



Town Planning Scheme No.3
Amendment No.166
(Complex)

Former Roe Highway Regional Road Reservation

DECEMBER 2023

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

City of Cockburn
Town Planning Scheme No.3
Amendment No.166

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the City of Cockburn Town Planning Scheme No.3 by:

1. Zoning the proposed centrally located MRS 'Urban' zoned land, between Leda Street and the MRS 'Parks and Recreation' reserve straddling Blackwood Avenue 'Development', as depicted on the Scheme Amendment Map.
2. Introducing special control area 'Development Area No.46' as depicted on the Scheme Amendment Map and into 'Table 9 – Development Areas' of the Scheme Text, as follows:

REF NO.	AREA	PROVISIONS
DA 46	Former Roe Highway Regional Road Reservation (and surrounds)	1. 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. 2. The Structure Plan is to provide for: (a) a green (ecological) link extending through the area from east to west as an integral element; (b) appropriately scaled education, recreation, mixed-use and/or local scale commercial development; (c) an appropriate mix of residential densities; and (d) ensure the layout and urban form provide an appropriate interface to adjacent roads and existing properties.

3. Zoning the proposed MRS 'Urban' zoned Cardigan Street Precinct 'Residential (R15)', as depicted on the Scheme Amendment Map.
4. Zoning the proposed MRS 'Urban' zoned Rockingham Road Commercial Precinct 'Mixed Business', as depicted on the Scheme Amendment Map.
5. Zoning the proposed MRS 'Urban' zoned Bibra Lake Drive / Hope Road Precinct 'Residential (R30)', as depicted on the Scheme Amendment Map.
6. Reserving the proposed MRS 'Urban' zoned road reservations, adjoining portions of Bibra Lake Drive, and slivers of land either side of Southwell Crescent and Forrest Road as 'Local Road' reserves, as depicted on the Scheme Amendment Maps.

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

- *an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality.*

Dated this _____ day of _____ 20____

CHIEF EXECUTIVE OFFICER



AMENDMENT REPORT

1.0 INTRODUCTION

The purpose of this scheme amendment is to introduce a local planning framework over the anticipated 'Urban' zoned portions of the former Roe Highway 'Primary Regional Road' (PRR) reservation, within the localities of Hamilton Hill, Coolbellup, North Lake and Bibra Lake.

2.0 BACKGROUND

At the 14 September 2023 OCM, Council considered the State Government's proposed removal of the remaining portions of Stages 8 and 9 of the former Roe Highway Primary Regional Road Reservation from the Metropolitan Region Scheme [MRS (Major) Amendment 1404/41].

A copy of the City's final submission to the Department of Planning, Lands and Heritage (DPLH) is included as **Attachment 1**. Key aspects of Council's resolution relevant to this Local Scheme Amendment proposal include:

- 1) Its SUPPORT for the MRS Amendment, subject to the following modifications:
 - a) Expansion of the regional 'Parks and Recreation' reservation to include the land between Lot 89 Rockingham Road, Dixon Park, Starling Street, Rockingham Road and Leda Street, to accommodate future development of a regional Basketball Facility in this location; and
 - b) Widening the 'Urban' zoned alignments of both Southwell Crescent and Forrest Road, based on updated traffic modelling (prepared in alignment with the City's current District Traffic Study work), that more appropriately considers the full implications of this proposal on the local road and associated movement network.
- 2) A REQUEST, pursuant to s.126(3) of the *Planning and Development Act 2005*, that the resultant 'Urban' zoned land be concurrently zoned 'Development' under the City of Cockburn Town Planning Scheme No.3, aside from:
 - a) the existing road reservations of Carrington Street, Sudlow Road, Coolbellup Avenue and Bibra Drive; in addition to
 - b) the affected road reservations of Southwell Crescent and Forrest Road [as adjusted by (1)(b) above];which the City will consider reserving as 'Local Roads' via a future local Scheme Amendment.
- 3) ADVISING the State Government of its intention to initiate a complementary local scheme amendment that:



- a) may refine the extent of the concurrent Development Zone, to streamline future redevelopment in appropriate circumstances; and/or
- b) introduces Special Control Areas to facilitate structure planning over broader areas (beyond the boundaries of the existing regional road reservation), to ensure future development appropriately integrates with (and facilitates the redevelopment opportunities) of surrounding landholdings afforded by this proposal.
- c) Includes a specific provision within any future Development Zone which provides for a green (ecological) link extending through the area from east to west to form an integral element of the structure plan. This will ensure more flexibility to work with the community about where this connection should be.

Since this time, the City has undertaken further analysis of the areas expected to be zoned 'Urban' in the MRS, to inform responding changes to the local planning framework based on the key parameters outlined above.

3.0 AMENDMENT TYPE

Part 5, Division 1, Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, identifies different amendment types: basic, standard and complex.

Regulation 35(2) requires the local government to specify in their resolutions to prepare or adopt an amendment what type of amendment it is, as well as the explanation for forming that opinion.

This proposed amendment is considered a 'complex' amendment, which Regulation 34 describes as any of the following amendments to a local planning scheme:

- a) *an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
- b) *an amendment that is not addressed by any local planning strategy;*
- c) *an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;*
- d) *an amendment made to comply with an order made by the Minister under section 76 or 77A of the Act;*
- e) *an amendment to identify or amend a development contribution area or to amend a development contribution plan.*

This proposed amendment satisfies part (c) of the above criteria.

Specifically, based on the preceding Development Concept and MRS Amendment processes run by the State, it is an amendment that is expected to be of significant interest to the local community.

4.0 SITE DESCRIPTION

4.1 Location

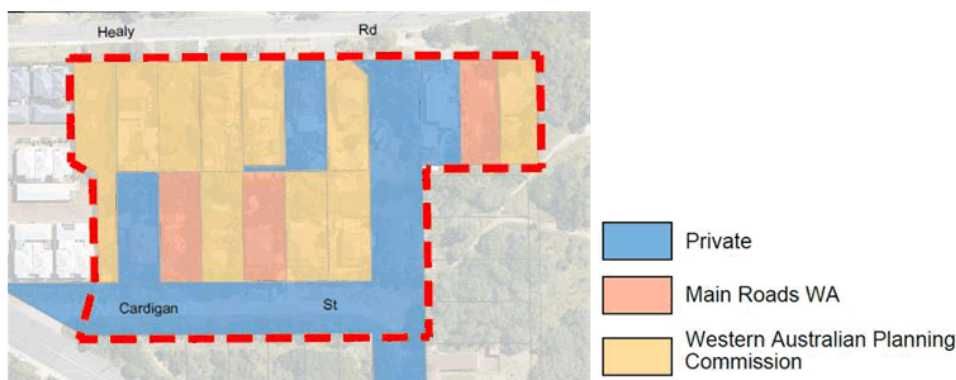
Given its overall size, for the purposes of this proposal the affected landholdings have been broken-up into distinct precincts, across five separate Scheme Amendment Maps, as summarised (west to east) below:

- Cardigan Street Precinct (Hamilton Hill – Amendment Map 1)
- Starling Street Precinct (Hamilton Hill – Amendment Map 1)
- Central Precinct (Hamilton Hill – Amendment Map 2)
- Southwell Crescent Precinct (Hamilton Hill – Amendment Map 3)
- Forrest Road Precinct (Coolbellup – Amendment Map 4)
- Bibra Drive / Hope Road Precinct (North Lake – Amendment Map 5)

4.2 Existing Ownership, Land Use and Improvements

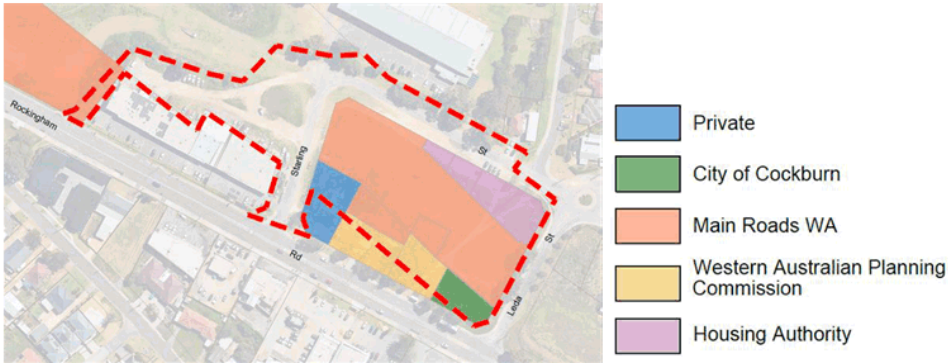
Cardigan Street Precinct, Hamilton Hill

This precinct principally incorporates relatively old, single dwellings on large lots ranging between 589 – 698m² in area. All bar three of the lots are in government ownership (Main Roads WA or the Western Australian Planning Commission), whilst both Cardigan and Hardey Streets inclusive of the unconstructed portion connecting to Healy Road and a sliver of land to the rear of #31 Healy Road, form the subject of a deceased estate.



Starling Street Precinct, Hamilton Hill

This precinct principally incorporates existing roads and vacant land periodically used for informal car parking purposes by surrounding land use. There are two existing houses fronting Rockingham Road with associated infrastructure, one that remains in private ownership and a drainage sump (at the intersection of Leda Street and Rockingham Road) owned in freehold by the City. Otherwise, all the land is in the ownership of the State Government (MRWA, WAPC and Housing Authority).



Central Precinct, Hamilton Hill

Most of this precinct is comprised of undeveloped land. Scattered throughout are old dwellings and a variety of other structures, some of which are registered sites of local and/or state heritage significance.

Most of the land directly related to the former Primary Regional Road reservation is within State Government ownership, large tracts of which have been leased and developed with low value infrastructure that has enabled temporary commercial or private education use (some of which have been operating over a long time period).

Some of the land is being used as an expansion of existing local reserves located directly adjacent the former road alignment. Otherwise, the surrounding frame is principally relatively old single residential housing, in private ownership, some of which have suffered from significant social issues associated with an interface to undeveloped public land.

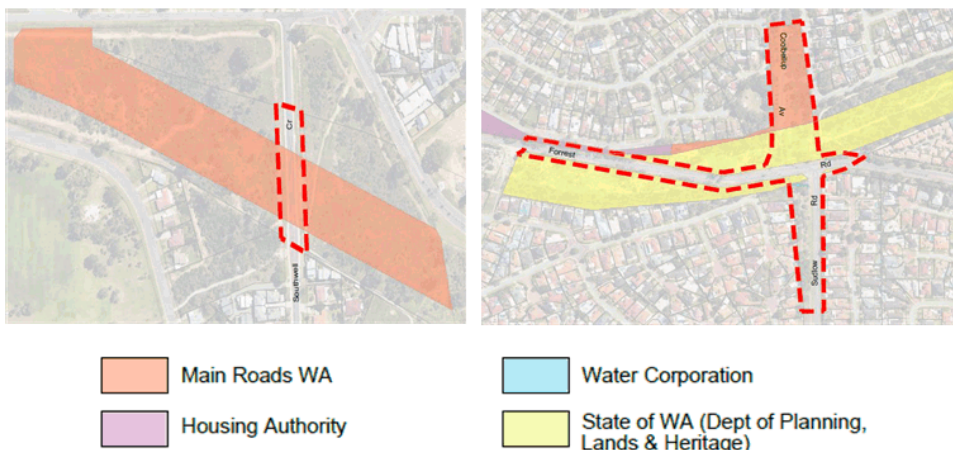


Southwell Crescent & Forrest Road Precincts, Hamilton Hill & Coolbellup

The affected slivers of land adjacent Southwell Crescent are vacant, cleared land in Main Roads WA ownership. Unlike further south, the road carriageway has open shoulders and no median that would allow for the planting of trees or safer crossing by pedestrians.

