

Your ref: 109/173
Our ref: TPS/3178
Enquiries: Local Planning Schemes
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Chief Executive Officer
City of Cockburn
PO Box 1215
BIBRA LAKE WA 6965

Transmission via electronic mail to: stratplanning@cockburn.wa.gov.au

Dear Sir/Madam

CITY OF COCKBURN TOWN PLANNING SCHEME NO. 3 AMENDMENT NO. 173

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act.

In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the *Government Gazette*.

The Commission has forwarded notice to the Department of Premier and Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

For all payment and purchase order queries, please contact the Department of Premier and Cabinet via email gazette@dpc.wa.gov.au. One signed set of the amending documents are returned for your records.

Please direct any queries about this matter to localplanningschemes@dph.wa.gov.au

Yours sincerely

Sam Boucher

Ms Sam Boucher
Secretary
Western Australian Planning Commission

21/01/2025

CITY OF COCKBURN	
DCU No	
28 JAN 2025	
SUBJECT	109/173
RETENTION	124.2.1 AS
PROPERTY	
APP	
ACTION	Gary Wilkinson

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Planning and Development Act 2005

APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Cockburn
Town Planning Scheme No. 3 Amendment No. 173

File: TPS/3178

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the abovementioned amendment to the City of Cockburn Town Planning Scheme No. 3 on 20 January 2025 for the purpose of:

1. Rezoning various lots within 'Development Area 5' from 'Development' to 'Residential (R25)', 'Residential (R30)', 'Residential (R40)' and 'Residential (R60)', as depicted on the Scheme Amendment Map.
2. Reclassifying land within 'Development Area 5' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage', 'Public Purposes – Water Corporation', or 'Local Road', as depicted on the Scheme Amendment Map.
3. Reducing the extent of the 'Development Area 5' (DA5) special control area boundary, as depicted on the Scheme Amendment Map.

L HOWLETT
MAYOR

D SIMMS
CHIEF EXECUTIVE OFFICER



**Town Planning Scheme No.3
Amendment No.173
(Basic)**

*Rationalisation of various Structure Plans within
Development Area 5 (Lake Coogee)*

JULY 2024

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

City of Cockburn
Town Planning Scheme No.3
Amendment No.173

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. Rezoning various lots within 'Development Area 5' from 'Development' to 'Residential (R20)', 'Residential (R25)', 'Residential (R30)', 'Residential (R40)' and 'Residential (R60)', as depicted on the Scheme Amendment Map.
2. Reclassifying land within 'Development Area 5' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage', 'Public Purposes – Water Corporation', or 'Local Road', as depicted on the Scheme Amendment Map.
3. Reducing the extent of the 'Development Area 5' (DA5) special control area boundary, as depicted on the Scheme Amendment Map.

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

- *It is an amendment the local planning scheme that involves zoning land consistent with an approved structure plan for the same land and/or is*
- *Proposing zoning/reservation changes that are purely administrative in nature.*

Pursuant to Regulation 35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the amendment to the above Local Planning Scheme affects the following structure plan(s):

Structure Plan #	Address	Latest WAPC Endorsement	WAPC Reference
5G	Lots 3 & 4 West Churchill Avenue, Munster (Lake Coogee)	18/2/2010	801/2/23/0005P 2V
5H	Lot 18 Rockingham Road, Munster (Lake Coogee)	16/5/2013	SPN/0321
5I	Lot 19 Rockingham Road, Munster (Lake Coogee)	31/10/2014	SPN/0503/1
5K	Lot 107 Hobsons Avenue, Munster (Lake Coogee)	23/12/2014	SPN/0647
5L	Lot 6 West Churchill Avenue, Munster (Lake Coogee)	Not Required	N/A
5M	Lot 116 West Churchill Avenue, Munster (Lake Coogee)	Not Required	N/A

Structure Plan #	Address	Latest WAPC Endorsement	WAPC Reference
5N	Lot 20 Rockingham Road, Munster (Lake Coogee)	22/09/2015	SPN/0707
5O	Lot 3 Rockingham Road, Munster (Lake Coogee)	03/05/2016	COCK/2015/4
5Q	Lot 6 Rockingham Road, Munster (Lake Coogee)	11/09/2017	SPN/2102
5S	Lots 35 & 36 Rockingham Road, Lake Coogee	20/12/2018	SPN/2143
5U	Lots 811 & 812 Fawcett Road, Lake Coogee	23/07/2019	SPN/2192

Upon the amendment taking effect the approved structure plans are to be revoked.

