

DRAFT

**METROPOLITAN REGION SCHEME
AMENDMENT NO. 14XX
(Standard Amendment)**

South-East and South-West Districts Omnibus 5

**Cities of Armadale, Cockburn, Gosnells, Rockingham and
Shire of Serpentine-Jarrahdale**

AMENDMENT REPORT

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Metropolitan Region Scheme Amendment 14XX
(Standard Amendment)
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1. PLANNING OBJECTIVE

The purpose of the amendment is to update various zones and reservations in the south-east and south-west districts of the Metropolitan Region Scheme (MRS) area at the request of State government agencies, service providers and landowners, or where otherwise identified as being required.

Proposals in the amendment include small scale amendments to the MRS which do not warrant consideration as individual amendments, the rationalisation of zones and reservations to match cadastral boundaries, updates to reflect infrastructure and buildings as constructed, and other general updates to ensure the MRS is kept up-to date as the statutory plan for the Metropolitan area.

The amendment contains 26 separate proposals in the Cities of Armadale, Cockburn, Gosnells, Rockingham and the Shire of Serpentine-Jarrahdale.

2. BACKGROUND

The amendment is part of a continuing program of omnibus amendments to the MRS which are utilised to progress groups of proposals of relatively less significance in a regional context rather than progressing the proposals as individual amendments.

3. SCOPE AND CONTENT OF THE AMENDMENT

The amendment contains the following modifications to the MRS.

City of Cockburn

Proposal 1

Coogee: To transfer portions of the road reserves for Cross Road, Entrance Road and Ocean Road from the Parks and Recreation reservation to the Urban zone (Figure 1).

The City of Cockburn requests the transfer of approximately 740 square metres of land within the road reserves for Cross, Entrance and Ocean Roads to the Urban zone to make the zoning of this land consistent with that of the adjacent residential areas.

Proposal 2

Coogee-Spearwood: To transfer Portions of R30362 from Urban to the Railways (Figure 2).

This proposal seeks to align the extent of the Railways reservation with the boundaries of Reserve 30362 containing the freight rail line. The proposal comprises a total area of approximately 9,200 square metres.

Proposal 3

Success: To transfer Lots 600, 601 and 602 Hammond Road from the Urban Deferred zone to the Urban zone, and part of the road reserve for Hammond Road from the Urban Deferred and Urban zones to the Other Regional Roads reservation (Figure 3).

The City of Cockburn has requested that:

- (a) Lots 600, 601 and 602 be transferred to the Urban zone in order to reflect the reservation of this land in its *Local Planning Scheme 3* as ‘Lakes and Drainage’ and ‘Public Purpose: Water Corporation of WA’; and
- (b) Parts of the adjacent road reserves for Hammond Road be transferred from the Urban Deferred and Urban zones to the Other Regional Roads reservation.

Proposal 4

Success: To transfer Lots 103, 8001 & 8002/Pt R51979 and Lot 104/R51980 Wentworth Parade from the Urban zone to the Parks and Recreation reservation (Figure 4).

The City of Cockburn has requested that the site of the Twin Bartram Swamps in Success, which has an approximate area of 20.86 hectares, be transferred to the Parks and Recreation reservation under the MRS, in order to reflect the regionally significant environmental values of this site.

Proposal 5

Success: To transfer Lots 727 and 3000 Hammond Road from the Urban Deferred zone to the Urban zone (Figure 5).

This proposal proposes to transfer Lots 727 and 3000 to the Urban zone in order to align the zoning of this land under the MRS with the current reservation of land in LSP3. In this regard, Lot 727 is reserved ‘Public Purposes – Fire Station’ and Lot 3000 is reserved ‘Parks and Recreation’ and ‘Public Purposes – Western Power’ in the *City of Cockburn Local Planning Scheme 3*.

Proposal 6

Aubin Grove: To transfer Lot 701 Kwinana Freeway from the Urban zone to the Primary Regional Roads reservation (Figure 6).

This proposal seeks to align the extent of the Primary Regional Roads reservation with the extent of the boundaries for the Kwinana Freeway in this location.

Proposal 7

Wattleup: To remove the designation for Bush Forever Site 393 from parts of Lots 63 and 64 Wattleup Road and parts of the road reserves for Wattleup and Mandogalup Roads (Figure 7).