The affected slivers of Forrest Road, are vacant, predominantly cleared land in State Government (Department of Planning Lands and Heritage and Housing Authority) ownership. Unlike west of Stock Road, the carriageway is undivided, with on-road cycle lanes and bus stops that could benefit from the provision of upgrades that focus on better managing traffic speeds and enabling safer pedestrian crossing.

Reflective of an earlier staggering of their intersections with Forrest Road, the relevant sections of both Coolbellup Avenue and Sudlow Road are much more expansive and contain significant trees of high environmental and landscape amenity value.



Bibra Drive / Hope Road Precinct, North Lake

All of this precinct is either existing road reserve or surplus undeveloped acquired and recontoured by Main Roads as part of the Roe 7 Highway works.

A drainage sump is located adjacent Bibra Drive, however at this stage it is unknown whether this is a temporary or permanent piece of infrastructure.



4.0 TOWN PLANNING CONTEXT

4.1 Perth & Peel @3.5million

The Perth and Peel @ 3.5 Million suite of planning documents provides an envisaged development outcome for the Perth and Peel regions in the future. It makes the case for change from a 'business-as-usual' perspective to a more considered, connected, consolidated urban form.

The South Metropolitan Peel Sub-regional Planning Framework forms part of the Perth and Peel @ 3.5 Million suite of planning documents. The Framework does not identify an existing or proposed regional road along the alignment of Roe 8 remainder or Roe 9. Instead, it identifies the land as being suitable for 'Urban' purposes.

4.2 Metropolitan Region Scheme

As discussed in the background section of this report, this proposal focuses upon and seeks to introduce a local planning framework over the anticipated 'Urban' zoned land that will be created as a result of MRS (Major) Amendment 1404/41.

As the outcome of the MRS Amendment will not be known for some time, this proposal is premised on the following key assumptions:

- that the additional regional 'Parks and Recreation' reservation encompassing the preferred location of the Wally Hagan redeveloped has not been accepted; and



 Excluded from 'Primary Regional Road' Reserve and 'Urban' Zone and included in 'Parks and Recreation' Reserve

- that the requested widenings of 'Urban' zoning either side of Southwell Crescent and Forrest Road have been accepted.



 Excluded from 'Primary Regional Road' Reserve and included in the 'Urban' Zone

If either of these assumptions prove incorrect, the MRS (regional reserve) outcome will take precedence, and the relevant portions of this local scheme amendment discussed in the following sections, will fall away.

- that concurrent rezoning of all the resultant 'Urban' zoned land, to a 'Development' zone in TPS3, has not been accepted.

If this proves correct, the urgency to complete the local scheme amendment escalates, to reduce the length of time between the MRS and TPS Amendment gazettal dates and manage the significant risks associated with all MRS 'Urban' zoned land, becoming unzoned ('No Zone') in TPS3.

4.3 State Planning Policies

State Planning Policy 2 – Environment and Natural Resources Policy (SPP 2.0)

SPP 2.0 recognises that Western Australia is one of the most biologically diverse regions in the world, home to a broad range of ecological communities and species, and natural landscapes. The protection and wise management of the environment and natural resources of the State are of paramount importance if we are to maintain our lifestyle now and into the future.

This requires acknowledgement of the intrinsic value of the environment, as well as an understanding of the importance of ecological processes in the production and maintenance of healthy soils, clean air and water: the natural resource base which supports life and our lifestyle. It is therefore essential to resolve land use conflicts between use and protection of natural resources, having consideration of potential impacts on the environment, as well as those on community lifestyle and the economy.

SPP 2.0 promotes integrated land use planning and management as a practical way to achieve effective and efficient use of the natural resources of the State. It is possible to achieve land use change and development that have positive environmental outcomes or that reduce the degree of negative impact on the environment.

Separate to formalising existing use in discrete areas, zoning the majority of the land 'Development' enables a well-tested and understood local planning process (local structure planning) for important SPP 2.0 policy objectives, in particular those relating to water resources, air quality, biodiversity and landscapes, and their interrelationship with future infill urban development to be comprehensively considered in a more fine-grained manner in consultation with key stakeholders including the surrounding community.

It also allows for the identification and elevation of key design parameters and/or development outcomes into the local scheme, to guide that work and appropriately manage both developer and community expectations. The proposed insertion of a specific requirement for the ultimate outcome to accommodate a green (ecological) link extending through the area as an integral element, is one such example.

State Planning Policy 3 - Urban Growth and Settlement (SPP 3.0)

SPP 3.0 recognises that the orderly planning of urban growth and settlement should be facilitated by structure plans, which should take into account the strategic and physical context of the locality; provide for the development of safe; convenient and attractive neighbourhoods which meet the diverse needs of the community; and facilitate logical and timely provision of infrastructure and services.

This Amendment proposes a 'Development' zoning over most of the site which, under the provisions of TPS3, will require the preparation and adoption of a local structure plan before further significant development can be undertaken. By facilitating a structure planning process, the proposed Amendment is consistent with the objectives of SPP 3.0.

SPP 3.0 also recognises that more consolidated development is suitable in appropriate locations where consistent with neighbourhood character and where the necessary services are available. The proposed Amendment will facilitate the redevelopment of largely unused land that is well serviced by the existing road network; is accessible to high frequency public transport routes; and is capable of being serviced by existing and/or upgraded services and infrastructure. In this regard, the land presents an appropriate location for more consolidated urban development, consistent with the following SPP 3.0 objectives:

- To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.
- To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.

- To coordinate new development with the efficient, economic and timely provision of infrastructure and services.

The proposed Amendment is also consistent with the following specific Policy Measures under SPP 3.0:

- Making the most efficient use of land in existing urban areas through the use of vacant and under-utilised land and buildings, and higher densities where these can be achieved without detriment to neighbourhood character and heritage values; the cost-effective use of urban land and buildings, schools and community services, infrastructure systems and established neighbourhoods; and promoting and encouraging urban development that is consistent with the efficient use of energy (Policy Measure 5.1 Creating Sustainable Communities).
- Consolidating residential development in existing areas and directing urban expansion into the designated growth areas which are, or will be, well serviced by employment and public transport (Policy Measure 5.3 Managing Urban Growth in Metropolitan Perth).
- Giving priority to infill development in established urban areas, particularly through urban regeneration and intensification of development of under-utilised urban land, whilst respecting neighbourhood character (Policy Measure 5.3 Managing Urban Growth in Metropolitan Perth).

State Planning Policy 3.5 Historic Heritage Conservation (SPP 3.5)

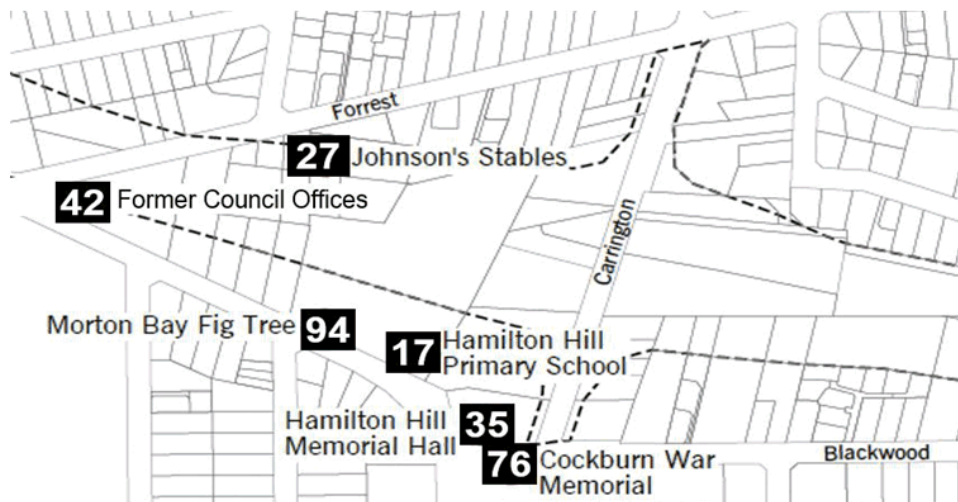
SPP 3.5 sets out the principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage.

The protection of Clontarf Hill (an Aboriginal Heritage Place), Randwick Stables (a State-Registered Heritage Place), and numerous Significant Trees listed in the City's Local Heritage Inventory are effectively being addressed via the above MRS Amendment.

Of specific relevance to this proposal are the following additional sites on the Local Heritage Inventory:

Heritage Inventory (Ref. # & Management Category)		Description
#17 B	Hamilton Hill Primary School (Considerable Significance)	Hamilton Hill Primary School was opened in 1903 to ease the pressure of numbers on Coogee School and is representative of small school buildings constructed in the early 20 th century. It reflects the development of education facilities in the district and continues to be used for this purpose as part of the Fremantle Christian College.
#27 B	Johnson's Stables (Considerable Significance)	The building is a fine example of a rural use constructed with locally sourced materials. The buildings are owned by MRWA but are still used as stables.

#35 A	Hamilton Hill Memorial Hall (Exceptional Significance)	Memorial Hall was built in memory of the fallen and returned soldiers of WWI and is a prominent and significant reminder of those who served. It has extremely high aesthetic value as a prominent landmark, which has been sensitively restored to its original condition. It also has high social value for users of the Hall and for local residents. It is owned by the City and used for various cultural activities.
#42 C	Former Council Offices (Significant)	The building was originally used by the former Fremantle Roads Board, who governed Cockburn prior to the creation of the Cockburn District Roads Board in 1955. The buildings are owned by MRWA and leased out for private commercial purposes.
#76 B	Cockburn War Memorial (Considerable Significance)	Relocated in the 1970's from its original location in Sussex Street, the Cockburn War Memorial is a historic marker of the people of Cockburn's service in World War I and World War II and is an important centre for ANZAC Day celebrations.
#94 T	Moreton Bay Fig Tree (Significant Tree)	The subject tree is a Moreton Bay fig tree (Ficus Macrophylla) and is estimated to be at least 80 years of age. This tree forms part of the fabric of the Heritage place that is the Hamilton Hill Primary School.

**42** Former Council Offices**27** Johnson's Stables

**94** Moreton Bay Fig Tree**17** Hamilton Hill Primary School**35** Hamilton Hill War Memorial**76** Cockburn War Memorial

These locally significant heritage sites are all proposed to be included in the 'Development' zone, where a range of local land use classifications could be considered that facilitate their retention, potential adaptation and/or compatible reuse of the buildings and their surrounds.

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)

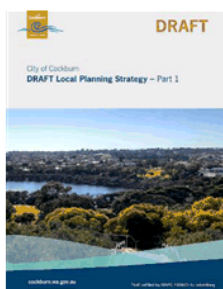
Portions of the amendment area are classified as bushfire-prone.

As this proposal does not facilitate any additional development of lots within those identified areas, the Bushfire Management Plan (Bushfire Hazard Assessment) prepared by Lushfire & Planning on behalf of DPLH to accompany the MRS Amendment is sufficient to address the SPP as it relates to this proposal.

Key extracts of relevance to this proposal are attached as **Appendix A**.

Further assessment will be required in certain areas as part of the more detailed planning (local structure planning, subdivision and/or development approval) processes that follow.

4.4 City of Cockburn Local Planning Strategy



Adopted by the City for Final Approval following the consideration of public feedback at its meeting on 13 April 2023, the City's Draft Local Planning Strategy sets out a vision for the City *"to create a sustainable, healthy, connected and prosperous Cockburn community"*.

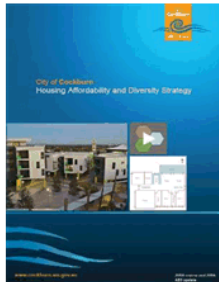
In relation to urban infill, the draft Planning Strategy notes that urban infill in the form of development of larger sites presents greater opportunities to integrate with the surrounding area; manage appropriate interfaces (streetscape and adjoining properties); rationalise access points and crossovers; and design for increases in traffic and parking that may be generated. Larger infill sites can also provide for a more coordinated outcome as they allow for greater design flexibility.