Dated this ^{9th} day of ^{July} 2024.



CHIEF EXECUTIVE OFFICER

AMENDMENT REPORT

1.0 INTRODUCTION

Structure Plan 5G, H, I, K, L, M, N, O, Q, S and U have been fully implemented.

The purpose of this 'basic' scheme amendment is to transfer the zones and reserves shown on the applicable structure plans into Town Planning Scheme No.3 (TPS3), to ensure the City of Cockburn (the City) maintains development control upon expiration of the structure plans on (or shortly after) 19 October 2025.

This process is referred to as the rationalisation of structure plans.

2.0 BACKGROUND

The Amendment area was subject to Amendment 939/33A to the Metropolitan Region Scheme (MRS), which was approved by the Minister for Planning on 17 January 1997. The approved Amendment rezoned land within the subject area from 'Rural to' Urban, except land within 750 metres of the Woodman Point Wastewater Treatment Plant (WPWTP) and the Kwinana Environmental Protection Policy (EPP) buffer, which was zoned 'Urban Deferred' under the MRS.

Development Area 5 (DA5) was created via Amendment No.192 to the former District Zoning Scheme No.2, which covered 13 lots on the western side of Rockingham Road between Mayor Road and West Churchill Avenue. The extent of DA5 and the 'Development' zone was expanded to its current boundaries upon the gazettal of TPS3 on 20 December 2002 which included land within the WPWTP buffer and Kwinana EPP buffer.

As summarised in the following table, DA5 currently includes 23 operative structure plans, of which:

- 11 are ready to be rationalised into the scheme;
- 5 are incomplete, but have recently obtained an extension of time;
- 1 is incomplete, and is subject of an extension request before the WAPC;
- 6 are undeveloped but have at least 2-3 years remaining before they expire (allowing further time to consider whether extension will be required).

Structure Plan #	Address	Latest Approval (& Expiration Dates)	Proposed Action
5A	Munster Phase 1	WAPC: 31/10/2006 (Expires: 19/10/2030)	Recent Extension Approved by WAPC
5B	Munster Phase 2	WAPC: 10/12/2007 (Expires: 19/10/2035)	Recent Extension Approved by WAPC
5C	Munster Phase 3	WAPC: 7/8/2014 (Expires: 19/10/2035)	Recent Extension Approved by WAPC
5E	Lots 1, 24-26 Rockingham Road, Munster (Lake Coogee)	City Modified: 5/9/2014 (Expires: 19/10/2035)	Recent Extension Approved by WAPC

