



April 2024

Metropolitan Region Scheme Amendment 1422 (Standard Amendment)



Cockburn Road, Coogee

Amendment Report

City of Cockburn

**Metropolitan Region Scheme
Amendment 1422
(Standard Amendment)**

Cockburn Road, Coogee

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April 2024

The Western Australian Planning Commission acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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MRS Amendment 1422 (Standard) Amendment Report
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This document is available in alternative formats on application to the Department of Planning, Lands and Heritage Communications Branch.

Contents

Abbreviations	i
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Amendment Report

1 Planning objective	1
2 Background.....	1
3 Discussion.....	2
4 Aboriginal cultural heritage	3
5 Coordination of local and region scheme amendments	3
6 Substantiality.....	4
7 Environmental Protection Authority advice	4
8 The amendment process.....	4
9 Submissions on the amendment	5
10 Modifications to the amendment.....	5
11 Final outcome.....	5
Amendment Figure - Proposal 1.....	7

Appendix A Notice of environmental assessment

Appendix B List of detail plans supporting the amendment

Appendix C Preparing a submission

Appendix D Submission form for this amendment

Abbreviations

ACH	Aboriginal Cultural Heritage
AHA	<i>Aboriginal Heritage Act 1972</i>
DPLH	Department of Planning, Lands and Heritage
EPA	Environmental Protection Authority
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRS	Metropolitan Region Scheme
SPP	State Planning Policy
SWALSC	South West Aboriginal Land and Sea Council
WAPC	Western Australian Planning Commission

Amendment Report

Metropolitan Region Scheme Amendment 1422 (Standard)

Cockburn Road, Coogee

Amendment Report

1 Planning objective

The purpose of the amendment is to transfer approximately 4.1 hectares of land within parts of Lots 500 - 502 Cockburn Road and part of Lot 172 Poore Grove, Coogee from the Railways and Primary Regional Roads reservations to the Parks and Recreation reservation under the Metropolitan Region Scheme (MRS), as shown on the ***Amendment Figure - Proposal 1***.

The proposed Parks and Recreation reservation will provide for the planning and use of the amendment area for recreational purposes and the protection of remnant vegetation on this land.

2 Background

The amendment area is located within the City of Cockburn and is approximately 19 kilometres south-west of the Perth Central Business District, 6 kilometres south of the Fremantle strategic activity centre, and approximately 750 metres south of the Port Coogee marina.

The amendment area is currently reserved as Railways under the MRS. However, this land is no longer used for railway purposes and the Department of Planning, Lands and Heritage is currently in the process of creating a reserve over parts of Lots 500- 502 Cockburn Road for caravan park, camping, recreation, drainage, and parking purposes, and which is intended to be vested with the City of Cockburn. Reserve 24306 over Lot 172 is currently vested with the City of Cockburn for the purposes of recreation and purposes incidental thereto.

The land within the amendment area contains remnant vegetation and car parking areas. Land to the west and south of the amendment area is reserved Parks and Recreation under the MRS, is identified as being part of Bush Forever Site 341. This land is occupied by a caravan park, the Coogee Beach Surf Life Saving Club and remnant vegetation. Coogee Beach is located further to the west and is reserved Waterways under the MRS.

Cockburn Road to the east is reserved Primary Regional Roads under the MRS, and the area beyond Cockburn Road is zoned Urban under the MRS is predominantly developed for residential purposes.

Land use and development of the subject land is generally controlled by the MRS, given the land is reserved under this scheme, and will continue to be so should the amendment area be transferred to the Parks and Recreation reservation.

3 Discussion

Strategic Context

Perth and Peel@3.5million / South Metropolitan and Peel Sub-Regional Planning Framework

The *Perth and Peel@3.5million* suite of strategic planning documents have been prepared to guide the strategic planning for the Perth and Peel regions, and make the case for a more considered, connected, consolidated urban form.

The *South Metropolitan Peel Sub-regional Planning Framework* (the Framework), which forms part of this suite of documents, designates the subject land as 'Railway', consistent with its current reservation under the MRS. The proposed Parks and Recreation reservation is not consistent with the 'Railway' designation of this land. However, it is broadly consistent with the intent of the Framework as the subject land is no longer required for railway purposes and, and it is consistent with the 'Open Space' designation of adjacent land to the west and south in the Framework.

State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Area

State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region (SPP 2.8) aims to provide a policy and implementation framework that will ensure bushland protection and management issues are addressed and integrated with broader land use planning and decision-making. In general, the policy does not prevent development where it is consistent with policy measures and other planning and environmental considerations.