The remnant portions of the former regional road land present a unique opportunity for infill development as they are relatively large, unused and predominantly cleared areas in collective government ownership. In this regard, the proposed Amendment can facilitate a quality urban infill outcome, in particular a scenario capable of embracing and advancing broader environmental, sustainability and socially responsible outcomes, consistent with the Strategies and Actions contained within the draft Planning Strategy.

In recognition of this and the likelihood of land use change over its 15-year planning horizon, the Regional road reserve is identified as Planning Area A in the draft Planning Strategy, for which it specifies the following range of important environmental, cultural, heritage and social considerations to be addressed via subsequent planning processes:

Planning Area A: Future Roe 8/9 Primary Regional Road Reserve			
	Key Principles	Rationale	Timeframe
1.0	Any future planning for the area should: - Minimise the impact on environmental values - Investigate opportunities for POS and a recreational corridor - Investigate the potential consolidation of commercial land around the existing transit hub on Carrington Street - Respect Indigenous and European heritage - Achieve a compatible interface to existing residential development.	The area has high environmental values and significant trees, which are also highly valued by the community.	Ongoing

The draft Planning Strategy is informed by a number of preceding Council endorsed documents, key ones of relevance to the future development of this area include the following.

Housing Affordability and Diversity Strategy (2018)

The key objectives of the City's Housing Affordability and Diversity Strategy are:

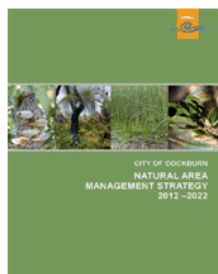
- To provide households with access to housing that is appropriate to their needs in terms of size, physical attributes and location;
- To provide housing that is affordable to households of varying financial capacity;
- To provide a variety of housing types in locations that have good accessibility to public transport, and essential services; and
- To promote affordable living, taking into consideration the total cost of living in a dwelling, including energy and water consumption, the price of transport to access employment and essential services, and other daily needs impacted by location.

In the current market, where there is a critical housing shortage, record low rental availability and considerable cost of living stress on low-to-middle income families, the need for serious effort towards addressing these objectives has never been more apparent.

By virtue of its collective government ownership, size, and ideal inner City suburban location, this land presents an ideal opportunity for the State to deliver a comprehensively planned and coordinated development that:

- addresses key housing issues such as the provision of greater housing choice through lot and dwelling diversity; and
- advances key sustainability initiatives;

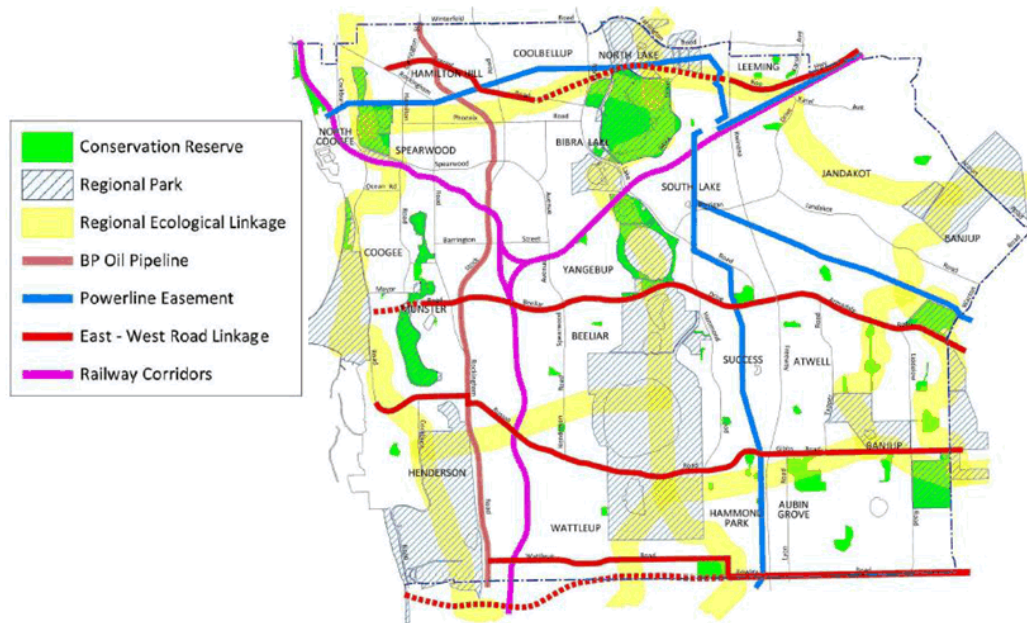
in a manner that sets the standard for further revitalisation of surrounding landholdings (already appropriately coded and with built form reaching the end of their normal lifespan), in a similar manner to what Development WA has achieved with its redevelopment of the nearby former Hamilton Hill High School site (115 Hamilton Hill).

Natural Area Management Strategy (2012 – 2022)

Whilst its key focus is on the City's management of natural areas under its control, the Natural Area Management Strategy strives to enhance the City's capacity to effectively enhance the conservation of its biodiversity, in part by identifying and protecting a range of ecological corridors, inclusive of a number of important east-west aligned regional road reservations (such as Roe Highway).

Despite currently having large cleared sections, and being bisected by a number of local roads, the regional road alignment still provides an important opportunity to maintain an ecological link between the Bibra Lake wetland chain and the City's coastal reserves and/or Manning Park.

The importance of some of these linkages, inclusive of actions to pursue their long-term protection are identified in the City's Draft Local Planning Strategy.



Urban Forest Plan (2018)



The City's Urban Forest Plan sets out a vision for the future management and expansion of the City's urban forest and directs the management of streetscapes and public open space to improve liveability and wellbeing.

Whilst this proposal does not, in itself, propose the clearing of land or address issues such as tree retention and public open space provision, it will facilitate various zonings, in particular a 'Development' zoning over the majority of the land which, under the provisions of TPS3, will require the preparation and adoption of a local structure plan before development can be undertaken.

The local structure planning, subdivision and development approval processes provide an opportunity within which to respond to the objectives and provisions of the Urban Forest Plan and in doing so, ensures development is undertaken in a coordinated and considered manner.

5.0 CONTEXTUAL ELEMENTS

5.1 Environmental Factors

Below is a summary of the environmental matters raised in environmental analysis undertaken by RPS on behalf of DPLH through the preceding MRS Amendment of specific relevance to this proposal.

Ministerial Statement 1148

In accordance with the Environmental Protection Act 1986, a portion of the amendment area is subject to Ministerial Statement (MS) 1148 and mapped as 'Rehabilitation Zone', to allow for the rehabilitation of areas cleared as part of the Roe 8 Highway Extension proposal approved under MS 1008.

Implementation requirements of MS 1148 are the responsibility of Main Roads Western Australia. Most of the areas within the amendment overlapping with MS 1148 are proposed to be reserved for Parks and Recreation.

A small portion of the Amendment area through Coolbellup is proposed to be reserved as a Local Road (following transfer to the Urban zone under the MRS) in recognition of its existing and future function as a local road. As no clearing or is envisaged, this classification is considered consistent with MS 1148.

Flora and Vegetation Assessment

Key findings of the Flora and Vegetation assessment (specific to the land the focus of this local Scheme Amendment proposal) include:

- No threatened flora species listed under the state Biodiversity Conservation Act 2016 or Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 were recorded.
- No Priority Flora species were identified.
- No flora species of other conservation significance based on one or more criteria listed in the Environmental Protection Authority's environmental factor guideline for flora and vegetation were recorded.
- Despite the presence of isolated trees in certain locations, no ecological communities of conservation significance [such as Tuart Woodlands and Forests of the Swan Coastal Plain (Critically endangered) or Banksia Woodlands and Forests of the Swan Coastal Plan (Priority 3)] were identified.
- One vegetation unit shows affinity to a state listed Priority 3 Ecological community – coastal shrublands on shallow sands, south Swan Coastal Plain.



Black Cockatoo & Fauna Survey

Key findings of the Black Cockatoo habitat assessment and basic fauna survey (specific to the land the focus of this local Scheme Amendment proposal) include:

- Evidence of foraging activity from both Carnaby's Cockatoo and Forest Red-tailed Black Cockatoo was recorded however no breeding or roosting activity was observed.
- Potential habitat trees scattered throughout, but none with suitable hollows for Black Cockatoos.
- Strong competition from other species and a lack of suitable hollows suggests that it is unlikely either black cockatoos species breed within the area.

Dieback Occurrence Assessment

The dieback field assessment did not identify any Phytophthora Dieback infestations.

Having regard for the relevant portions of the environmental reports therefore, it appears that preservation of the most important areas of ecological significance within Regional 'Parks and Recreation' Reserves (or their exclusion such is the case for the vegetation in and around the Stock and Forrest Road interchange), has already occurred, via the MRS Amendment process.

Whilst very small portions of proposed MRS Urban zoned land (near Ahern Street and Rockingham Road) are mapped as having medium ecological value, this does not stop the land from being reserved for local open space purposes under the local planning framework. This could be considered as part of the local structure planning process triggered by the proposed 'Development' zone under the local scheme.

Extracts of the relevant graphics appear on the following page. Full A3 versions appear at **Appendix B**. It should be noted that the Bibra Drive / Hope Road Precinct falls outside the area that was subject to the environmental assessment study, as it is not heavily vegetated and has been previously considered for clearing by the EPA, without any requirement for rehabilitation.

5.2 Utilities

As this Scheme Amendment does not specifically facilitate additional development no further analysis beyond the MRS Amendment's identification of important existing electricity, water and wastewater infrastructure corridors that need to be protected (or where practical relocated), has occurred at this time.

It is the City's expectation that a detailed Servicing Report accompany the structure plan required by the proposed 'Development' zone over the Central Precinct (or similar detail for a development application for the other much smaller precincts), that thoroughly considers the capacity of existing infrastructure, future needs generated by that development, including the need (or otherwise) and potential funding of necessary infrastructure upgrades.



