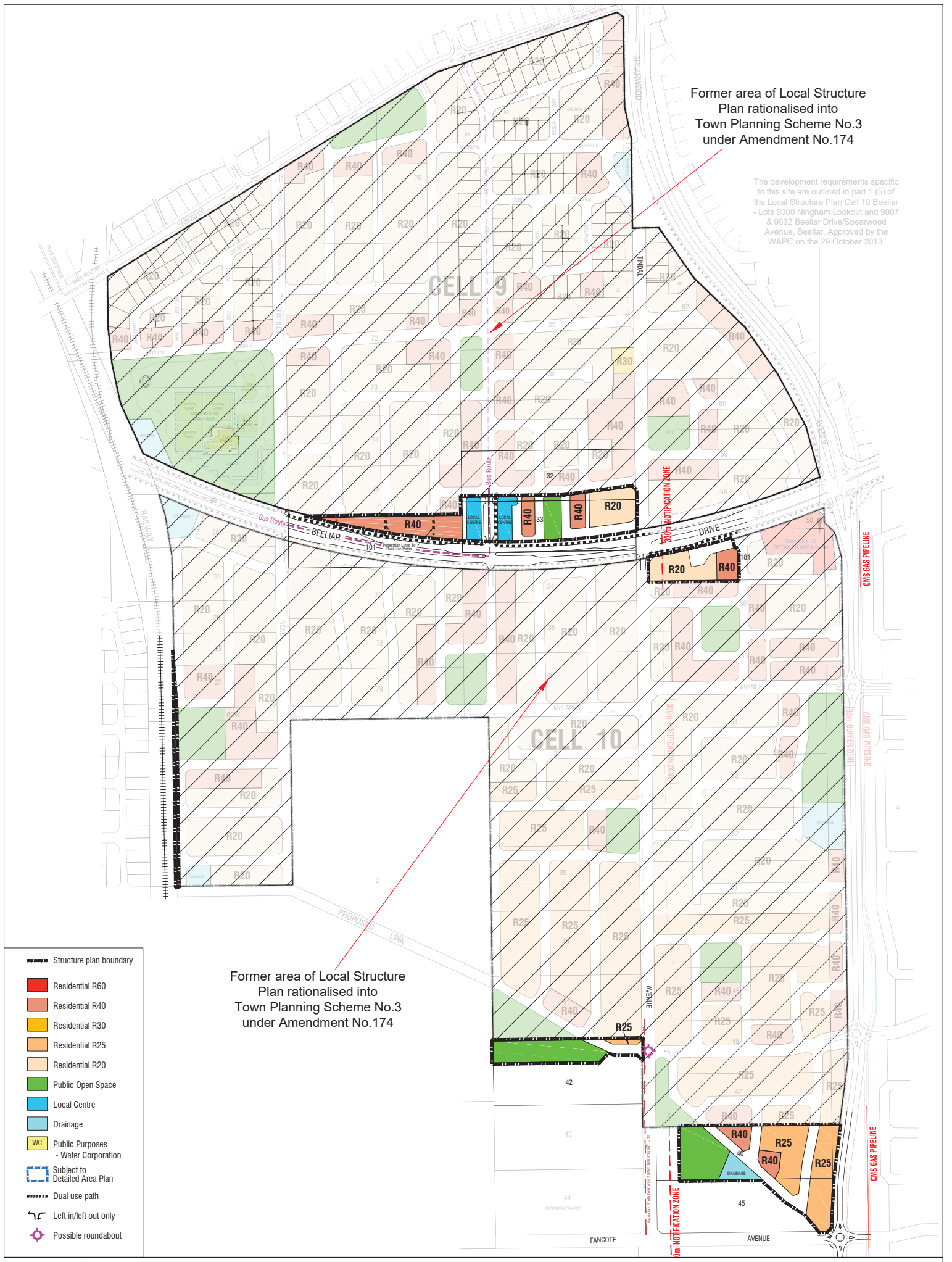
The liability under Development Contribution Area 5 (DCA 5) – Yangebup East, was previously paid when Lots 10, 11, 12, 13 and 101 were created, so DCA 5 is not applicable.