The amendment area contains remnant vegetation which is identified as potentially being part of the '*Callitris preisii* (or *Melaleuca lanceolata*) forest and woodlands of the Swan Coastal Plain' threatened ecological community (TEC), which is classified as having a vulnerable conservation status. The proposed Parks and Recreation reservation will, in part, provide for the protection of any significant environmental values of the remnant vegetation within the amendment area. Additional protection of any significant environmental values is also likely to be provided by the need to obtain a clearing permit for the clearing of any of the remnant vegetation within this area, pursuant to the requirements of the *Environmental Protection Act 1986*.

State Planning Policy 3.7 - Planning in Bushfire Prone Areas

State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP 3.7) forms the foundation for land use planning to address bushfire risk management in Western Australia. It is used to inform and guide decision-makers, referral authorities and proponents to achieve acceptable fire protection outcomes for planning proposals in bushfire prone areas.

SPP 3.7 is applicable as the amendment area is designated as a bushfire prone area. The amendment is consistent with the intent of SPP 3.7 as the proposed Parks and Recreation reservation will not increase the threat of bushfire to people, property, or infrastructure consistent with objective 5.1 of this policy. However, it is likely that any future development proposals within the amendment area would need to comply with the recommendations of SPP 3.7.

Statutory Context

Water and Wastewater Infrastructure

The Water Corporation does not object to the amendment and advises of the need to provide for the protection of its water mains which are located adjacent to the amendment area. In this respect, the proposed Parks and Recreation reservation is not likely to impact upon the nearby water mains.

Transportation

Main Roads Western Australia advises that land within parts of Lots 501 and 502 Cockburn Road, which are located adjacent to the eastern boundary of the amendment area, is identified as being required for the potential future planning and upgrade of the adjacent section of Cockburn Road. However, the amendment does not include a proposal to transfer this land to the Primary Regional Roads reservation as the environmental values of the remnant vegetation require further investigation prior to the initiation of a MRS amendment for this land.

The Public Transport Authority (PTA) advises it has been investigating land within the amendment area as part of a proposed mid-tier public transport corridor. However, it raises no objections to the amendment on the basis it is intended that a reserve will be created for this land and vested with the City of Cockburn.

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 recognising 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 local and region scheme amendments

Pursuant to section 126(3) of the *Planning and Development Act 2005* (the P&D Act), 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. Section 126(3) of the P&D Act is not applicable to the amendment, as it does not propose to transfer any land to the Urban zone under the MRS.

6 Substantiality

The Planning and Development (Region Planning Schemes) Regulations 2023 allows for amendments to a region scheme to be processed as either 'complex', 'standard' or 'basic' amendments, depending on the alteration to the scheme. 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 represent a significant change to the planning for the Metropolitan region.
- the amendment is broadly consistent with the intent of the South Metropolitan Peel Sub-Regional Planning Framework.
- the amendment is not likely to lead to any significant impacts on the environmental values of the subject or surrounding land.
- the City of Cockburn and key State Government agencies have not raised any matters which would prevent the initiation of the amendment

7 Environmental Protection Authority advice

The proposed amendment was referred to the Environmental Protection Authority (EPA) for advice on whether environmental assessment would be required.

The EPA has advised that the proposed amendment does not require formal assessment under Part IV of the *Environmental Protection Act 1986*. A copy of the notice from the EPA is included at Appendix A.

8 The amendment process

The procedures for amending the MRS are prescribed by the *Planning and Development Act 2005* and the Planning and Development (Region Planning Schemes) Regulations 2023. In essence, the procedure for a standard amendment involves:

- formulation 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
- 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 is being advertised for public submissions for a minimum period of 42 days from 29 April 2024 to 11 June 2024.

The amendment report and plans showing the proposed changes are available for public inspection [online](#).

Online submissions are encouraged via <https://consultation.dplh.wa.gov.au>

However, written submissions commenting on the amendment can be sent to:

RegionPlanningSchemes@dplh.wa.gov.au

or posted to:

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

and **must be received by 11 June 2024**.

All submissions received by the WAPC will be acknowledged.

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](#).