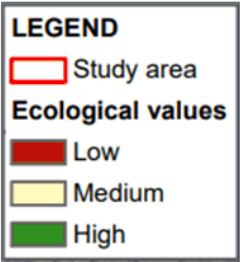
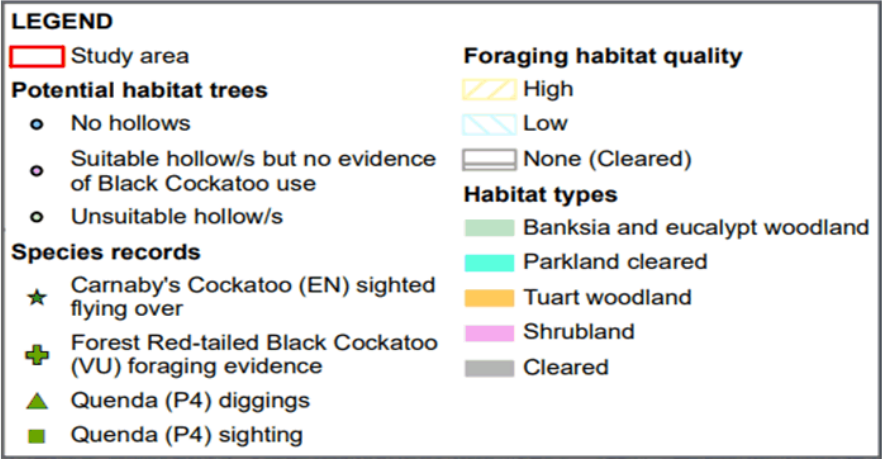
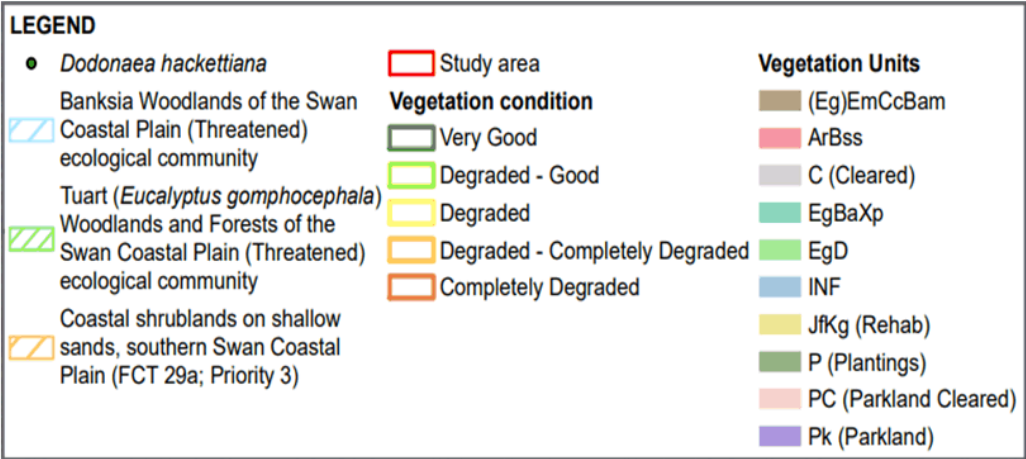
Flora and Vegetation Values



Fauna Values



Ecological Values



5.3 Transport

For decades the City has planned, invested and maintained its road network on the basis Roe Highway will ultimately be delivered. A final decision on its removal (the anticipated result of the MRS Amendment), will pose a significant financial impost of the City.

As foreshadowed in the City District Traffic Study documents produced in 2006 and 2013 (Uloth and Associates) and again in 2016 (Arup), and the preliminary modelling contained within its 2023 (SMEC) review, removal of the Roe Highway PRR is expected to have a significant and detrimental impact to the City of Cockburn local road network. Likely transport impacts include:

- A marked increase in motorists electing to 'rat-run' alternate streets to avoid congested road network's locations;
- An increased percentage of HEAVY vehicle traffic utilising local road network to navigate to businesses;
- Decreased productivity of vehicle movements within the transport network causing an increase in costs to local residents and businesses;
- Additional serious accidents on the local network as result of roads not being designed to cater for these additional volumes (with the subsequent resource and financial burden of treating these accident sites falling to the City);
- Increased land acquisition, maintenance, and renewal costs due to the local road network experiencing higher traffic volumes (not previously anticipated or planned for); and
- Associated environmental costs, including an increased likelihood of needing to remove mature street trees, fund environmental offsets, and increased traffic noise and vehicle emissions experienced by local residents.

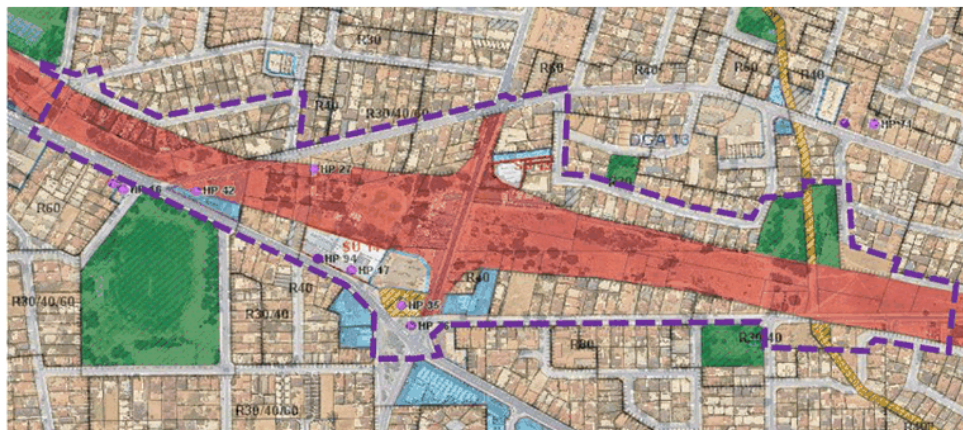
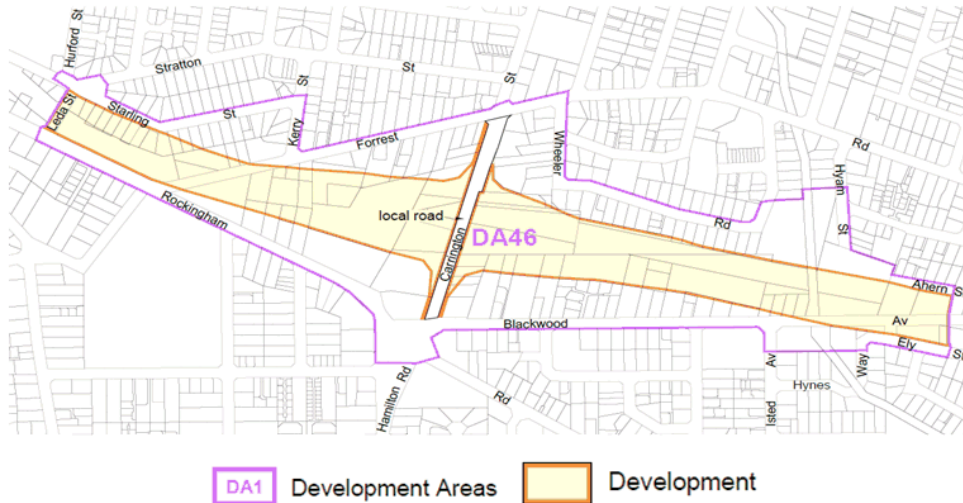
As this Scheme Amendment does not propose the creation of any new roads or specifically facilitate any notable intensification of development, no further traffic analysis has been undertaken at this time.

Instead, beyond the small widenings to Southwell Crescent and Forrest Road foreshadowed in the City's MRS Amendment response (necessary to improve traffic management, public transport and pedestrian safety remote from future anticipated development), again it is the City's expectation that a detailed Traffic Impact Assessment accompany the structure plan required by the proposed 'Development' zone over the Central Precinct, that thoroughly considers the impact that development will have on the local road network, including the need and potential funding of necessary infrastructure upgrades.

In the meantime, the City will continue to assess the broader issues and associated impacts created by the removal of Roe Highway on the surrounding and higher order road network in consultation with relevant State Government Agencies.

6.0 PROPOSAL

Consistent with the intention foreshadowed in Council's MRS response, this proposal involves zoning most of the proposed MRS 'Urban' zoned land (the Central Precinct) 'Development' in TPS3. As mentioned earlier, this will trigger the requirement for a Local Structure Plan to be prepared and approved by the WAPC prior to substantive subdivision and/or development of the land occurring.



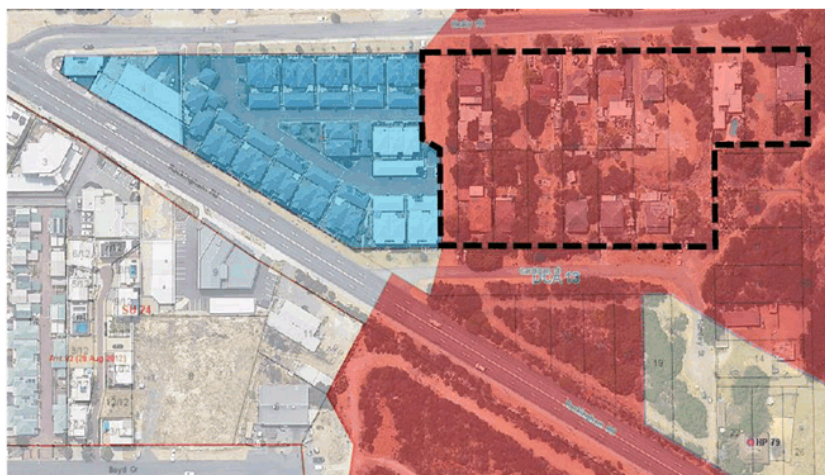
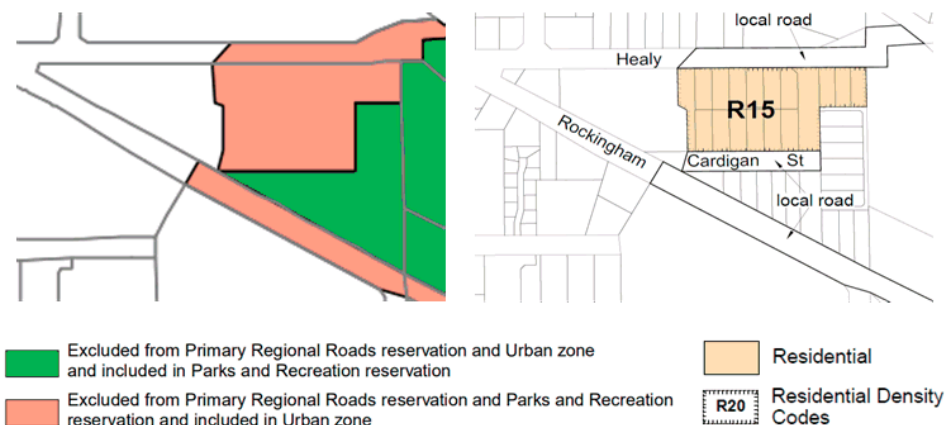
To guide the preparation and extent of the LSP, a special control area 'Development Area No.46' (DA46) is also proposed, that encompasses abutting properties and roads, and inserts special provisions into 'Table 9 – Development Areas' of the Scheme Text, to ensure an appropriately integrated outcome (beyond the Development Zone), that makes best use of this highly valuable land.

Of note, included is a requirement for a green (ecological) link to extend through the area as an integral element of the structure plan outcome. It is expected that the extent of DA46 and associated special provisions will be refined in response to submissions received through the public advertising process.

External to the proposed Development Zone are three distinct precincts proposed to be directly transferred into existing zones of the TPS3, as described below.

Cardigan Street Precinct, Hamilton Hill

Despite being large landholdings in government ownership containing older building stock, immediately east of an established Mixed Business zoned 'R60' grouped housing development, a straight 'Residential (R15)' zoning is proposed for this area to maintain the status quo.

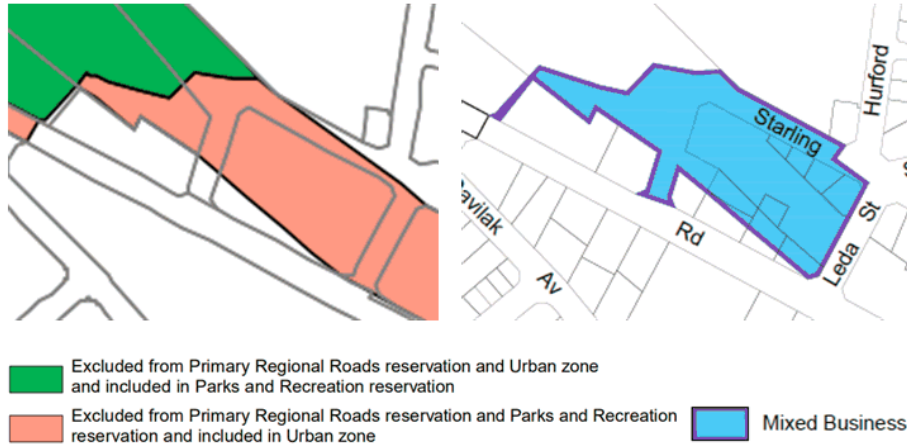


This is due to the lots sitting on top of a limestone outcrop and containing substantive vegetation that makes redevelopment challenging without significantly affecting the character, environmental attributes of the area or increasing traffic volumes to the detriment of continued operation of the State Heritage listed Randwick Stables.