Structure Plan #	Address	Latest Approval (& Expiration Dates)	Proposed Action
5F	Lots 27-29 Rockingham Road, Munster (Lake Coogee)	City Modified: 5/9/2014 (Expires: 19/10/2035)	Recent Extension Approved by WAPC
5G	Lots 3 and 4 West Churchill Avenue, Munster (Lake Coogee)	City Modified: 10/12/2013 (Expires: 19/10/2025)	Included in this Amendment
5H	Lot 18 Rockingham Road, Munster (Lake Coogee)	City Modified: 16/2/2015 (Expires: 19/10/2025)	Included in this Amendment
5I	Lot 19 Rockingham Road, Munster (Lake Coogee)	WAPC: 31/10/2013 (Expires: 19/10/2025)	Included in this Amendment
5J	Lots 30, 31 and 32 Rockingham Road, Munster (Lake Coogee)	WAPC: 6/5/2014 (Expires: 19/10/2025)	Extension Request being sought
5K	Lot 107 Hobsons Avenue, Munster (Lake Coogee)	WAPC: 23/12/2014 (Expires: 19/10/2025)	Included in this Amendment
5L	Lot 6 West Churchill Avenue, Munster (Lake Coogee)	City Approved: 12/2/2015 (Expires: 19/10/2025)	Included in this Amendment
5M	Lot 116 West Churchill Avenue, Munster (Lake Coogee)	City Approved: 12/2/2015 (Expires: 19/10/2025)	Included in this Amendment
5N	Lot 20 Rockingham Road, Munster (Lake Coogee)	WAPC: 22/9/2015 (Expires: 19/10/2025)	Included in this Amendment
5O	Lot 3 Rockingham Road, Munster (Lake Coogee)	WAPC: 3/5/2016 (Expires: 3/5/2026)	Included in this Amendment
5P	Lot 21 Rockingham Road, Munster (Lake Coogee)	WAPC: 22/3/2017 (Expires: 22/3/2027)	No Current Action (valid until 2027)
5Q	Lot 6 Rockingham Road, Munster (Lake Coogee)	WAPC: 11/9/2017 (Expires: 22/3/2027)	Included in this Amendment
5R	Lot 5 Rockingham Road, Munster (Lake Coogee)	WAPC: 1/11/2017 (Expires: 1/11/2027)	No Current Action (valid until 2027)
5S	Lots 35 & 36 Rockingham Road, Lake Coogee	WAPC: 20/12/2018 (Expires: 20/12/2028)	Included in this Amendment
5T	Lot 51 Mayor Road, Munster (Lake Coogee)	WAPC: 27/05/2019 (Expires: 27/05/2029)	No Current Action (valid until 2029)
5U	Lots 811 & 812 Fawcett Road, Lake Coogee	WAPC: 23/07/2019 (Expires: 23/07/2029)	Included in this Amendment
5V	Lot 22 Mayor Road, Lake Coogee	WAPC: 12/4/2021 (Expires: 12/4/2031)	No Current Action (valid until 2031)
5W	Lot 2 Fawcett Road, Lake Coogee	WAPC: 21/6/2021 (Expires: 21/6/2031)	No Current Action (valid until 2031)
5X	Lots 71-73 & 500 Fawcett Road, Lake Coogee	WAPC: 28/9/2022 (Expires: 28/9/2032)	No Current Action (valid until 2032)

The extent of DA5 (thick black dotted line), this scheme amendment proposal (red solid line), and the relevant Structure Plans are depicted on **Figures 1 and 2**.