You should be aware that calling for 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

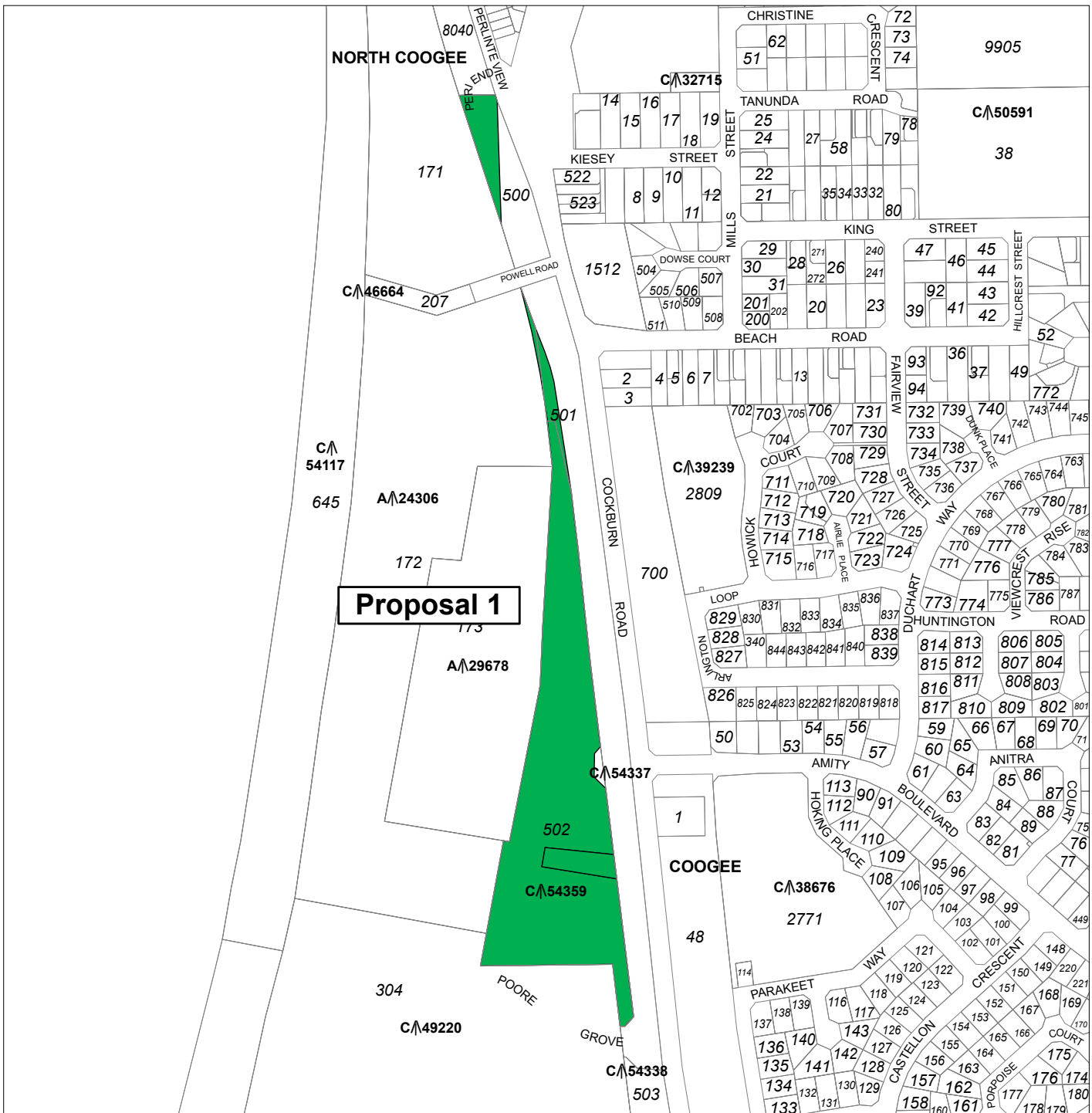
After considering any comments received the WAPC may recommend that the Minister for Planning modify the amendment. The Minister may approve the amendment, with or without any modifications in response to submissions, or decline to approve.

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 1422
Cockburn Road, Coogee**

Amendment Figure - Proposal 1



Cockburn Road, Coogee Proposed Standard MRS amendment as advertised

28 February 2024

Proposal 1

Proposed Amendment:

Primary Regional Roads and Railways reservations to Parks and Recreation reservation

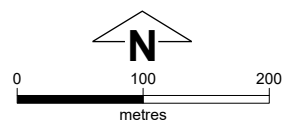
Reference no: 4664

File no: RLS/1114

Version number: 2



Date: 7/03/2024
Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA
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Appendix A