An R15 density coding matches the existing lot sizes, avoiding the potential creation of additional battle-axe subdivision. A small number of additional houses may be possible by closing and similarly zoning the northern (unconstructed) portion of the Hardey Road reservation between Cardigan Street and Healy Road.

Starling Street Precinct, Hamilton Hill

MRS Urban zoned land in and around existing commercial premises fronting Rockingham Road (west of Leda Street), is proposed to be zoned 'Mixed Business', as a natural expansion of the existing Local Activity Centre.



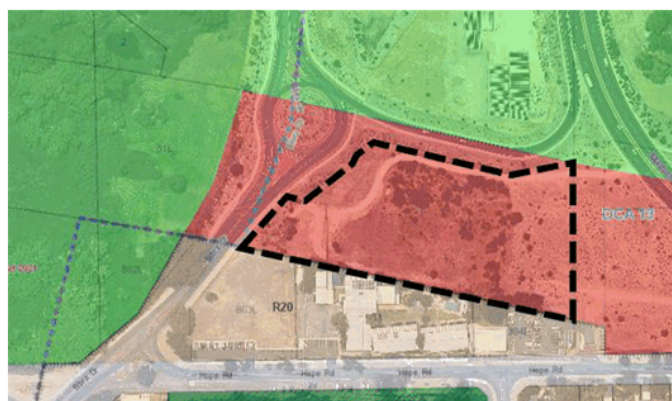
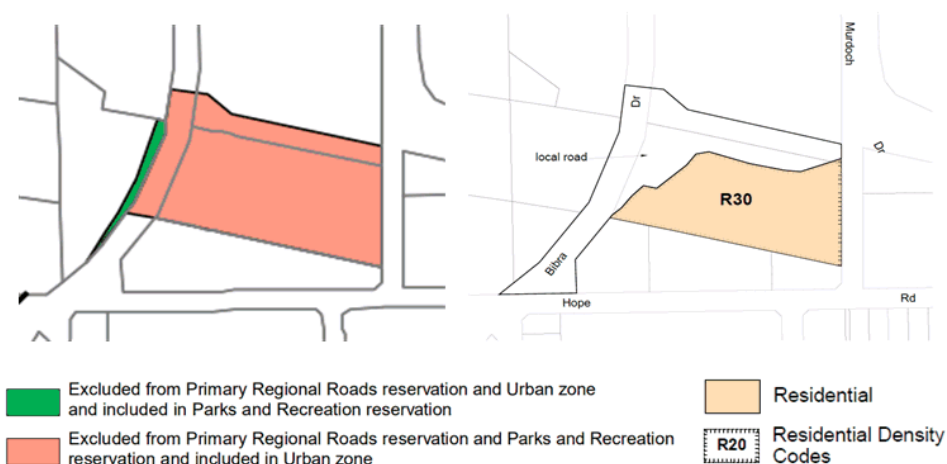
The proposed zoning is consistent with the existing commercial businesses, will complement the (Scarvicci) Local Centre zoned land on the southern side of Rockingham Road, and does not preclude future acquisition and/or redevelopment of the land for indoor recreational purposes.

Rather than reserving it as a Local Road, the intervening portion of Starling Street is included within the Mixed Business zone to allow maximum opportunities in terms of the future expansion and/or redevelopment of commercial land uses in this area.

Bibra Drive / Hope Road Precinct, North Lake

Reflective of it being a large, consolidated land area constrained by existing road reservations (that it can't take direct access from) or existing development on three sides, a straight 'Residential (R30)' zoning is proposed for the developable portion of this area.

The portions already developed as roads (including the revetment associated with the Bibra / Murdoch Drive slip road) and an adjoining 'Residential (R20)' zoned portion of Bibra Drive to the south are proposed to be reserved as Local Roads.

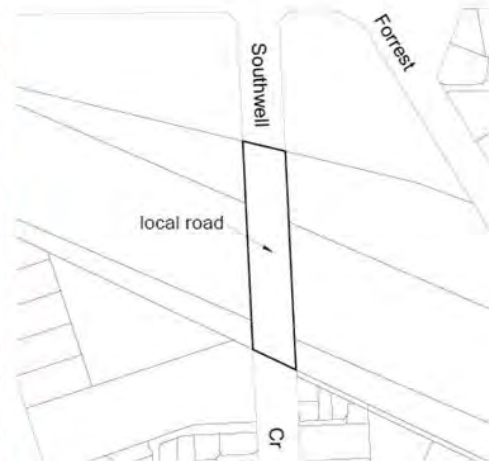


Whilst land to the south is coded R20, an R30 coding would better accommodate redevelopment befitting its prime location in proximity to the regional road network, regional parkland and nearby local commercial facilities (at the intersection of Murdoch Drive and Farrington Road). It will also provide for greater housing diversity in a well-established area that is almost entirely composed of low-density single residential housing.

Of importance, a residential zoning would not preclude a northward expansion of the privately run education establishment, should some, or all of it be acquired from the State for this purpose.

Existing Road Reserves

Unless otherwise mentioned in the precincts above, existing road reservations are proposed to be reserved as 'Local Roads'. Pending the MRS Amendment outcome, this includes the slivers of additional land either side of Southwell Crescent and Forrest Road, that would facilitate future widenings to local access, cycling and public transport opportunities through the area as redevelopment proceeds.



7.0 CONCLUSION

Aside from generating a range of community, economic and environmental benefits, the proposed Amendment is acceptable from a land use planning viewpoint given it:

- Is consistent with the land's anticipated 'Urban' zoning under the MRS.
- Will contribute towards achieving the City's residential dwelling target under Perth and Peel @ 3.5 Million and the Framework, specifically the minimum infill dwelling target of 14,680 dwellings by 2050.
- Will generate additional infill development, in line with the objectives for housing and growth under the draft Local Planning Strategy.
- Is consistent with the objectives, strategies and/or recommendations contained within local strategic planning documents such as the Housing Affordability and Diversity Strategy.
- Satisfies the objectives, principles and policy measures contained within relevant WAPC State Planning Policies including SPP 2.0 - Environment and Natural Resources Policy; SPP 3.0 - Urban Growth and Settlement; SPP 3.5 - Historic Heritage Conservation; and SPP 3.7 Planning in Bushfire Prone Areas.

Having regard to the above, the proposed Amendment is considered a reasonable and appropriate proposal consistent with the vision and objectives of both the State and Local Planning Frameworks.

In particular, the proposed zonings and use of a broader special control area reflect good contemporary planning practice, capable of allowing the informed preparation of an integrated urban form outcome that at the same time advances many of the social and environmental objectives expressed by the community through the preceding MRS Amendment process.



Planning and Development Act 2005

***City of Cockburn
Town Planning Scheme No.3
Amendment No.166***

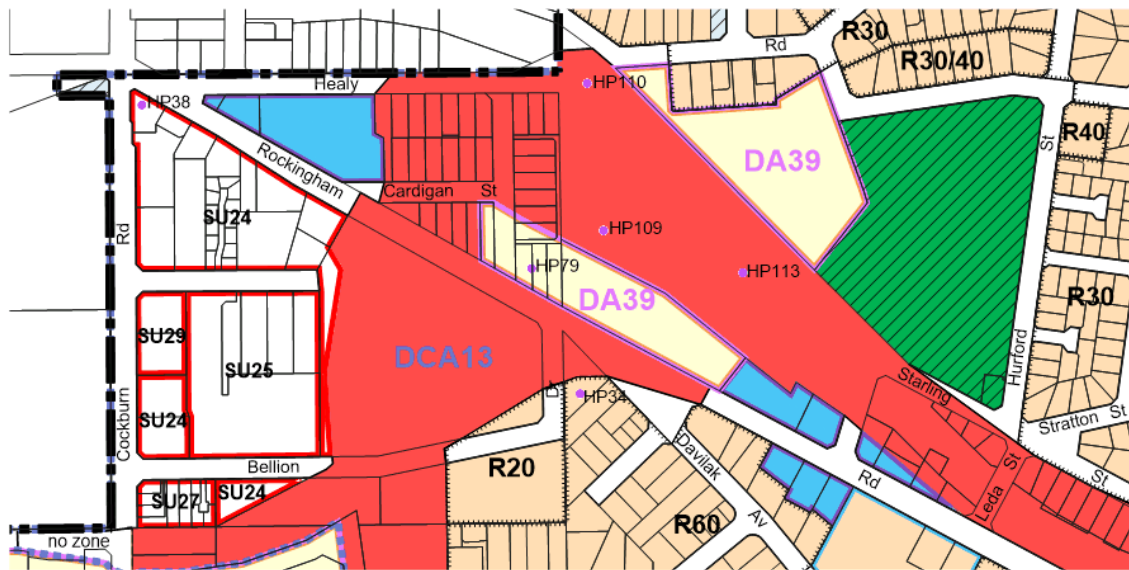
1. Zoning the proposed centrally located MRS 'Urban' zoned land, between Leda Street and the MRS 'Parks and Recreation' reserve straddling Blackwood Avenue 'Development', as depicted on the Scheme Amendment Map.
2. Introducing special control area 'Development Area No.46' as depicted on the Scheme Amendment Map and into 'Table 9 – Development Areas' of the Scheme Text, as follows:

REF NO.	AREA	PROVISIONS
DA 46	Former Roe Highway Regional Road Reservation (and surrounds)	3. 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. 4. The Structure Plan is to provide for: (a) a green (ecological) link extending through the area from east to west as an integral element; (b) appropriately scaled education, recreation, mixed-use and/or local scale commercial development; (c) an appropriate mix of residential densities; and (d) ensure the layout and urban form provide an appropriate interface to adjacent roads and existing properties.

3. Zoning the proposed MRS 'Urban' zoned Cardigan Street Precinct 'Residential (R15)', as depicted on the Scheme Amendment Map.
4. Zoning the proposed MRS 'Urban' zoned Rockingham Road Commercial Precinct 'Mixed Business', as depicted on the Scheme Amendment Map.
5. Zoning the proposed MRS 'Urban' zoned Bibra Lake Drive / Hope Road Precinct 'Residential (R30)', as depicted on the Scheme Amendment Map.
6. Reserving the proposed MRS 'Urban' zoned road reservations, adjoining portions of Bibra Lake Drive, and slivers of land either side of Southwell Crescent and Forrest Road as 'Local Road' reserves, as depicted on the Scheme Amendment Maps.