7. Additional Information

Additional information	Approval stage	Consultation required
Local development plan	Subdivision	City of Cockburn

Former area of Local Structure Plan rationalised into Town Planning Scheme No.3 under Amendment No.174

The development requirements specific to this site are outlined in part 1 (5) of the Local Structure Plan Cell 10 Beeliar - Lots 9000 Ningham Lookout and 9007 & 9032 Beeliar Drive/Spearwood Avenue, Beeliar. Approved by the WAPC on the 29 October 2013.



STRUCTURE PLAN CELL 9, YANGEBUP & CELL 10, BEELIAR

PART TWO: EXPLANATORY REPORT

1. Planning Background

1.1 Introduction and Purpose

This Amendment to the Consolidated Structure Plan for Cell 9, Yangebup and Cell 10, Beeliar has been prepared by MW Urban on behalf of the owners of the affected land.

The Amendment involves changing the residential density coding of Lots 10, 11, 12, 13 and 101 (Nos. 34, 36, 38, 40 and 46) Tindal Avenue, Yangebup as follows:

- Lots 10 and 11 from 'Residential R20' to 'Residential R30';
- Lots 12, 13 and 101 from 'Residential R20' to 'Residential R40'.

This Structure Plan Amendment has been prepared in accordance with Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions) and the Western Australian Planning Commission's Structure Plan Framework.

1.2 Land Description

1.2.1 Location

The land the subject of this Structure Plan amendment is located on the western side of Tindal Avenue, between Bayview Terrace to the north and Yardie Crescent to the south, in the suburb of Yangebup.

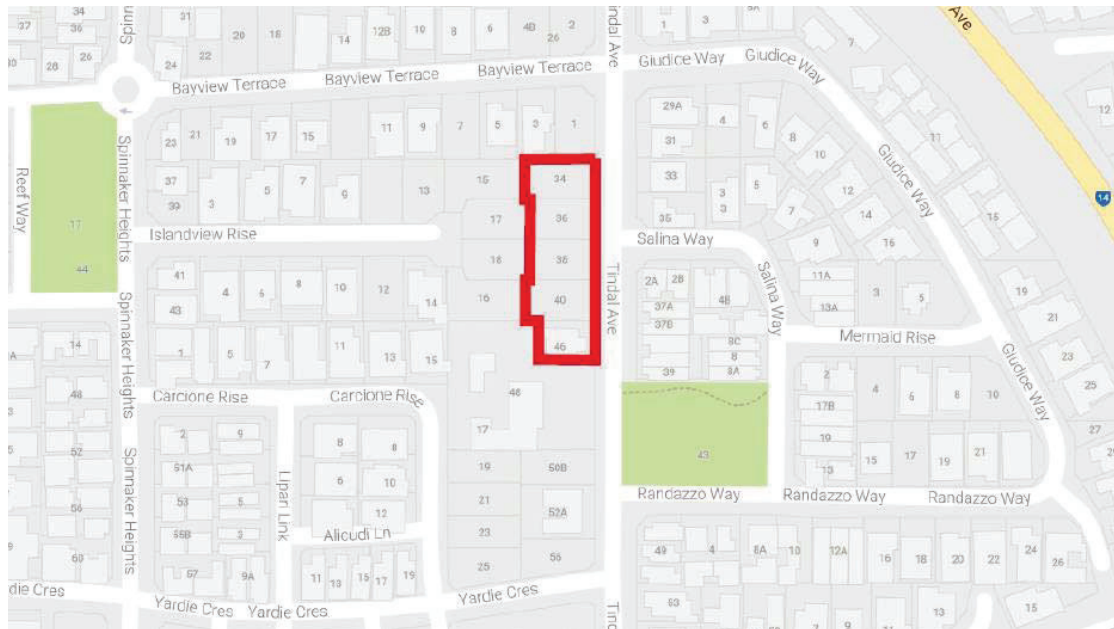


Figure 1: Local Context (Source: Google Maps)

The subject land is approximately four kilometres west of Cockburn Central, approximately 10 kilometres south-east of Fremantle and about 20 kilometres south of the Perth central area.