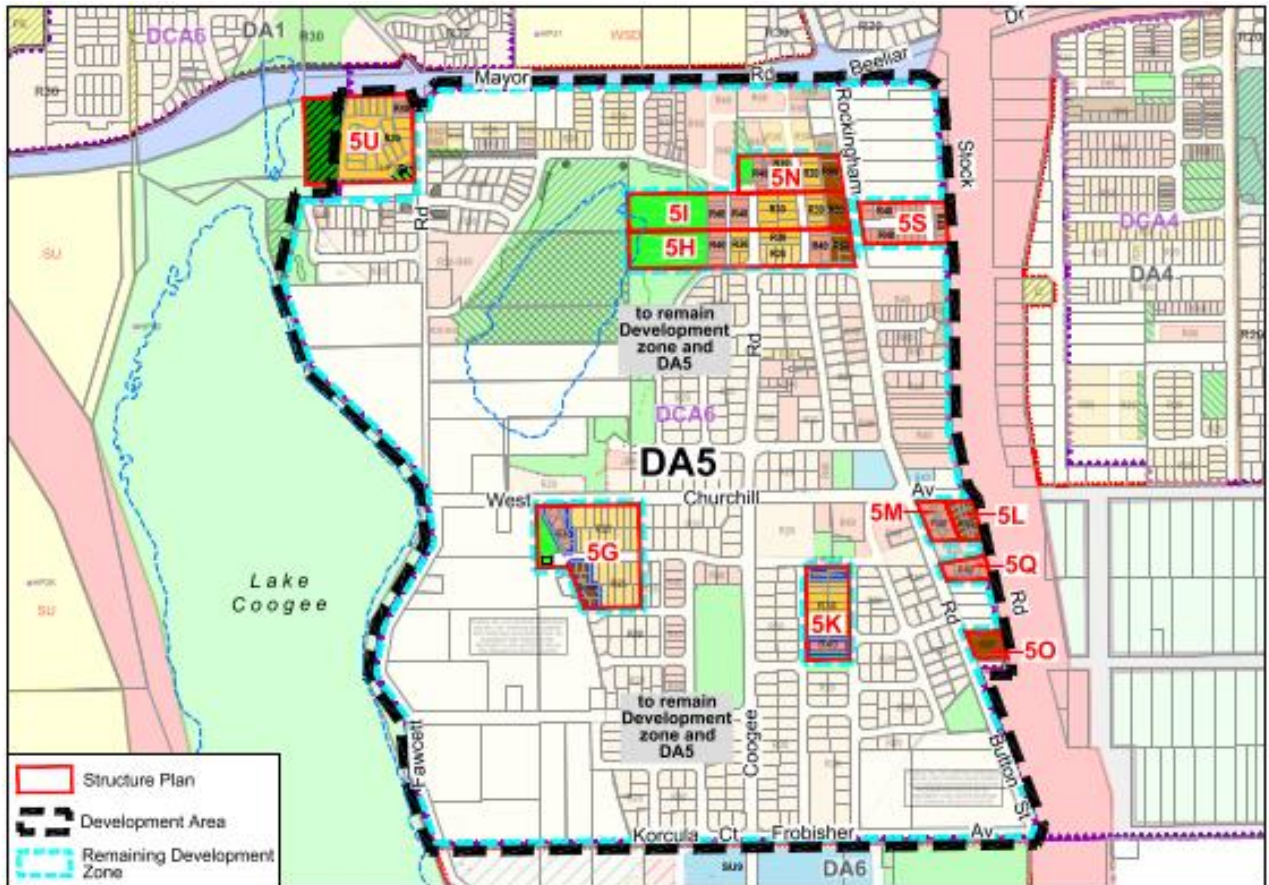


Figure 1 – DA5, Amendment Extent and Current endorsed Structure Plans



Figure 2 – Aerial Photograph showing extent of completed subdivision and development

As Structure Plans 5A, B, C, E, F, J, M, N, P, R, T, V, W and X are still undergoing further subdivision and development, they are not being rationalised by this proposal and will retain their existing 'Development' zoning.

Many of the structure plans include Local Development Plans (LDPs). This scheme amendment has no effect on the operation of those instruments which will remain in effect until they expire on (or after) 19 October 2025.

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 'basic' amendment, which Regulation 34 describes as any of the following:

- a) *an amendment to correct an administrative error;*
- b) *an amendment to the scheme so that it is consistent with the model provisions in Schedule 1 or with another provision of the local planning scheme;*
- c) *an amendment to the scheme text to delete provisions that have been superseded by the deemed provisions in Schedule 2;*
- d) *an amendment to the scheme so that it is consistent with any other Act that applies to the scheme or the scheme area;*
- e) *an amendment to the scheme so that it is consistent with a State planning policy;*
- f) *an amendment to the scheme map to include a boundary to show the land covered by an improvement scheme or a planning control area;*
- g) *an amendment to the scheme map that is consistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all the types that are outlined in the plan;*
- h) *an amendment that results from a consolidation of the scheme in accordance with section 92(1) of the Act;*
- i) *an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area if the amendment will have minimal effect on the scheme or landowners in the scheme area.*

This proposed amendment satisfies part (a) and (g) of the above criteria.

Specifically, it is an amendment to the local planning scheme map that involves zoning/reserving land consistent with approved structure plans for the same land and/or zoning/reserving land consistent with their established use and existing tenure (discussed in further detail below).

4.0 TOWN PLANNING CONTEXT

4.1 State Planning Framework

The majority of DA5 is identified in the *South Metropolitan Peel Sub-Regional Planning Framework* and zoned 'Urban' under the *Metropolitan Region Scheme*.