The proposal seeks to remove the designation for Bush Forever Site 393 from approximately 1.3 hectares of land within Lots 63 and 64, and the adjacent road reserves, in order to reflect the lack of regionally significant remnant vegetation within the amendment area.

City of Rockingham***Proposal 8***

Port Kennedy: To transfer part of Lot 2 Villefranche Rise and part of the road reserve for Bayeux Avenue from the Parks and Recreation reservation to the Urban Zone (Figure 8).

This proposal seeks to transfer approximately 140 square metres of land within Lot 2 and the adjacent road reserve for Bayeux Avenue to the Urban zone, in order to align the extent of this zone with the boundary between the residential area and the adjacent coastal foreshore reserve.

Proposal 9

Golden Bay: To transfer Lot 2095/Reserve 28732 Blue Fin Drive from the Urban Deferred zone to the Urban zone (Figure 9)

This proposal proposes to transfer Reserve 28732 to the Urban zone in order to align the zoning of this land under the MRS with the current reservation of land in the *City of Rockingham Local Planning Scheme 2*, in which it is reserved 'Public Open Space'.

Proposal 10

Singleton: To transfer Lot 1991/Reserve 26471 and Lot 4064/Reserve 43022 Cavender Street from the Urban Deferred zone to the Urban zone (Figure 10)

This proposal proposes to transfer Reserves 26471 and 43022 to the Urban zone in order to align the zoning of this land under the MRS with the current reservation of this land in the *City of Rockingham Local Planning Scheme 2*, in which this land is reserved 'Public Open Space'.

City of Gosnells

Proposal 11

Thornlie: To transfer part of Lot 77 Summer Place from the Parks and Recreation reservation to the Urban zone, and to remove the designation for Bush Forever Site 246 over this land (Figure 11).

The proposal seeks to transfer approximately 185 square metres of land in the northern part of Lot 77 to the Urban zone; and remove the designation for Bush Forever Site 264 over this land, to align the extent of the Urban zone with the existing cadastral boundaries of Lot 77.

Proposal 12

Kenwick: To transfer part of the road reserve for Darel Close from the Urban Deferred zone to the Urban zone (Figure 12).

The proposal proposes to transfer approximately 550 square metres of land within the road reserve for Darel Close to the Urban zone in order to make the zoning of this road reserve consistent with the zoning of the adjacent residential area.

Proposal 13

Maddington: To transfer Lot 3711 Warrida Way from the Public Purposes – High School reservation to the Urban zone (Figure 13)

The proposal seeks to transfer Lot 3711 to the Urban zone in order to reflect that this land is in private ownership and is not part of the adjacent Maddington High School site.

Proposal 14

Orange Grove: To transfer part of Lot 494 Reservoir Road from the Parks and Recreation reservation to the Rural zone (Figure 14)

The landowner has requested that approximately 2,700 square metres of land within Lot 494 be transferred from the Parks and Recreation reservation to the Rural zone. The Department of Biodiversity, Conservation and Attractions advises that there is no need for this land to be incorporated into the adjacent Banyowla Regional Park.

Proposal 15

Gosnells: To remove the designation for Bush Forever Area 246 over parts of Lots 104, 105 and 8001 Humphry Loop, Lot 1 and Pt Lots 6, 7, 123, 1109 and 1842 Lissiman Street, and parts of the road reserve for Lissiman Street and part of the corridor for the Perth to Armadale railway line. (Figure 15).

The proposal seeks to remove the designation for Bush Forever Area 246 from approximately 2.26 hectares of land which is zoned Urban or reserved Railways under the MRS and does not contain any regionally significant environmental values.

Proposal 16

Martin: To transfer Lot 3920/Pt Reserve 47881 Douglas Road from the Rural zone to the Parks and Recreation reservation (Figure 16).

The proposal seeks to transfer part of Reserve 47881 to the Parks and Recreation reservation as it forms part of the Korung National Park.

Proposal 17

Southern River: To transfer parts of Lots 101 to 105 and 9001 Beermier Road and part of the road reserve for Columbo Street from the Other Regional Roads reservation to the Urban zone (Figure 17).

The proposal seeks to transfer approximately 450 square metres of land to the Urban zone in order to align the extent of the Other Regional Roads reservation for Holmes Street with the cadastral boundaries of Lots 101 to 105 and 9001.

Proposal 18

Southern River: To transfer part of the road reserve for the intersection of Holmes and Matison Streets, adjacent to Lot 482 Matison Street, from the Urban zone to the Other Regional Roads reservation (Figure 18).