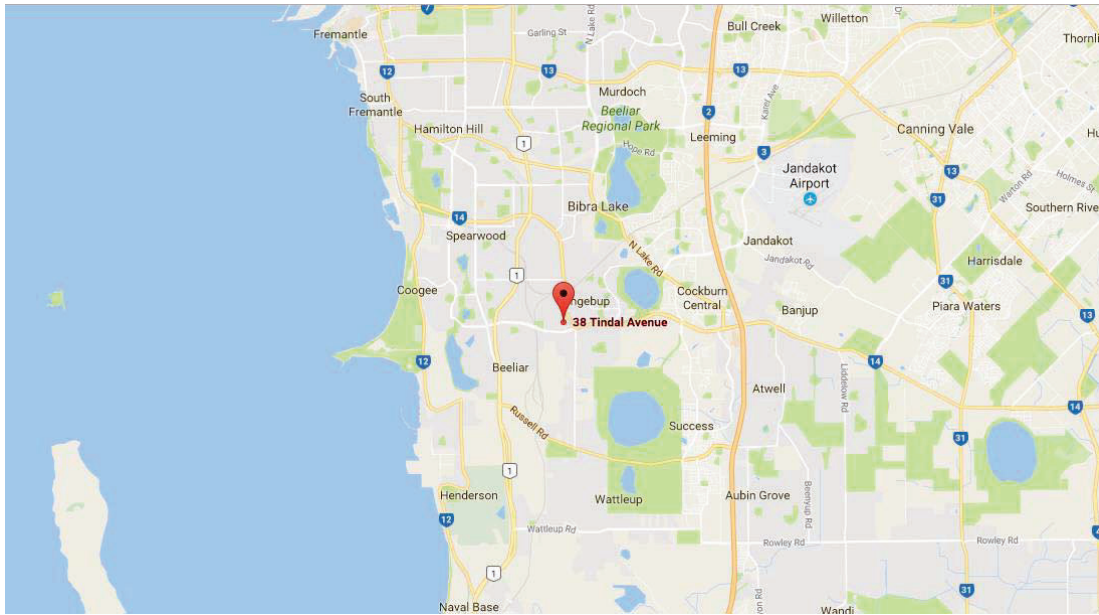


Figure 2: Regional Context (Source: Google Maps)

1.2.2 Area and Land Use

The subject land comprises five lots ranging in size from 517 square metres to 643 square metres each, with frontages of 19 metres and 19.2 metres, and a total area of 3,009 square metres.

Four of the lots, being Lots 10 to 13 inclusive, are currently cleared and undeveloped, while Lot 101 is occupied by a two storey, single house. Table 1 identifies the respective lot areas and existing development.

Table 1: Areas and Existing Development

Property Address	Area	Frontage	Existing Development
Lot 10 (No. 34) Tindal Avenue, Yangebup	643m ²	19.2m	Undeveloped
Lot 11 (No. 36) Tindal Avenue, Yangebup	603m ²	19.2m	Undeveloped
Lot 12 (No. 38) Tindal Avenue, Yangebup	603m ²	19.2m	Undeveloped
Lot 13 (No. 40) Tindal Avenue, Yangebup	643m ²	19.2m	Undeveloped
Lot 101 (No. 46) Tindal Avenue, Yangebup	517m ²	19m	Single house



Figure 3: Subject Land – Existing Development (source: City of Cockburn Intramaps)

1.2.3 Legal Description and Ownership

The subject land is formally described on certificates of title as identified in Table 2. Copies of the certificates of title are included in Appendix 1.