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

- *an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality.*

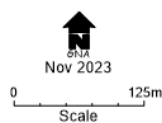


Current Scheme Map



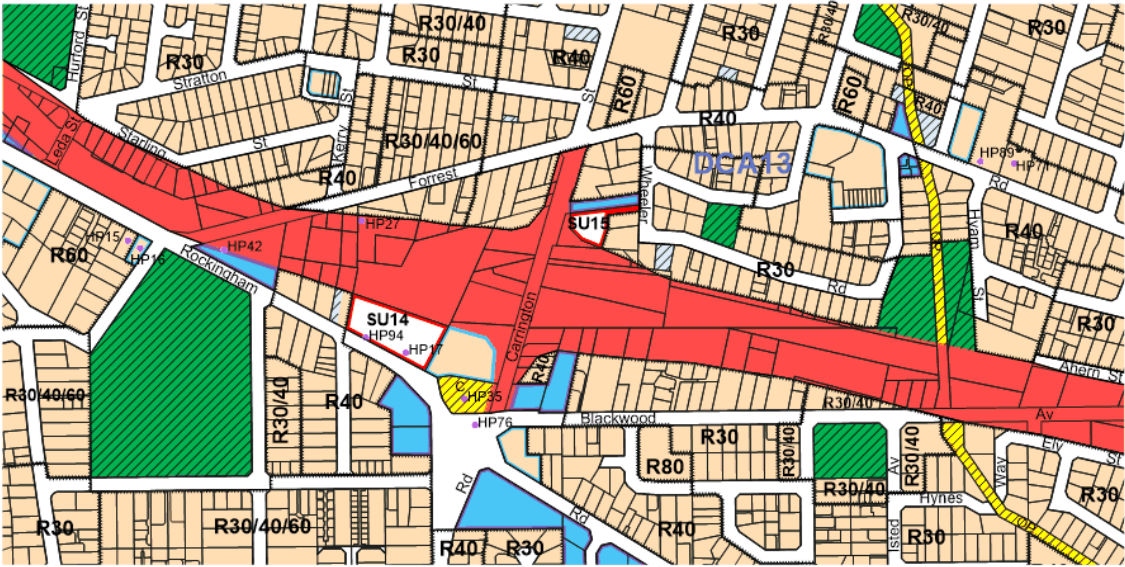
Scheme Amendment Map

GENERAL	REGION RESERVES	LOCAL RESERVES	ZONES
Scheme Boundary	Primary Regional Roads	Parks and Recreation	Residential
Residential Density Codes		Lakes and Drainage	Local Centre
HP1 Heritage Place		Local Road	Mixed Business
SPECIAL CONTROL AREAS:			Development
DA1 Development Areas			SU1 Special Use
DCA1 Development Contribution Areas			No Zone

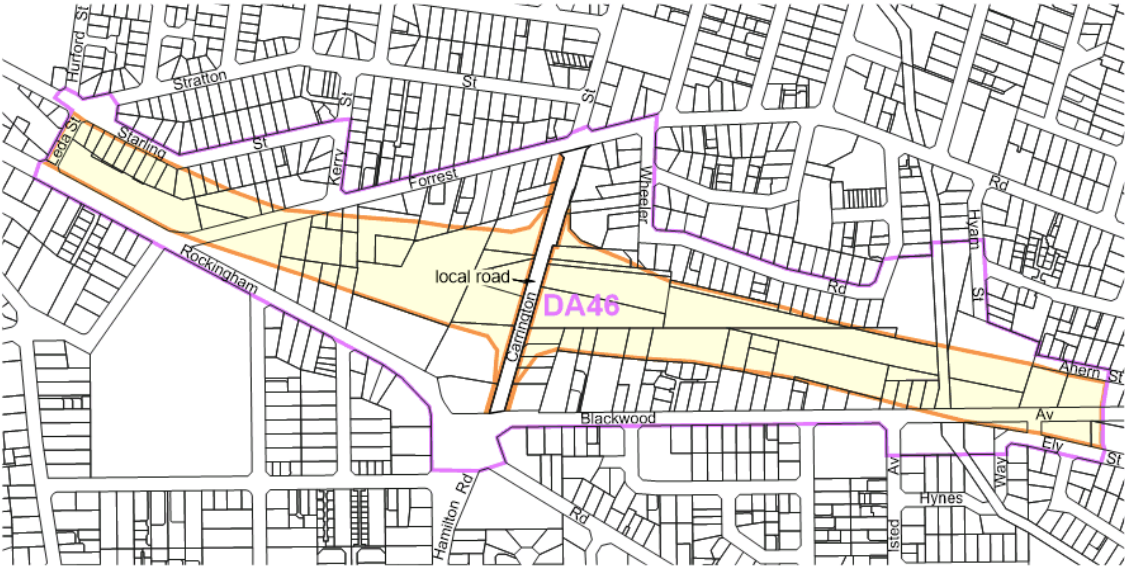


Amendment No.166
Town Planning Scheme No.3

1 of 5

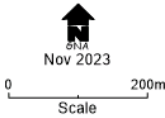


Current Scheme Map



Scheme Amendment Map

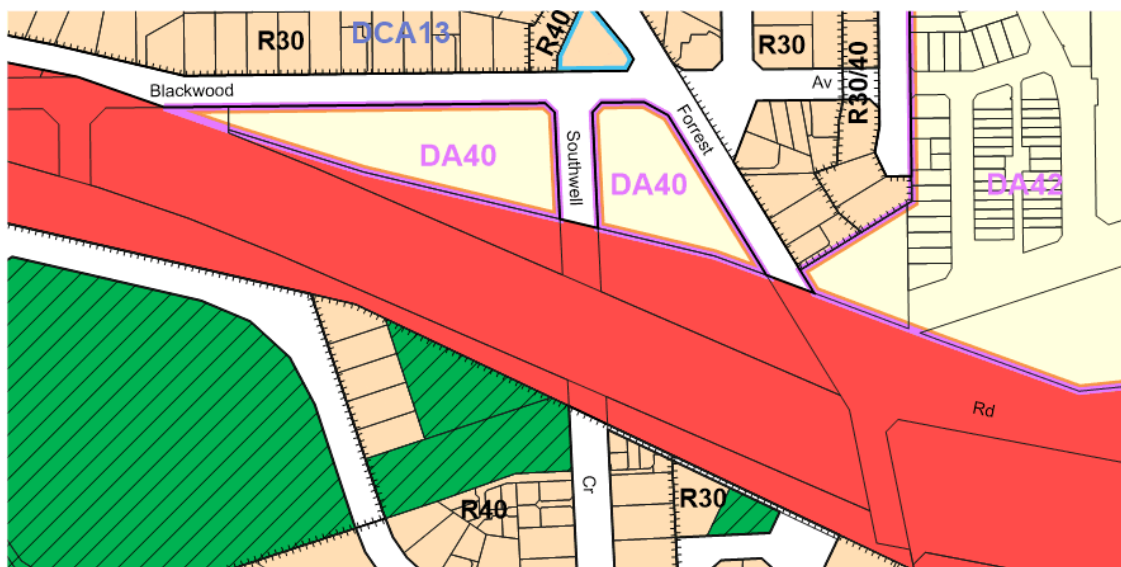
GENERAL	REGION RESERVES	LOCAL RESERVES	ZONES
R20 Residential Density Codes	Primary Regional Roads	Parks and Recreation	Residential
HP1 Heritage Place		Lakes and Drainage	Local Centre
SPECIAL CONTROL AREAS:		Local Road	Mixed Business
DA1 Development Areas		Public Purposes - Civic	Development
DCA1 Development Contribution Areas		Public Purposes - Oil Pipeline	SU1 Special Use



Amendment No.166

Town Planning Scheme No.3

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Current Scheme Map



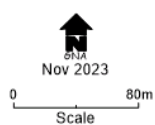
Scheme Amendment Map

GENERAL
R20 Residential Density Codes
SPECIAL CONTROL AREAS:
DA1 Development Areas
DCA13 Development Contribution Areas

REGION RESERVES
 Primary Regional Roads

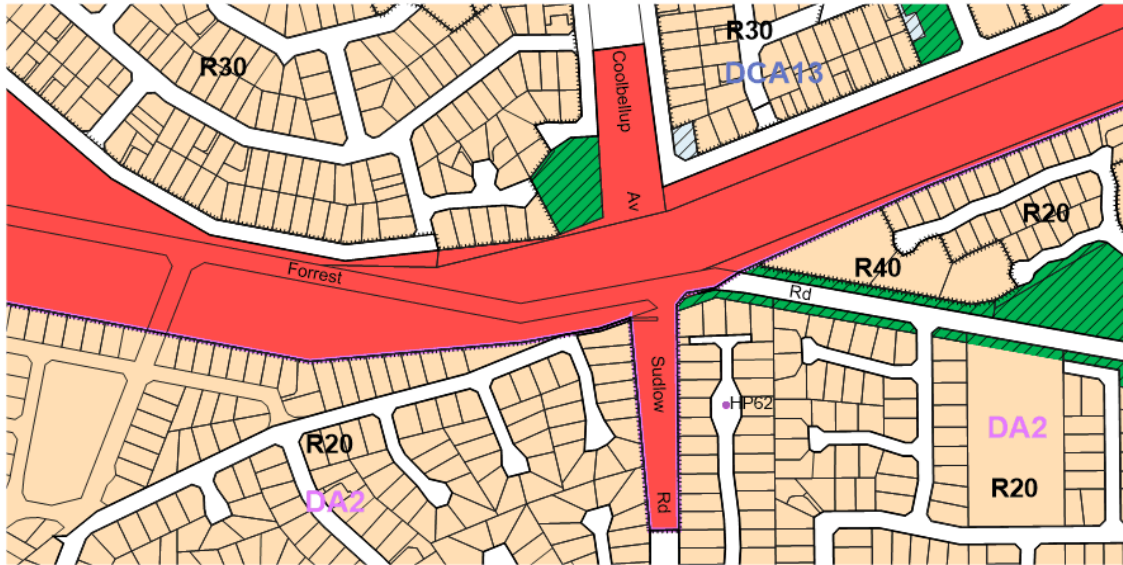
LOCAL RESERVES
 Parks and Recreation
 Local Road

ZONES
 Residential
 Local Centre
 Development



Amendment No.166
 Town Planning Scheme No.3

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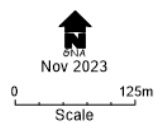


Current Scheme Map



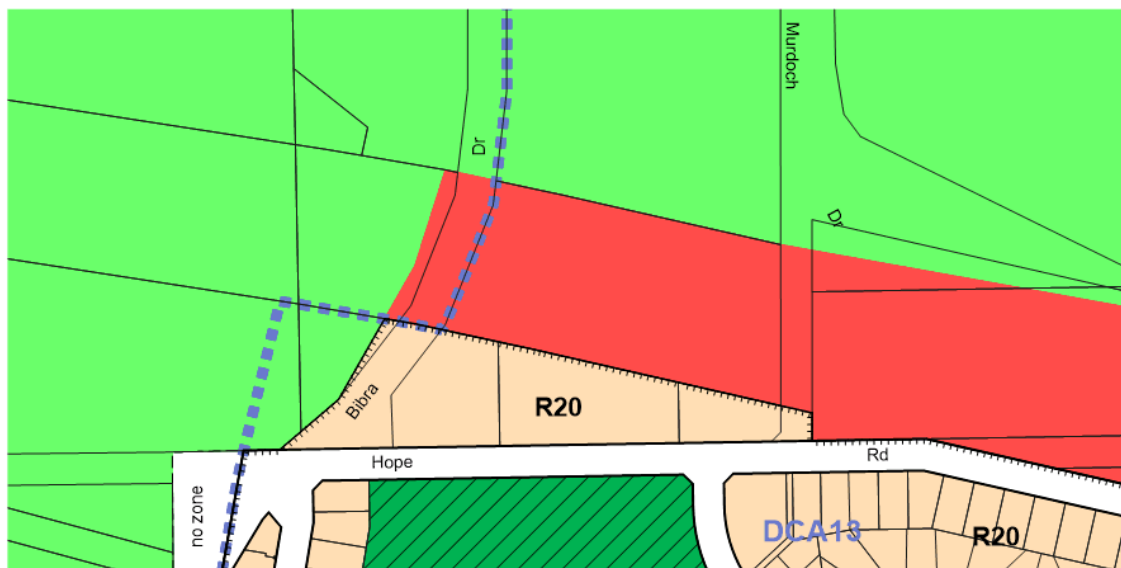
Scheme Amendment Map

GENERAL		REGION RESERVES	LOCAL RESERVES	ZONES
	Residential Density Codes	Primary Regional Roads	Parks and Recreation	Residential
	Heritage Place		Lakes and Drainage	
SPECIAL CONTROL AREAS:			Local Road	
	Development Areas			
	Development Contribution Areas			



Amendment No.166
Town Planning Scheme No.3

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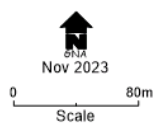