Land towards Lake Coogee, potentially affected by odour associated with the WPWTP is identified as 'Industrial Investigation' in the Sub-Regional Framework, and zoned 'Urban Deferred' under the MRS.

Aside from an anomaly relating to a small portion of LSP 5G discussed later in this report, this proposal is specifically restricted to the Urban zoned portion of DA5.

4.2 City of Cockburn Town Planning Scheme No. 3

Under TPS3, the area is zoned 'Development' and identified on the Scheme Map and in Table 9 of the Scheme Text as 'Development Area 5'.

The purpose of the 'Development' zone is to trigger the requirement for a Structure Plan to guide further subdivision and/or development.

Table 9 allows specific 'provisions' to then be applied to defined Development Areas, to inform the subsequent structure planning, subdivision and development processes. For DA5, it includes the following:

TABLE 9 – DEVELOPMENT AREAS		
REF NO.	AREA	PROVISIONS
DA 5	Munster (Development Zone)	<ol style="list-style-type: none"> 1. An approved Structure Plan together with all approved amendments shall be given due regard in the assessment of application for subdivision, land use and development in accordance with clause 27(1) of the Deemed Provisions. 2. To provide for residential development except within the buffers to the Woodman Point WWTP, Munster Pump Station and Cockburn Cement. 3. The local government will not recommend subdivision approval or approved land use and development for residential purposes contrary to the Western Australian Planning Commission and Environmental Protection Authority Policy on land within the Cockburn Cement buffer zone.

The structure plans to be rationalised into TPS3 are located within the area of DA5 that is outside of the WPWTP, Munster Pump Station and Cockburn Cement buffers, except for a small area of Structure Plan 5G (discussed below).

The land also forms the subject of Development Contribution Areas 6 and 13 (DCA 6 – Munster & DCA 13 – Community Infrastructure) under TPS3. This amendment has no impact on the operation of these DCAs.

5.0 PROPOSAL

Subdivision and development of substantial portions of Lake Coogee is now complete, meaning that many structure plans have served their purpose and are no longer required.

The amendment therefore seeks to remove these areas from DA5 and transfer the structure plan identified zonings and reservations for the land into TPS3, ahead of the structure plans expiring on (or shortly after) 19 October 2025.

Development Area 5:

As there remain large portions of DA5 yet to be structure planned, or involve structure plans in various stages of implementation, deletion of DA5 and its special provisions is not proposed at this time, rather just a reduction to the extent of the special control area boundary.

Local Structure Plans (LSPs):

Details on each Structure Plan (including the LSP map and an aerial of the area) are provided in this section to demonstrate the City's reasoning for rationalisation.

Unless otherwise stated, all the approved structure plan designations directly correlate to zonings and reserves pursuant to TPS3. All the public roads have been constructed and ceded, and all other public reserves embellished to the required standard and transferred into either public or utility operator ownership, in accordance with the applicable subdivision approvals.