Table 2: Legal Description and Ownership

Property Address	Lot No.	Deposited Plan	Certificate of Title	Registered Owner
34 Tindal Avenue, Yangebup	10	47120	Volume 2616, Folio 810	Antonio Jose Abreu Mendes
36 Tindal Avenue, Yangebup	11	47120	Volume 2616, Folio 811	Vitor Gaspar Margarido
38 Tindal Avenue, Yangebup	12	47120	Volume 2616, Folio 812	Antonio Jose Abreu Mendes
40 Tindal Avenue, Yangebup	13	47120	Volume 2616, Folio 813	Jose Manuel Cabrita Nunes Inacio
46 Tindal Avenue, Yangebup	101	50360	Volume 2639, Folio 401	Jason Abreu and Kerry Ann Abreu

1.3 Planning Framework

1.3.1 Zoning and Reservations

The subject land is zoned 'Urban' under the Metropolitan Region Scheme and 'Development' under the City of Cockburn Town Planning Scheme No. 3.

Pursuant to clause 5.2 and Table 9 of Town Planning Scheme No. 3, the land is located within Development Area 4 – Yangebup (Development Zone). The provisions of Table 9 state that:

An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of applications for subdivision and development in accordance with clause 27(1) of the Deemed Provisions.

Part 4 of the Deemed Provisions deals with the preparation, approval and amendment of Structure Plans.

The subject land is located within the Consolidated Structure Plan for Cell 9, Yangebup and Cell 10, Beeliar, and is currently identified as 'Residential R20'.

Pursuant to clause 5.3 and Table 10 of Town Planning Scheme No. 3, the land is located within Development Contribution Area 5 – Yangebup East (DCA 5), and Development Contribution Area 13 – Community Infrastructure (DCA 13). The liability under DCA 5 was previously paid when Lots 10, 11, 12, 13 and 101 were created, so DCA 5 is not applicable to the subject land.

1.3.2 Regional and Sub-Regional Structure Plan

Directions 2031

Directions 2031 was released by the WA Planning Commission in August 2010 as a spatial framework and strategic plan to guide future growth of the Perth and Peel metropolitan region. Directions 2031 seeks a 50 per cent improvement on current infill residential development trends and sets a target of 47 per cent of new dwellings as infill development. The Structure Plan Amendment is consistent with the strategic objective of facilitating increased residential densities.

Perth and Peel@3.5million draft frameworks

In May 2015, the Western Australian Planning Commission (WAPC) released the draft Perth and Peel@3.5 Million documents to realise the vision set out by Directions 2031, which include strategies for accommodating an expected population of 3.5 million by 2050.

The Perth and Peel@3.5 Million strategy is supported by four draft sub-regional planning frameworks, with the subject land located within the draft South Metropolitan Peel Sub-Regional Planning Framework. Under the spatial plan for the sub-region, the subject land is identified as 'Urban'.

The Structure Plan Amendment addresses important issues identified in the Perth and Peel@3.5 Million strategies, in particular:

- accommodating significant population growth;

- the consolidation of urban areas;
- increasing housing diversity;
- maintaining liveability, by accommodating additional housing without impacting adversely on the local amenity and quality of life.

1.3.3 Planning Strategies

Local Planning Strategy

The Structure Plan Amendment is consistent with the City of Cockburn's Local Planning Strategy, in particular the objectives of promoting increased residential densities and a greater diversity of housing types.

1.3.4 Planning Policies

State Planning Policy 3: Urban Growth and Settlement

State Planning Policy 3 outlines the objectives for urban growth and settlement throughout the State. In respect to managing urban growth in the Perth metropolitan area, the Structure Plan Amendment addresses key objectives of this policy, including the consolidation of residential development in existing areas.

State Planning Policy 3.1: Residential Design Codes

Under clause 4.2 of the City of Cockburn Town Planning Scheme No. 3, the development of land for residential purposes is required to comply with the provisions of the Residential Design Codes (R-Codes). The Structure Plan Amendment involves changing the residential density code of the subject land from R20 to R30 and R40.