Current Scheme Map



Scheme Amendment Map

GENERAL		REGION RESERVES		LOCAL RESERVES		ZONES	
	R20 Residential Density Codes		Parks and Recreation		Parks and Recreation		Residential
	SPECIAL CONTROL AREAS: Development Contribution Areas		Primary Regional Roads		Local Road		No Zone



Amendment No.166
Town Planning Scheme No.3

5 of 5

This Complex Amendment was adopted and is recommended for initiation by resolution of the City of Cockburn at the Ordinary Meeting of the Council held on the ____ day of _____, and the Common Seal of the City of Cockburn was hereunto affixed by the authority of a resolution of the Council in the presence of:

MAYOR

(Seal)

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE _____

APPROVAL GRANTED

MINISTER FOR PLANNING

DATE _____



APPENDIX A

MRS (Major) Amendment 1404/41
Lushfire & Planning - Bushfire Management Plan
(Bushfire Hazard Assessment) Extracts



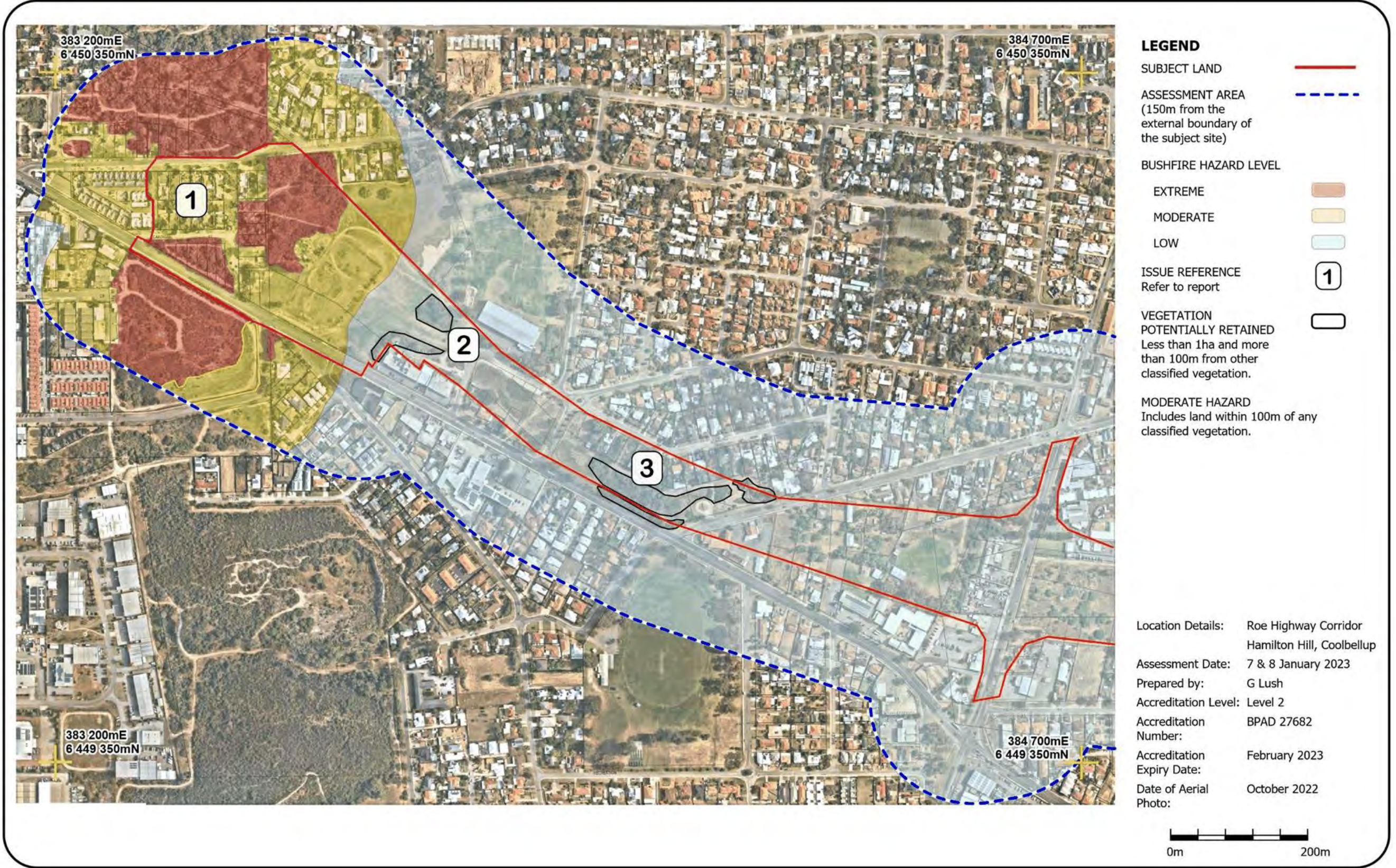


FIGURE 8
BUSHFIRE HAZARD LEVEL ASSESSMENT -
SHEET 1



Job No 22-014
Rev Description
A Preliminary
B Review Mods

Date
6/05/2022
27/01/2023



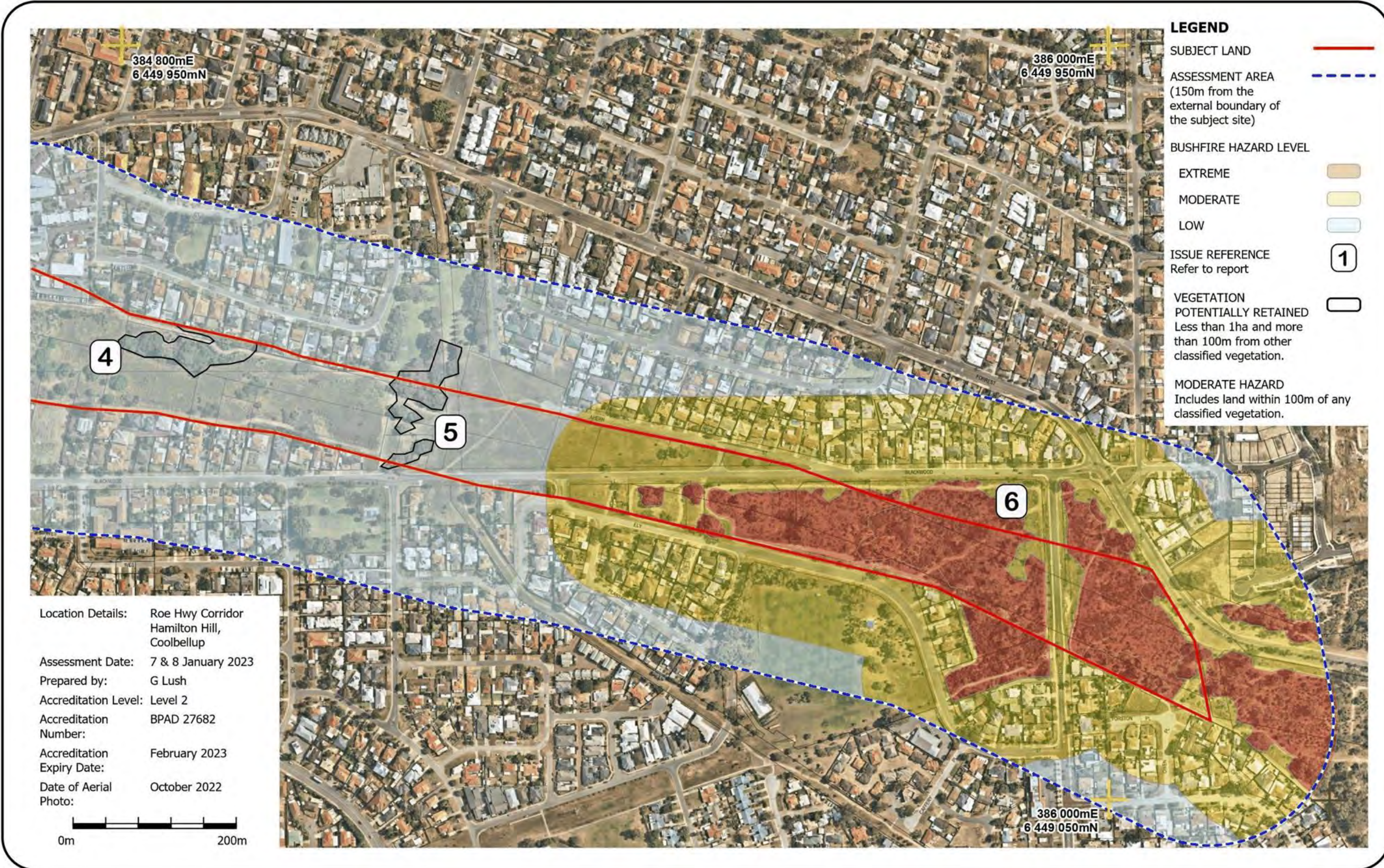


FIGURE 8
BUSHFIRE HAZARD LEVEL ASSESSMENT - SHEET 2



Job No 22-014		
Rev	Description	Date
A	Preliminary	6/05/2022
B	Review Mods	27/01/2023