Notice of environmental assessment



GOVERNMENT OF
WESTERN AUSTRALIA


Environmental Protection Authority

s.48A Referrals

Title:	Metropolitan Region Scheme Amendment 1422		
Location:	Parts of Lots 500 – 502 Cockburn Road, and part of Lot 172 Poore Grove, Coogee (City of Cockburn)		
Description:	The amendment proposes to transfer 4.1 hectares of land within parts of Lots 500 – 502 Cockburn Road and part of Lot 172 Poore Grove, Coogee from the 'Railways and Primary Regional Roads' reservation to the 'Parks and Recreation' reservation.		
Ref ID:	APP-0025208		
Date Received:	22/03/2024	Date Sufficient Information Received:	22/03/2024
Responsible Authority:	Western Australian Planning Commission		
Contact:	Zoe Chalwell-James		
Preliminary Environmental Factors:	Flora and vegetation; Terrestrial fauna		
Potential Significant Effects:	Implementation of the scheme amendment may result in the clearing of remnant vegetation (threatened ecological community (TEC) and potential black cockatoo foraging habitat).		
Protection:	Implementation of the scheme amendment will result in additional protection for environmental values (TEC and potential black cockatoo habitat) present in the amendment area. The proposed change to 'Parks and Recreation' reserve is a positive environmental outcome. The Environmental Protection Authority (EPA) notes that the amendment is within an Environmentally Sensitive Area and that potential impacts to environmental values may be regulated through Part V of the <i>Environmental Protection Act 1986</i> .		
Determination:	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed under Part IV of the EP Act. No Advice Given. (Not Appealable).		

The EPA has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Chair's Initials: 

9 April 2024



Environmental Protection Authority

Ms Sam Boucher
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Our Ref: APP-0025208/REC-0000601
Enquiries: Izzat Hafiz, 6364 7762
Email: izzat.hafiz@dwer.wa.gov.au

Dear Ms Boucher

DECISION UNDER SECTION 48A(1)(a)
Environmental Protection Act 1986

SCHEME	Metropolitan Region Scheme Amendment 1422
LOCATION	Parts of Lots 500 – 502 Cockburn Road, and part of Lot 172 Poore Grove, Coogee
RESPONSIBLE AUTHORITY	Western Australian Planning Commission
DECISION	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. No Advice Given (Not Appealable).

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act).

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of the EPA's Determination is attached and will be made available to the public via the EPA website.

Yours sincerely

Prof. Matthew Tonts
Chair of the Environmental Protection Authority

9 April 2024

Encl. EPA Determination

Appendix B

List of plans supporting the amendment

**Metropolitan Region Scheme
Amendment 1422**

Cockburn Road, Coogee

as advertised

Amending Plan 3.2832

Appendix C

Preparing a submission

Preparing a Submission

The WAPC welcomes comment on proposed amendments to the MRS from interested individuals, groups, and organisations.

What is a submission?

A submission is a way to express your opinion and provide information. It is an opportunity to explain why the amendment should be supported, withdrawn, or modified. Suggestions of alternative courses of action are also welcomed.

Making a submission is not the same as voting in an election. The number of submissions received for or against a proposal will not in itself determine the result. Rather, it is the reasoned argument of why a particular thing should or should not be done. Your submission will assist the WAPC in reviewing its planning proposal before proceeding. Advertised proposals are often modified in response to the public submission process.

What should I say?

Your comments should focus on the particular issues that arise from the proposed amendment. If there are a number of components in the amendment, please indicate exactly which ones you are addressing.

It is important that you state your point of view clearly and give reasons for your conclusions and recommendations. These may include an alternative approach or other ways for the WAPC to improve the amendment or make it more acceptable. Indicate the source of your information or argument where applicable.

If you prefer not to write your own comments, you may consider joining a group interested in making a submission on similar issues. Joint submissions can increase the pool of ideas and information.

Before lodging your submission

The WAPC prefers to receive submissions online at <https://consultation.dplh.wa.gov.au>, however, hardcopy submissions can also be accepted (Submission Form - Appendix D).

Please remember to complete all fields in the submission form including your name and contact details. Please limit the number of attachments, where possible, ensuring they are directly relevant to the proposed amendment you are commenting on.

The closing date for submissions and how to lodge them is shown on the submission form and in the submissions on the amendment section of the amendment report.

Some amendments may be subject to an environmental review. Under these circumstances, the WAPC will forward a copy of any submission raising environmental issues to the EPA.

You should be aware that all submissions lodged with the WAPC are subject to regulations on disclosure and access, and your submission will become a public document.

Appendix D

Submission form for this amendment