Pursuant to Part 6 of the Deemed Provisions, a local development plan may be prepared to provide specific and detailed guidance for the development of particular sites, which may include variations to the R-Codes.

Liveable Neighbourhoods

Liveable Neighbourhoods is an operational policy of the WA Planning Commission, which is used to guide the preparation and approval of structure plans and subdivisions. The Structure Plan Amendment is consistent with the relevant Liveable Neighbourhoods elements, including those related to residential densities.

1.3.5 Other Approvals and Decisions

The original Cell 9 Local Structure Plan was adopted by the Council on 21 November 2000, and Cell 10 was originally adopted by the Council on 16 January 2001. On 30 October 2001, the WAPC endorsed the Cells 9 and 10 Structure Plans, which now form a 'Consolidated Structure Plan'.

The Consolidated Structure Plan has since been the subject to a number of minor modifications. At its 13 February 2014 meeting, the Council adopted a modification changing the designation of Lots 102, 142, 103 and 104 (Nos. 48 – 56) Tindal Avenue and Lot 105

(No. 25) Carcione Rise, Yangebup, immediately south of the subject land, from 'Residential R20' to 'Residential R40'.

1.3.6 Pre Lodgement Consultation

Prior to its preparation and lodgement, the Structure Plan Amendment was discussed at a meeting on 10 May 2017 between Anthony Morcombe of MW Urban (the proponent), and Andrew Trosic (Manager Strategic Planning), Tiffany van der Linde (Strategic Planning Officer, Strategic Planning) and Don Bothwell (Senior Planning Officer, Statutory Planning Services) of the City of Cockburn.

2. Site conditions and Constraints

2.1 Biodiversity and Natural Area Assets

The subject land contains no known biodiversity or natural area assets. The land is situated within a mostly developed residential area. Lots 10 to 13 inclusive are cleared and undeveloped, while Lot 101 is developed with a single house.

2.2 Landform and Soils

The subject land is located on a high point in the locality, with views to the coast to the west and the scarp to the east. Each lot is flat, and assumed to be filled and stabilised so as to be capable of residential development.

2.3 Groundwater and Surface Water

There are no known groundwater or surface water constraints to development. Each lot is assumed to be filled, stabilised and drained so as to be capable of residential development.

2.4 Bushfire Hazard

The land is not identified as a Bush Fire Prone Area on the Department of Fire and Emergency Services' Map of Bush Fire Prone Areas.

2.5 Context and Other Land Use Constraints and Opportunities

Existing development in the surrounding area is characterised by two storey, single houses, and one and two storey, grouped dwelling developments.

The existing Consolidated Structure Plan area comprises residential densities generally ranging from R20 to R60. Areas coded R40, including the adjoining and nearby land to the south, west and east of the subject sites, are typically located around public open space and local centres.

Local parks are situated nearby on the east side of Tindal Avenue (Macrozamia Park), opposite the subject land, and on the western side of Spinnaker Heights (Spinnaker Reserve). A future local park is identified in the Structure Plan on the southern side of Yardie Crescent. Visko Park is an area of active public open space located approximately 520 metres west of the subject land, bounded by Beeliar Drive, Birchley Road, Bayview Terrace and the railway.

The subject land is approximately 200 metres north-east of a future local centre situated on the southern side of Yardie Crescent and either side of Spinnaker Heights. The Cockburn Central activity centre is approximately four kilometres to the east.

The land is located outside the 300 metre notification zone for the CMS gas pipeline adjacent to Spearwood Avenue to the east, as identified on the existing Consolidated Structure Plan map.

The Structure Plan Amendment results in a logical extension of the existing R40 node surrounding the Macrozamia Park, by rounding out the R40 area south of Salina Way, while the R30 lots provide a transition to the adjacent R20 areas. The Amendment will also provide for a built form that results in a consistent streetscape along both sides of Tindal Avenue within this node.