Lots 3 and 4 West Churchill Avenue, Munster (Lake Coogee) – 5G

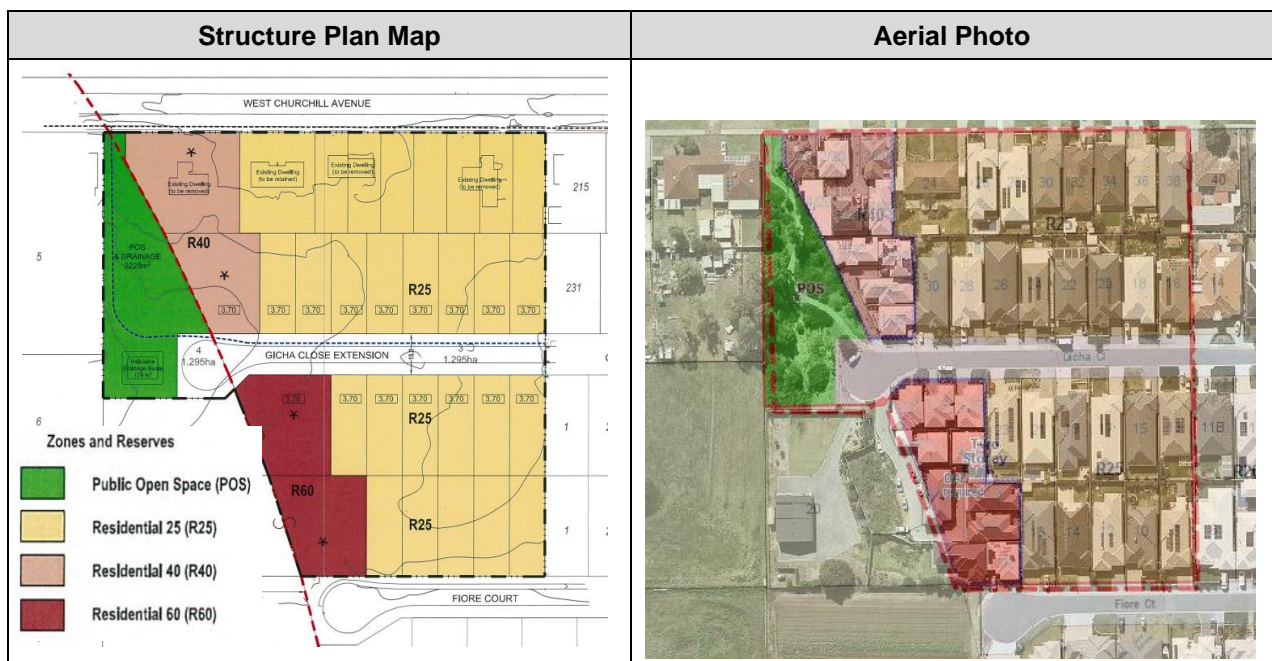
Centrally located within DA5, this structure plan involves a small westward extension of structure plan 5B (the largest structure plan covering the southern portion of DA5). It makes use of Fiore Court and proposed a westward extension of Gicha Court to principally service low (R25) density single residential housing.

Medium (R40-R60) density grouped housing is located at the western end of each road, within immediate proximity to the POS reserve, and to provide the design flexibility necessary to respond to the angle of the Urban zone boundary, which is based on the notional 750m Woodman Point Wastewater Treatment Plant buffer.

A small POS reserve (Gicha Park) and a portion of the Gicha Court road reserve are located within the 'Urban Deferred' zoned portion of DA5 under the MRS. Reflecting the existing tenure and developed public purpose of this land in TPS3 is still proposed on the basis that the reserves do not conflict with the status of the land under the MRS or compromise the function of the notional WWTP buffer that informs that line.

Subdivision and development of the structure plan is complete. On the R60 coded land a grouped housing development has occurred that includes incidental portions of four dwellings (i.e. garages and covered patios), a common property lot (for shared access and visitor parking), and infrastructure associated with a commercial business, that extend into and make use of the residual 'Urban Deferred' zoned land. Unlike above, this portion of 25 Gicha Close and 18 Fiore Court (on Strata Plan 69454), beyond the approved structure plan boundary is west proposed to remain zoned 'Development' and within DA5.

Otherwise, all the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix A**.