The proposal seeks to transfer approximately five square metres of land within the road reserve for the intersection of Holmes and Matison Streets to the Other Regional Roads reservation.

Proposal 19

Southern River: To remove the designation for Bush Forever Area 464 over parts of Lots 209, 210 and 219 to 223 Byfield Road, parts of Lots 211, 215, 216, 217 and 218 Hassel Road, and the road reserves for Byfield and Hassel Roads (Figure 19).

The proposal seeks to remove the designation for Bush Forever Area 464 from land within the amendment area, consistent with the agreed outcomes of a negotiated planning solution entered into by the WAPC and the proponent for the *Lots 1793 – 1795 Matison Street, Southern River Structure Plan*. As part of this negotiated planning solution the WAPC agreed to remove the Bush Forever Area designation from this land in exchange for the landowner ceding other nearby land to the State free of cost. This land has been ceded as per this agreement.

City of Armadale***Proposal 20***

Forrestdale: To transfer part of Lot 43 and Lot 44 MacFarlane Road from the Urban zone to the Parks and Recreation reservation (Figure 20).

The proposal seeks to transfer approximately 4.18 hectares of land within Lots 43 and 44 in order to provide for the protection of remnant vegetation on these lots which is considered to be regionally significant. This remnant vegetation is identified as potentially being part of the 'Banksia Dominated Woodlands of the Swan Coastal Plain'

and the 'Low Lying *Banksia attenuata* Woodlands or Shrublands' threatened ecological communities.

Proposal 21

Roleystone: To transfer part of Lot 220 Contour Road from the Urban zone to the Parks and Recreation reservation (Figure 21).

The Department of Biodiversity, Conservation and Attractions requests that approximately 760 square metres of land within Lot 220 be transferred to the Parks and Recreation reservation, as this land is proposed to be incorporated into the Banyowla Regional Park.

Proposal 22

Roleystone: To transfer part of Lot 13 Brookton Highway from the Parks and Recreation reservation to the Rural zone (Figure 22).

The Department of Biodiversity, Conservation and Attractions requests that approximately 2,300 square metres of land within Lot 13 be transferred to the Rural zone, in order to reflect that this lot is privately owned and is not part of the Banyowla Regional Park.

Shire of Serpentine-Jarrahdale

Proposal 23

Oakford: To transfer part of Lot 800/Reserve 48672 Anketell Road from the Rural zone to the Parks and Recreation and Water Catchments reservations (Figure 23).

The proposal seeks to transfer the Rural zoned part of Reserve 48672, which has an area of approximately 4.9 hectares, to the Parks and Recreation reservation and included in the Water Catchments reservation. The proposed reservation is consistent with this land being part of Bush Forever Area 347.

Proposal 24

Byford: To transfer Lot 99 Abernethy Road from the Urban zone to the Public Purposes – High School reservation (Figure 24).

Lot 99 is the site of the Byford Secondary College and is to be reserved Public Purposes – High School consistent with this current use of the site.

Proposal 25

Byford: To transfer Lot 246/Reserve 51963 Beenyup Road from the Rural zone to the Parks and Recreation reservation (Figure 25).

The Department of Biodiversity, Conservation and Attractions requests that Reserve 51963 be transferred to the Parks and Recreation reservation, as it forms part of the Wungong Regional Park.

Proposal 26

Mardella: To transfer part of Lot 803 South Western Highway from the Rural zone to the Primary Regional Roads reservation (Figure 26).

The proposal seeks to transfer approximately 1,680 square metres of land within the road reserve for South Western Highway to the Primary Regional Roads reservation.

4. ABORIGINAL CULTURAL HERITAGE

The process of rezoning or reservation of land in a region scheme is broad by nature and does not physically interfere with the land. Consideration of Aboriginal Cultural Heritage (ACH) is addressed more specifically at later stages of the planning process, typically when preparing a local structure plan or at the subdivision and development approval stages. All ACH is protected whether or not it has been previously recorded or reported.

Nevertheless, in recognition of the importance of having reliable Aboriginal cultural heritage information, the WAPC and the Department of Planning, Lands and Heritage have entered into a Memorandum of Understanding with the South West Aboriginal Land and Sea Council (SWALSC) for the provision of Aboriginal consultative services. All amendment proposals likely to be of interest to Aboriginal persons are pre-referred to SWALSC for comment. SWALSC is the recognised Native Title Representative Body for Western Australia's southwest region and, as such, is well placed to provide advice on Aboriginal heritage. The amendment will be formally referred to SWALSC during the public submission period.