3. Land Use and Subdivision Requirements

3.1 Land Use

The Structure Plan Amendment retains the existing 'Residential' land use classification of the subject land. Permitted land uses will accord with the existing provisions of the Consolidated Structure Plan and the City of Cockburn Town Planning Scheme No. 3.

3.2 Public Open Space

There are no new areas of public open space proposed or required under this Structure Plan Amendment. The area is well served by public open space, including:

- Macrozamia Park, approximately 20 metres south-east of the subject land on the opposite side of Tindal Avenue;
- Spinnaker Reserve, approximately 200 metres west of the land;
- Visko Park, approximately 520 metres west of the land.

3.3 Residential

3.3.1 Density

The Structure Plan Amendment involves changing the residential density coding of Lots 10, 11, 12, 13 and 101 (Nos. 34, 36, 38, 40 and 46) Tindal Avenue as follows:

- Lots 10 and 11 from 'Residential R20' to 'Residential R30';
- Lots 12, 13 and 101 from 'Residential R20' to 'Residential R40'.

A Structure Plan Amendment Map is included in Appendix 2 of this report to show the existing and proposed density codings.

The increase in residential density is consistent with State and local planning objectives. The Amendment results in increased residential density in an established urban area, and facilitates a diversity of lot sizes and housing types.

Consistent with the objectives of Liveable Neighbourhoods, the Amendment facilitates higher densities close to a local park and a local centre, and in an area well served by public

transport. In this respect, the Amendment results in a potential density of 33 dwellings per site hectare, consistent with State targets.

The new R40 and R30 density codes result in an appropriate transition of densities, from the existing R40 areas either side of Tindal Avenue to the south of the subject land, to the R20 areas to the north, east and west (north of Salina Way) of the land. The R40 density coding completes the existing R40 node focused on Macrozamia Park, south of Salina Way, and provides for a consistent streetscape along both sides of Tindal Avenue within this precinct. The R30 density code provides a transition between this R40 node and the surrounding R20 areas.

3.3.2 Subdivision and Development Potential

The Structure Plan Amendment facilitates subdivision and development under the R30 and R40 density codes, subject to the relevant further approvals. Given the subject land comprises five existing lots that are held in separate ownership, it is most likely that each of the lots will be subdivided and/or developed individually, rather than as a consolidated landholding.

It is anticipated that each lot will be subdivided in a side-by-side arrangement, resulting in new lots with frontages of around 9.6 metres each. Battleaxe lot configurations are unlikely, given the minimum land area requirements for the rear lots (410 square metres for R30, and 380 square metres for R40).

It is expected each new lot will be developed with a two storey house, as there is an opportunity to capture the significant views of the scarp to the east and the ocean to the west. The total potential lot yield is therefore estimated to increase from five (5) to ten (10) lots, with a potential yield of 10 dwellings. Assuming an existing and forecast average household size for the Yangebup area of approximately 2.7 persons, as identified in the City's forecast.id online tool, the estimated population for the subject land is 27 people.

A two storey house on a new lot with a frontage of less than 12 metres should be able to meet the deemed-to-comply requirements of clause 5.2.2 of the R-Codes for garage widths, which states:

Where a garage is located in front or within 1m of the building, a garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the frontage at the setback line as viewed from the street. This may be increased to 60 per cent where an upper floor or balcony extends for the full width of the garage and the entrance to the dwelling is clearly visible from the primary street....

If a single house is proposed on a lot with a frontage of less than 12 metres, it may require a single garage, or a carport, in order to meet the above requirement.

Should the Amendment result in a row of new lots with frontages of less than 12 metres, consideration should also be given to the arrangement of driveways and crossovers so as to minimise their impact on the streetscape. A local development plan addressing this matter will therefore be required at subdivision stage for lots with frontages of less than 12 metres.

It should be noted there are existing examples within the City of Cockburn of well designed, front-loaded, two storey houses on narrow lots, including in the South Beach estate.