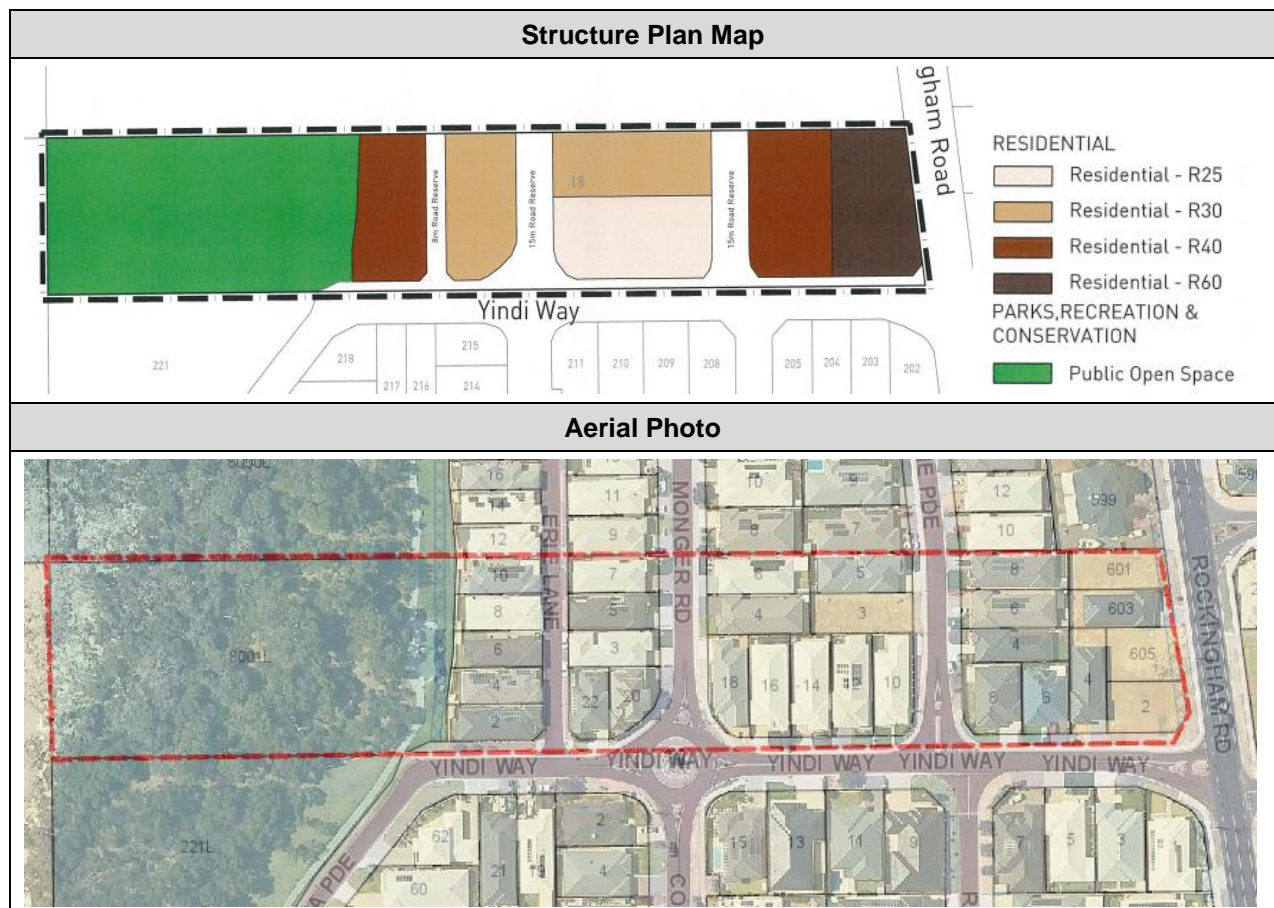
Lot 18 Rockingham Road, Munster (Lake Coogee) – 5H

Centrally located within the northern portion of DA5 west of Rockingham Road, this structure plan identifies a local road network and a POS reserve on the western side (portion of Bindjar Reserve), servicing a range of low (R25-R30) to medium (R40-R60) density single residential housing.

The higher densities are positioned in locations that have proximity to the POS reserve or the public bus route running along Rockingham Road.

With exception to one vacant R25 and three R60 coded single house lots, subdivision and development of the structure plan is complete.

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix B**.