5. COORDINATION OF REGION AND LOCAL SCHEME AMENDMENTS

Pursuant to section 126(3) of the *Planning and Development Act 2005*, where land is being transferred to the Urban zone under the MRS, the WAPC can resolve to concurrently amend the respective local planning scheme to transfer this land to a zone or reservation which is consistent with the objective of the Urban zone. In accordance with standard practice, a decision on the concurrent amendment of the respective local planning schemes will be made after the close of the public submission period.

6. SUBSTANTIALITY

The *Planning and Development (Region Planning Schemes) Regulations 2023* allows for amendments to the MRS to be processed as either 'complex', 'standard' or 'basic' amendment, depending on the alteration to the MRS. In this regard, the WAPC has resolved to treat this amendment as a 'standard' region scheme amendment for the following reasons:

- The amendment is not complex and does not reflect a significant change to the strategic planning for the Metropolitan region.

- The proposals within the amendment are consistent with the intent of the *South Metropolitan Peel Sub-regional Planning Framework*.
- The amendment is not likely to result in significant impacts to the environmental values of the land subject to the proposals within it.
- The Cities of Armadale, Cockburn, Gosnells and Rockingham, the Shire of Serpentine-Jarrahdale and key State Government agencies have not raised any matters which would prevent the initiation of the amendment.

7. ENVIRONMENTAL PROTECTION AUTHORITY ADVICE

{To be inserted after formal advice received from EPA}

8. THE AMENDMENT PROCESS

The procedures for amending the MRS are set out in the *Planning and Development Act 2005* (the PD Act) and the *Planning and Development (Region Planning Schemes) Regulations 2023* (the PD Regulations). In essence, the procedure for a ‘standard’ region scheme amendment involves:

- formulation and initiation of the amendment by the WAPC;
- referral to the EPA for environmental assessment;
- completion of an environmental review (if required) in accordance with EPA instructions;
- public submissions being sought on the proposed amendment (including environmental review if required);
- consideration of submissions;
- approval, with or without any modifications in response to submissions, or refusal to approve, by the Minister; and
- the amendment takes legal effect with Gazettal of the Minister's approval.

An explanation of the region scheme amendment process can be found on the Department of Planning, Lands and Heritage’s website, along with further information for *your property and planning region schemes*.

9. SUBMISSIONS ON THE AMENDMENT

The WAPC invites people to comment on this proposed amendment to the MRS.

The amendment will be advertised for public submissions for a period of 42 days from **XX XXXX 2024 to XX XXXX 2024**.

The amendment report and plans showing the proposed changes are available for public inspection online at www.dplh.wa.gov.au/mrs-amendments.

Online submissions are encouraged via: <http://consultation.dplh.wa.gov.au> . However, written submissions commenting on the amendment should be sent to:

RegionPlanningSchemes@dplh.wa.gov.au

or posted to:

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6010

For your convenience a submission form is contained in this report (Appendix D). Additional copies of the form are available from the Department of Planning, Lands and Heritage website at www.dplh.gov.au/regionplanningschemes .

You should be aware that calling for public submissions is a public process and all submissions lodged will become public. All submissions are published and made available when the Minister has made a determination on the amendment. Advice of disclosure and access requirements are shown on side two of the submission form.

Before making your submission, it is recommended that you read the information in appendix C of this report regarding preparing a submission.

10. MODIFICATIONS TO THE AMENDMENT

After considering any submissions received from Government agencies and the public, the WAPC may recommend that the Minister modify the amendment. The Minister may approve the amendment, with or without any modifications in response to submissions, or decline to approve.

11. FINAL OUTCOME

The recommendations of the WAPC, including any modifications, along with the determination of the Minister, are published in a report on submissions. Anyone who has made a submission, along with affected landowners, will be notified of the outcome when the amendment is gazetted to give it legal effect.

**METROPOLITAN REGION SCHEME
AMENDMENT NO. 14xx**

(STANDARD AMENDMENT)

SOUTH-EAST AND SOUTH-WEST DISTRICTS OMNIBUS 5

**Cities of Armadale, Cockburn, Gosnells, Rockingham and
Shire of Serpentine-Jarrahdale**

FIGURES 1 – 26