3.4 Movement Networks

3.4.1 Road Network

The Structure Plan amendment does not involve any modifications to the existing road network. The subject lots all front Tindal Avenue, which is a local access road. The land is close to the major intersection of Spearwood Avenue and Beeliar Drive, which are both reserved as 'Other Regional Roads' in the Metropolitan Region Scheme. The land is well located for easy access to Cockburn Central, Fremantle, the Kwinana Freeway and industrial areas to the south.

The Traffic Movement Review for the Structure Plan Amendment for adjoining land to the south (Lots 102, 142, 103 and 104 (Nos. 48-56) Tindal Avenue and Lot 105 (No. 25) Carcione Rise) identified typical structure planning trip rates of approximately eight trips per dwelling per day, and RTA rates of approximately five trips per dwelling for R40 development.

This Structure Plan Amendment is likely to result in the number of dwellings on the subject land increasing from five to ten. Based on the above typical trip rates, the extra five dwellings are forecast to generate an additional 25 to 40 vehicle movements per day in total. Given the maximum anticipated traffic increases, the existing road network will continue to operate in an acceptable manner and in accordance with the recommendations set out in Liveable Neighbourhoods.

During peak periods of road network activity, the Structure Plan Amendment may result in an additional four vehicle movements using Tindal Avenue per hour (based on 0.8 movements per dwelling per am and pm peak hour, as identified in the WAPC's *Transport Impact Assessment Guidelines Volume 5 Technical Guidance*). The increase equates to one vehicle every 15 minutes and is expected to have no demonstrable impact on the operation of any local road or intersection; indeed, it is likely most residents would not notice the increase.

3.4.2 Public Transport

The subject land is well served by public transport. A number of bus services operate nearby, including on Beeliar Drive (routes 522, 531 and 532), approximately 200 metres to the south, and on Mainsail Terrace/Yangebup Road (route 530), approximately 400 metres north, which provide good access to the Cockburn Central activity centre and train station.

3.4.3 Pedestrian and Cyclist Facilities

The area is well served by a local network of footpaths and shared paths for pedestrian and cyclists, including on the Tindal Avenue verge in front of the subject sites. A shared path on Beeliar Drive provides good access to Cockburn Central.

3.5 Water Management

Urban water management will be addressed at development approval and/or building licence stage, in accordance with the usual City of Cockburn requirements.

3.6 Education Facilities

There are no existing or proposed schools within the Consolidated Structure Plan area, however the area is well served by a number of education facilities, including:

- South Coogee Primary School;
- Yangebup Primary School;
- Beeliar Primary School;
- Mater Christi Catholic Primary School;
- Divine Mercy College.

3.7 Activity Centres and Employment

The subject land is located approximately 200 metres north-east of a future local centre situated on the southern side of Yardie Crescent and either side of Spinnaker Heights. The land is approximately four kilometres west of Cockburn Central.

3.8 Infrastructure Coordination, Servicing and Staging

All relevant infrastructure and services are in place and available to facilitate the development of the subject lots.