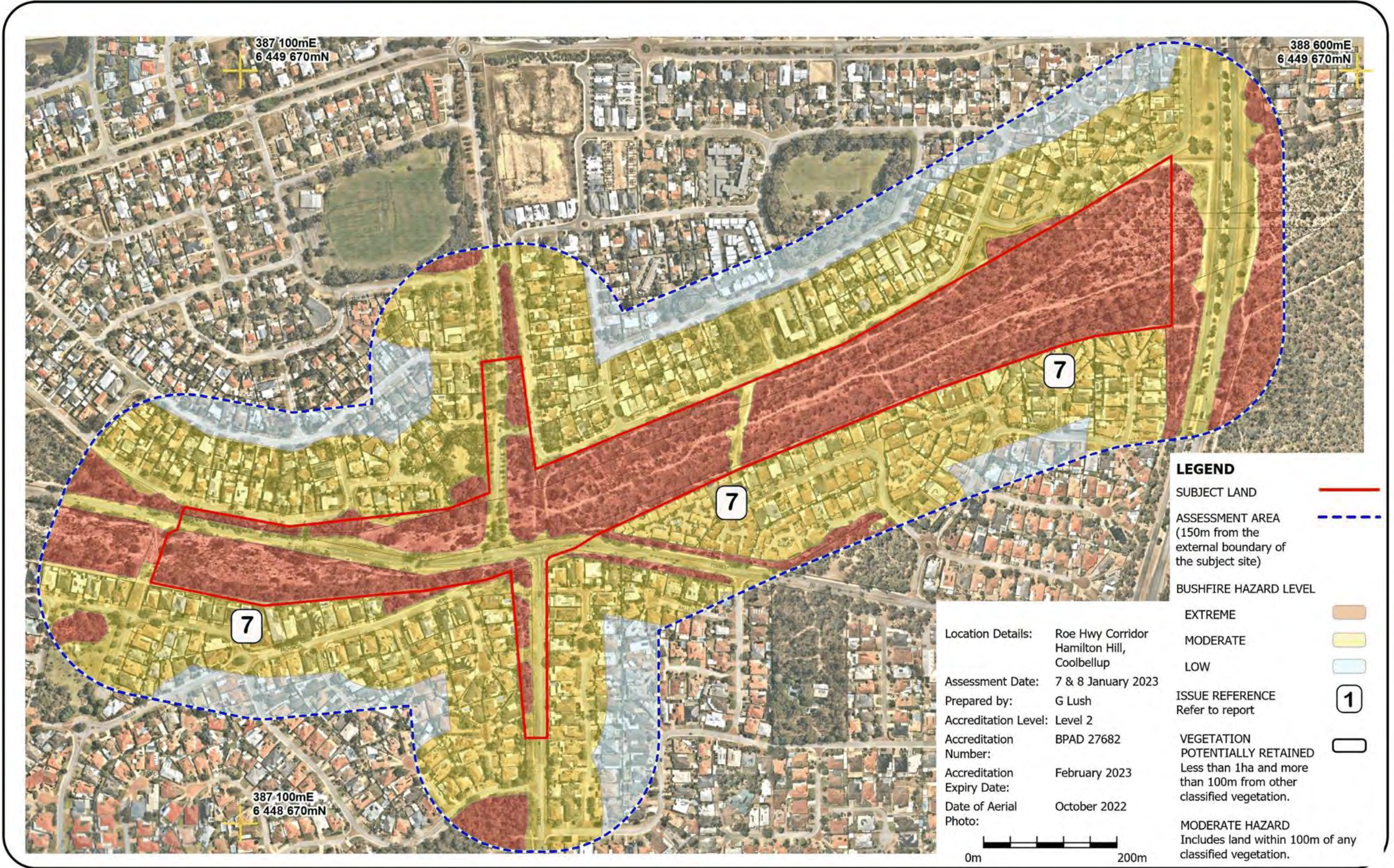
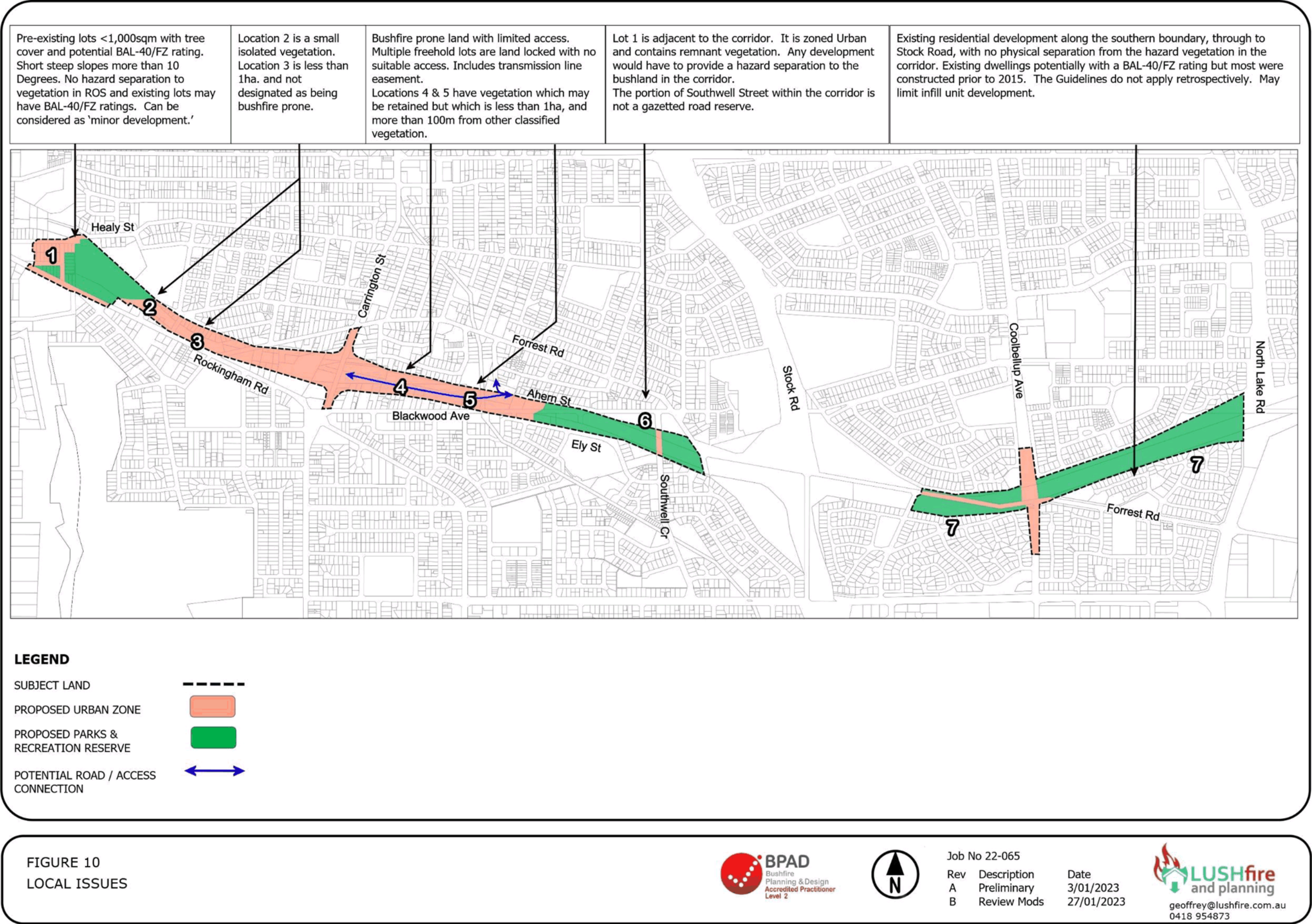


FIGURE 8
BUSHFIRE HAZARD LEVEL ASSESSMENT - SHEET 3



Job No 22-014		
Rev	Description	Date
A	Preliminary	6/05/2022
B	Review Mods	27/01/2023





Roe 8 West & 9 Corridor Planning Study

Table 3 BPC Compliance

Development Design Requirement	Region Scheme Amendment	Local Planning Scheme Amendment	Structure Plan / Local Development Plan	Subdivision Application
Element 1 Location				
A1.1 Development Location	Only a portion of the study area is designated as being bushfire prone. This BHL report has considered the district context of the site, noting that in relation to the proposed Parks and Recreation reserve that the Amendment is recognising the existing vegetation and open space areas of regional importance. The proposed Urban zone can be either developed for a range of uses or the existing vegetation can be protected as local open space which will be determined in the subsequent amendment to the Local Planning Scheme.	Following the MRS Amendment, the Local Planning Scheme will have to be amended to be consistent with the MRS. This local amendment will assign local zoning provisions, which will require further justification in a revised BHL report.	Preparation of a bushfire management plan to support any structure plan. The BMP is to confirm compliance with the Bushfire Protection Criteria and in particular: - the management and vegetation classification of any local POS areas; - the management of any hazard interface and separation zone; - internal access provisions.	Prepare a BMP to reflect any subdivision design. Proposed BAL ratings to be confirmed when lot layout is known. Restricting development in portions of land with a BAL-40/FZ rating to be implemented by a Local development Plan or restrictive covenant. Any staging would require interim measures.
Element 2 Siting and Design				
A2.1 Asset Protection zone (APZ).	This is not relevant to the LPS Amendment as there is no detailed subdivision to assess the APZs.	This is not relevant to the LPS Amendment as there is no detailed subdivision to assess the APZs.	The structure plan design needs to ensure that there is a suitable setback between hazard areas and development sites which can contain an appropriate APZ. The APZs are unlikely to be fully contained within each lot and so this will require the use of other land such as a road reserve.	Prepare a BMP to reflect any subdivision design. The revised BMP will confirm the location and size of the APZs based upon a BAL-29 setback.
Element 3 Vehicular Access				
A3.1 Public Road (SP Sb Do)	The existing roads comply with the public road standards.	Some existing roads in the study area are not on gazetted road reserves. This should also consider potential access requirements to land locked lots.	The road design is expected to comply with design requirements in Liveable Neighbourhoods. A structure plan can address	The road design is to comply with design requirements and this will be confirmed in the revised BMP. Interim access for staging is to be



Roe 8 West & 9 Corridor Planning Study

Development Stage Design Requirement	Region Scheme Amendment	Local Planning Scheme Amendment	Structure Plan / Local Development Plan	Subdivision Application
			resubdivision and access issues for land locked areas.	provided by public road connections.
A3.2a Multiple access routes (SP Sb Do)	The study area is located in an existing urban area with district and local access multiple directions.	The site has multiple access routes at both the district and local level.	Any structure plan would have to ensure that multiple internal access routes are to be provided connecting to the external road network.	Would be in accordance with the structure plan and bushfire management plan. Any staging would require interim access measures.
A3.2b Emergency access way (SP Sb Do)	Is not applicable to the Amendment as there is no subdivision design.	Is not applicable to the Amendment as there is no subdivision design.	It may be applicable depending upon the subdivision design.	Would be provided in accordance with the structure plan and bushfire management plan. Any staging would require interim access measures.
A3.3 Through-roads (SP Sb)	Is not applicable to the Amendment as there is no subdivision design.	Is not applicable to the Amendment as there is no subdivision design.	Any Cul-de-sac's and dead-end roads would have to be justified in the BMP as they are to be avoided in bushfire prone areas because they do not provide access in different directions for residents.	Any Cul-de-sac's and dead-end roads would have to be justified in the BMP as they are to be avoided in bushfire prone areas because they do not provide access in different directions for residents.
A3.4a Perimeter roads (SP Sb)	Is not applicable to the Amendment as there is no subdivision design.	Is not applicable to the Amendment as there is no subdivision design.	A structure plan would identify the primary hazard areas and provide justification for not providing a perimeter road.	The requirement for a suitable separation distance may affect the road design width as this could be more than 20m. Would be shown in the revised BMP.
A3.4b Fire service access route (SP Sb)	Is not applicable to the Amendment as there is no subdivision design.	Is not applicable to the Amendment as there is no subdivision design.	Any FSAR would have to be justified as they can only be provided as a link to public roads 'where no alternative exists'.	The BMP would have to provide any information why no alternative exists to providing a public road in place of any proposed EAW's. Any staging would require interim access measures.
A3.5 Battle-axe access legs (Sb)	Is not applicable to the Amendment as there is no subdivision design.	Is not applicable to the Amendment as there is no subdivision design.	Is not applicable unless there is a subdivision design.	Any battle axe lot would have to be justified as these are to be avoided in bushfire prone areas.

Roe 8 West & 9 Corridor Planning Study

Development Stage Design Requirement	Region Scheme Amendment	Local Planning Scheme Amendment	Structure Plan / Local Development Plan	Subdivision Application
A3.6 Private driveways (Dd Do)	Is not applicable to the Amendment as there is no subdivision design.	Is not applicable to the Amendment as there is no subdivision design.	Is unlikely to be applicable in a developed urban area.	Is not applicable.
Element 4 Water				
A4.1 Identification of future water supply (SP)	The land adjacent to the study area has a reticulated water supply with the expected capacity to service the land.	The land adjacent to the study area has a reticulated water supply with the expected capacity to service the land.	Any structure plan would have to demonstrate the ability to provide serviced to proposed lots.	Extension and connection to a reticulated water supply would be expected as a condition of subdivision.
A4.2 Provision of water for firefighting purposes (Sb Dd Do)	The subject land where developed is expected to be provided with fire hydrants.	The land locked lots have no water supply which would have to be extended to service them. Alternatively, any development would require a static water supply for fire fighting.	Any structure plan would have to demonstrate the ability to provide serviced to proposed lots.	The provision of fire hydrants would be expected as a condition of subdivision.
High Risk Land Uses				
Proposed high risk land uses need special consideration.	High risk land uses are more likely to occur in the 'Industrial' zone but some minor ones such as petrol stations can occur in the Urban zone.	Can be controlled through the provisions of Local Planning Scheme zoning and development provisions.	Location issues can be address in any Local Structure Plan / Development Plan, with a detailed Bushfire Management Plan.	Not applicable if addressed in the previous planning stages.
Vulnerable Land Uses				
Proposed vulnerable land uses need special consideration.	These are consistent with the Urban zone and there are several schools within the study area.	Can be controlled through the provisions of Local Planning Scheme zoning and development provisions.	Location issues can be address in any Local Structure Plan / Development Plan, with a detailed Bushfire Management Plan.	Not applicable if addressed in the previous planning stages.

APPENDIX B

MRS (Major) Amendment 1404/41

RPS – Environmental Summary Report Extracts



