



'The Rivergums' Local Structure Plan

September 2015

AWARD WINNING PROPERTY DEVELOPER

CERTIFICATION OF APPROVED STRUCTURE PLAN

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

..... Date

Signed for and on behalf of the Western Australian Planning Commission

.....

An officer of the Commission duly authorised by the Commission pursuant to section 24 of
the *Planning and Development Act 2005* for that purpose, in the presence of:

..... Witness

AND ADOPTED BY
RESOLUTION OF THE COUNCIL OF THE CITY OF ROCKINGHAM ON:

..... Date

.....

Director, Planning & Development Services

Signed under Delegated Authority for and on behalf of the Council of the City of Rockingham

This Structure Plan was prepared under the provisions of the
City of Rockingham Town Planning Scheme No.2

TABLE OF CHANGES OR DEPARTURES FROM STRUCTURE PLAN

Change or Departure No.	Description of Change or Departure	Date Adopted by the Council	Date Approved by the WAPC (if required)	Date Structure Plan commences operation
1	<ul style="list-style-type: none">• introducing R25 as the new base code;• making provision for additional R40 lots;• providing for further residential density changes, to a maximum of 800 lots;• making minor changes to the road network;• identifying a possible future child care site; and• incorporating the previously proposed Local Centre site and changing the designation of the that site from 'Local Centre' to 'Residential R40'.	24 February 2015	27 July 2015	
2	<ul style="list-style-type: none">• insertion of the RMD Code Provisions (Part One – Clause 6.3)• making provision for additional R40 lots in Stage 10B.			

EXECUTIVE SUMMARY

The Rivergums Estate covers 75ha in Baldivis. It is located at the intersection of Baldivis Road and Safety Bay Road and is immediately west of the Kwinana Freeway. The estate is located 8km south-east of the Rockingham Town Centre and is immediately south of the Baldivis Town Centre. A location plan is provided in Part 2 - Figure 1.

An existing Structure Plan is already in place. The last modification is dated July 2015. A copy of the current approved Structure Plan is provided in **Appendix 1**. The Structure Plan provides for:

- residential development at a broad range of densities;
- a linear corridor of open space providing for both recreation and integrated drainage function; and
- a co-located high and primary school.

The modifications proposed in this revised LSP simply involve:

- adoption and insertion of the RMD Codes, in accordance with Planning Bulletin No.112/2015; and
- make provision for additional R40 coded lots in Stage 10B.

STRUCTURE PLAN SUMMARY TABLE

Item	Data	Section number referenced within the Structure Plan Report
Gross Structure Plan Area	76.227ha	
Area of each land use proposed		
- Public Open Space	10.7196 ha	
- Sewer Pump Station (F)	0.7000 ha	
- CATV Site	0.0103 ha	
- Schools Site	14.1164 ha	
- Net Developable Area	50.6800 ha	
Estimated Lot Yield	800	Part 2, Section 3.0 - Density Changes
Estimated Residential Density	R20 - R40 15.8 dwellings / net ha	Part 2, Section 3.0 - Density Changes
Estimated Population	1,920 persons 2.4 persons per dwelling	

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PLAN 1 - REVISED 'THE RIVERGUMS' STRUCTURE PLAN

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FIGURE 1 - Location Plan

FIGURE 2 - Two Grouped Dwellings - example 1 (corner lots)

FIGURE 3 - Two Grouped Dwellings - example 2 (traditional lots)

APPENDICIES

APPENDIX 1 - Noise Impact Assessment

APPENDIX 2 - Mosquito Management Plan

APPENDIX 3 - Existing Approved 'The Rivergums' Structure Plan

APPENDIX 4 - Residential Code Plan

APPENDIX 5 - Cardno Traffic Impact Technical Note

APPENDIX 6 - Advice from MMJ

APPENDIX 7 - Advice from URBIS

APPENDIX 8 - Indicative Subdivision Design for Local Centre Site

Part 1 – Statutory Section

1.0 STRUCTURE PLAN AREA

This Structure Plan shall apply to the portion of *The Rivergums* estate (previously known as Lots 8, 801, 803 and 9020 Baldivis Road) in Baldivis, being the land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map.

The Structure Plan is identified as *The Rivergums* Structure Plan, provided in this Part 1.

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 the textual provisions, standards and 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, standards and requirements 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 & RELATIONSHIP WITH TOWN PLANNING SCHEME NO.2

3.1 Terms and Interpretations

Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Rockingham Town Planning Scheme No.2 ('Scheme') including any amendments gazetted thereto.