3.9 Developer Contributions Arrangements

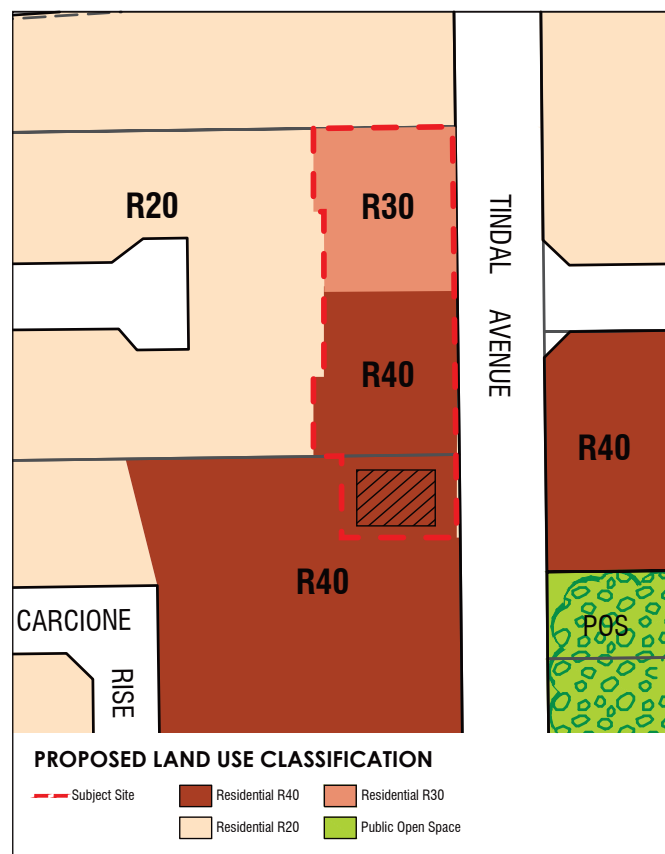
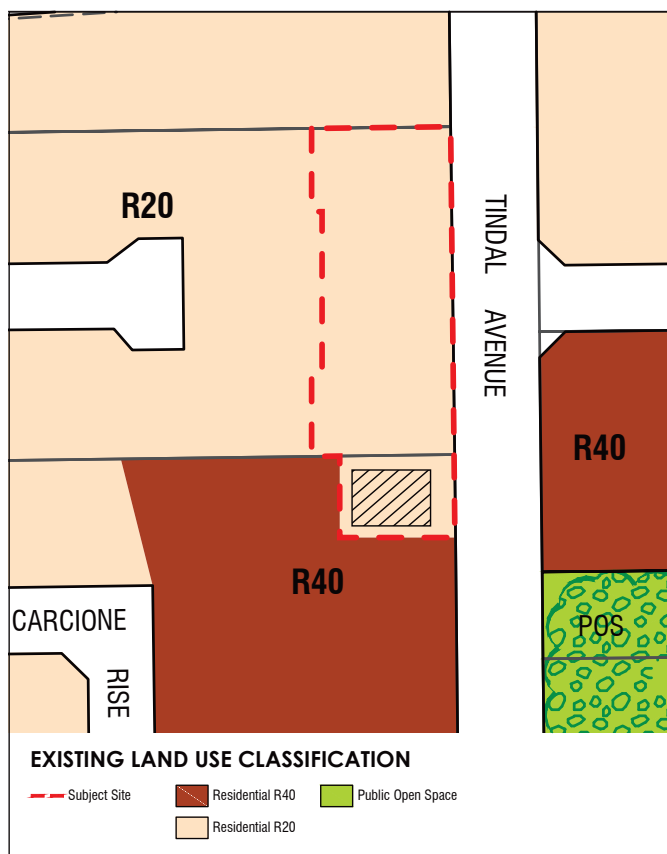
There are two Development Contribution Plans under Town Planning Scheme No. 3 that are applicable to the subject land.

Development Contribution Area DCA 5 (Yangebup East) requires landowners to make contributions to the costs of constructing Beeliar Drive between Stock Road and Spearwood Avenue, and Spearwood Avenue between Beeliar Drive and Fancote Avenue, or closing Yangebup Road at the Railway Line, depending on the location of the land. The liability under DCA 5 was previously paid when Lots 10, 11, 12, 13 and 101 were created, so DCA 5 is not applicable to the subject land.

Development Contribution Area DCA13 of Town Planning Scheme No. 3 applies across the City, and requires a contribution to be made towards community infrastructure for each new lot or dwelling.

Appendix 1: Certificates of Title

Appendix 2: Structure Plan Amendment Map



STRUCTURE PLAN AMENDMENT MAP

Lots 10, 11, 12, 13 and 101 (No's 34 - 46) Tindal Avenue
Yangebup.



PLAN: CGC-1 0038
DATE: 171212
PROJECT: LOTS 34-46 Tindal Avenue
DESIGNED: AM

SCALE: 1:1250 @A4