3.2 Relationship of the Structure Plan with Town Planning Scheme No.2

This Structure Plan has been prepared under Clause 4.2 of the Scheme as the subject land is zoned 'Development' and contained within 'Development Area No.25, which is shown on the Scheme Map and contained within Schedule No. 9.

The Structure Plan Map outlines the Zones and Reserves applicable within the Structure Plan Area. The Zones and Reserves designated under this Structure Plan apply to the land within it as if the Zones and Reserves were incorporated into the Scheme.

3.3 Provisions Standards or Requirements

Pursuant to Clause 4.2.9.4 of the Scheme, the provisions, standards or requirements specified under Part One of this Structure Plan shall have the same force and effect as if they were a provision, standard or requirement of the Scheme.

In the case of any inconsistency between the Scheme and any provisions, standards or requirements specified under Part One of this Structure Plan, the Scheme prevails to the extent of any inconsistency.

3.4 Land Use Permissibility

Land Use permissibility within the Structure Plan Area shall be in accordance with the corresponding Zone under the Scheme.

4.0 OPERATION

4.1 Operation Date

The Structure Plan commences operation on the date it is adopted by Council pursuant to Clause 4.2.6.15 of the Scheme.

4.2 Change or Departure from the Structure Plan

Clause 4.2.7 of the Scheme outlines the manner in which a change to or departure from a Structure Plan is determined.

5.0 LAND USE

5.1 Structure Plan Map

The subdivision and development of land is to generally be in accordance with the Structure Plan and any associated provisions contained in Schedule No.9.

5.2 Residential Density

Residential Densities applicable to the Structure Plan Area shall be those residential densities shown on the Structure Plan Map.

6.0 SUBDIVISION / DEVELOPMENT

6.1 Notifications on Title

In respect of applications for the subdivision of land, the Council shall recommend to the Western Australian Planning Commission that a condition be imposed on the grant of subdivision approval for a notification to be placed on the Certificates of Titles to advise of the following: -

- (i) Land or lots deemed to be affected by an identified noise, dust, or odour impact as outlined within the 'Noise Impact Assessment' contained within **Appendix 1**.
- (ii) Construction standards to achieve quiet house design in accordance with State Planning Policy 5.4 *Road and Rail Transport Noise and Freight Considerations in Land Use Planning* (as amended); and/or
- (iii) Land or lots deemed to be impacted by mosquito and midge nuisances as identified in the 'Mosquito Management Plan' contained within **Appendix 2**.

6.2 Detailed Area Plans

Detailed Area Plans (DAPs) are required to be prepared and implemented pursuant to Clause 4.23 of the Scheme for lots comprising one or more of the following site attributes:

- (i) Lots with rear-loaded vehicle access;
- (ii) Lots with direct boundary frontage (primary or secondary) to an area of Public Open Space;
- (iii) Lots deemed to be affected by noise from the Kwinana Freeway as identified in the Noise Impact Assessment contained in **Appendix 1**. This includes a requirement for noise modelling for ground floor and two-storey development as applicable;
- (iv) Lots within the former Local Centre site, establishing design criteria that encourages and facilitates the establishment of home-based businesses;
- (v) Lots deemed to be bush fire prone as identified in an approved Bush Fire Management Plan; and/or
- (vi) Lots abutting the Kwinana Freeway zoned Residential with a density coding of 'R40'.

6.3 Residential Design Code Variations

Table 1 (Residential Medium Density Codes) sets out variations to the Residential Design Codes that are deemed to constitute 'deemed-to-comply' Development within the Structure Plan area and which do not therefore, require neighbour consultation and planning approval.

The provisions set out in Table 1 (Residential Medium Density Codes) act as a replacement to existing R-Codes standards for building and garage setbacks (Clauses 5.1.2, 5.1.3 and 5.2.1), open space (Clause 5.1.4), parking (Clause 5.3.3), visual privacy (Clause 5.4.1) and solar access (Clause 5.4.2).

All other R-Codes standards apply, where relevant to the proposal, including site area (Clause 5.1.1); building height (Clause 5.1.6); street surveillance, walls, fences and sightlines (Clauses 5.2.3 to 5.2.5); parking space design and vehicular access (Clauses 5.3.4 and 5.3.5); site works, retaining walls and stormwater management (Clauses 5.3.7 to 5.3.9); and outbuildings, external fixtures and utilities and facilities (Clauses 5.4.3 to 5.4.5).

RMD density code numbers shown on the Structure Plan Map are to correspond with the associated RMD Code number within Table 1.

Where no RMD code is shown on the Structure Plan Map the relevant provisions of the RCodes for R20, R25, R30 or R40 will apply.

6.4 Other Provisions / Standards / Requirements

This Structure Plan is supported by a Bush Fire Hazard Level Assessment (BHLA). Any land within 100 metres of a bushfire hazard identified in the BHLA is designated as a Bushfire Prone Area for the purpose of the Building Code of Australia.

Implementation of the Mosquito Management Plan.

Table 1: Single House (RMD) Standards for Medium Density Housing

RMD-Code	Street Setback & Front Fences		Lot Boundary Setback		Open Space		Garage Setback & Width / Vehicular Access		Parking		Overshadowing		Privacy	
	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision
RMD – R40	4m	2m minimum, no average 1.5m to porch/veranda, no maximum length 1m minimum to secondary street Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence	<u>Boundary setbacks</u> 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings) <u>Boundary walls</u> 2/3 length one side boundary, max 3.5m high and 3m average height	<u>Boundary setbacks</u> 1.2m for 3.5m wall height (or less) with major openings 1m for 3.5m wall height (or less) without major openings <u>Boundary walls</u> To both side boundaries subject to: No maximum length to one side boundary, 2/3 max length to second side boundary for wall height 3.5m or less	45% open space (55% site cover) 20m ² courtyard 1/3 required OLA area may be covered Minimum dimension 4m	An outdoor living area (OLA) with an area of 10% of the lot size or 20m ² , whichever is greater, directly accessible from a habitable room of the dwelling and located behind the street setback area At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas The OLA has a minimum 3m length or width dimension No other R-Codes site cover standards apply	<u>Rear load</u> Nil – provided laneway is minimum 6m wide <u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements	<u>Rear load</u> 0.5m garage setback to laneway <u>Front load</u> 4.5m garage setback from the primary street and 1.5m from a secondary street The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary For front loaded lots with street frontages between 10.5 and 12m, a double garage is permitted to a maximum width of 6m as viewed from the street subject to: <ul style="list-style-type: none">garage setback a minimum of 0.5m behind the building alignment;a major opening to a habitable room directly facing the primary street;an entry feature consisting of a porch or veranda with a minimum depth of 1.2m; and,no vehicular crossover wider than 4.5m where it meets the street Lots with a frontage less than 10.5m or not compliant with the above require single or tandem garaging	Two on-site bays	As per R-Codes	35% of the adjoining site area	No maximum overshadowing for wall height 3.5m or less No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot. If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%	4.5m to bedrooms and studies 6.0m to all other major openings 7.5m to balconies or similar	Clause 5.4.1 C1.1 applies, however the setback distance is 3m to bedrooms and studies 4.5m to major openings to habitable rooms other than bedrooms and studies 6m to unenclosed outdoor active habitable spaces
RMD – R30	4m	2m minimum, no average 1.5m to porch/ veranda, no maximum length 1m minimum to secondary street Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence	<u>Boundary setbacks</u> 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings) <u>Boundary walls</u> 2/3 length one side boundary, max 3.5m high and 3m average height	<u>Boundary setbacks</u> As per RMD – R40 <u>Boundary walls</u> To both side boundaries subject to: 2/3 length to one side boundary, 1/3 max length to second side boundary for wall height 3.5m or less	45% open space (55% site cover) 24m ² courtyard 1/3 required OLA area may be covered Minimum dimension 4m	As per RMD – R40	<u>Rear load</u> Nil – provided laneway is minimum 6m wide <u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements	As per RMD – R40	Two on-site bays	As per R-Codes	35% of the adjoining site area	As per RMD – R40	4.5m to bedrooms and studies 6.0m to all other major openings 7.5m to balconies or similar	As per RMD – R40
RMD – R25	6m	3m minimum 1.5m to porch/ veranda, no maximum length 1.5m minimum to secondary street Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence	<u>Boundary setbacks</u> Wall height 3.5m and less: 1m/1.5m (subject to wall length and major openings) <u>Boundary walls</u> 2/3 length one side boundary, max 3.5m high and 3m average height	<u>Boundary setbacks</u> As per RMD – R40 <u>Boundary walls</u> As per RMD – R30	50% open space (50% site cover) 30m2 courtyard 1/3 required OLA area may be covered Minimum dimension 4m	As per RMD – R40	<u>Rear load</u> Nil – provided laneway is minimum 6m wide <u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements	As per RMD – R40	Two on-site bays	As per R-Codes	25% of the adjoining site area	As per RMD – R40, however If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 25%	4.5m to bedrooms and studies 6.0m to all other major openings 7.5m to balconies or similar	As per RMD – R40