Lot 19 Rockingham Road, Munster (Lake Coogee) – 5I

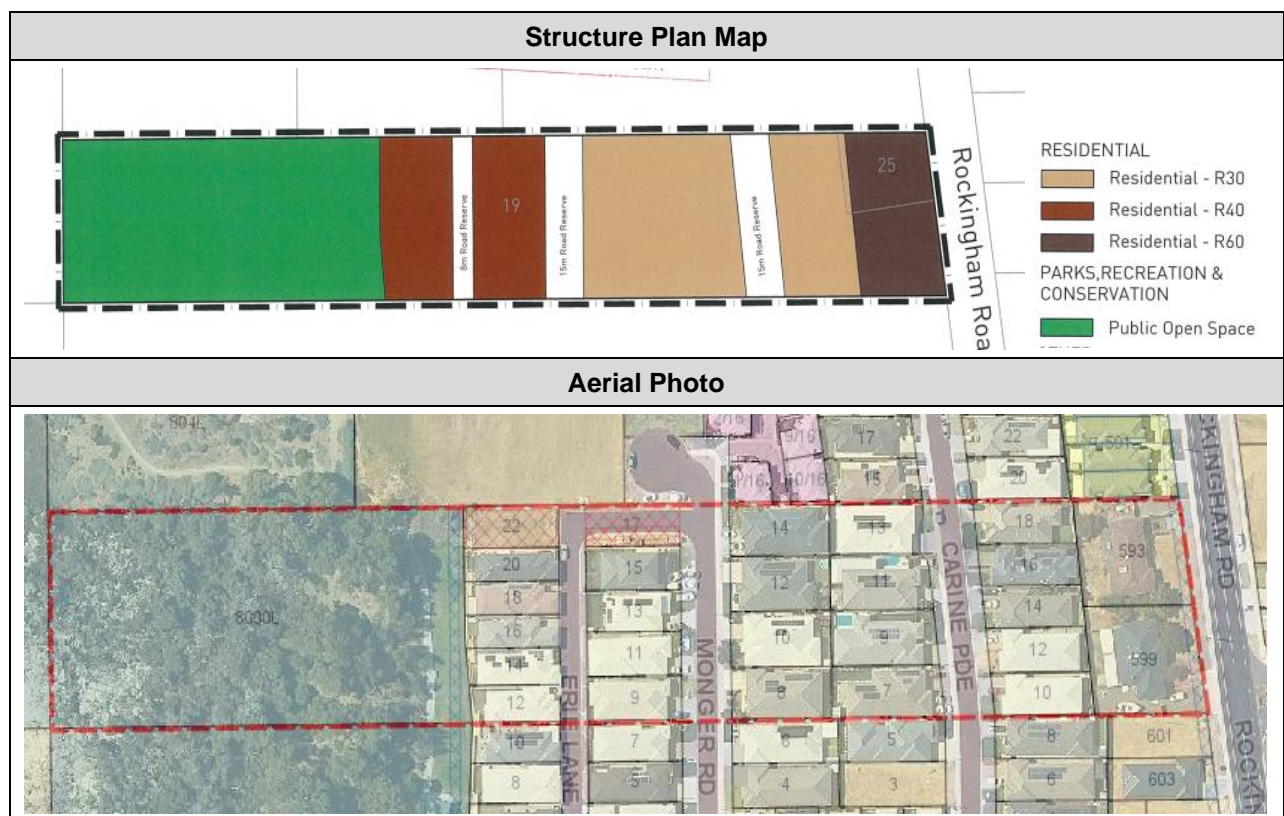
Centrally located within the northern portion of DA5 west of Rockingham Road, this structure plan identifies a northward extension of the approved local road network and POS reserve (Bindjar Reserve), to service a similar range of low (R30) to medium (R40-R60) density single residential housing as was approved for Structure Plan 5H directly to its south.

Again, the higher densities are positioned in locations that have proximity to the POS reserve or the public bus route running along Rockingham Road.

Erie Lane currently terminates at a temporary eastward connection to Monger Road that will ultimately be removed and developed as a single lot upon development of land to the north (via approved Structure Plan 5T). In the interim, public access is secured via an easement on title. Another easement in favour of the City similarly precludes development of Lot 230 (No.22 Erie Lane) pending extension of the access network to the north.

Otherwise, with exception of the original homestead lots who are yet to redevelop in accordance with their R60 coding, subdivision and development of the structure plan is complete.

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix C**.



Lot 107 Hobsons Avenue, Munster (Lake Coogee) – 5K

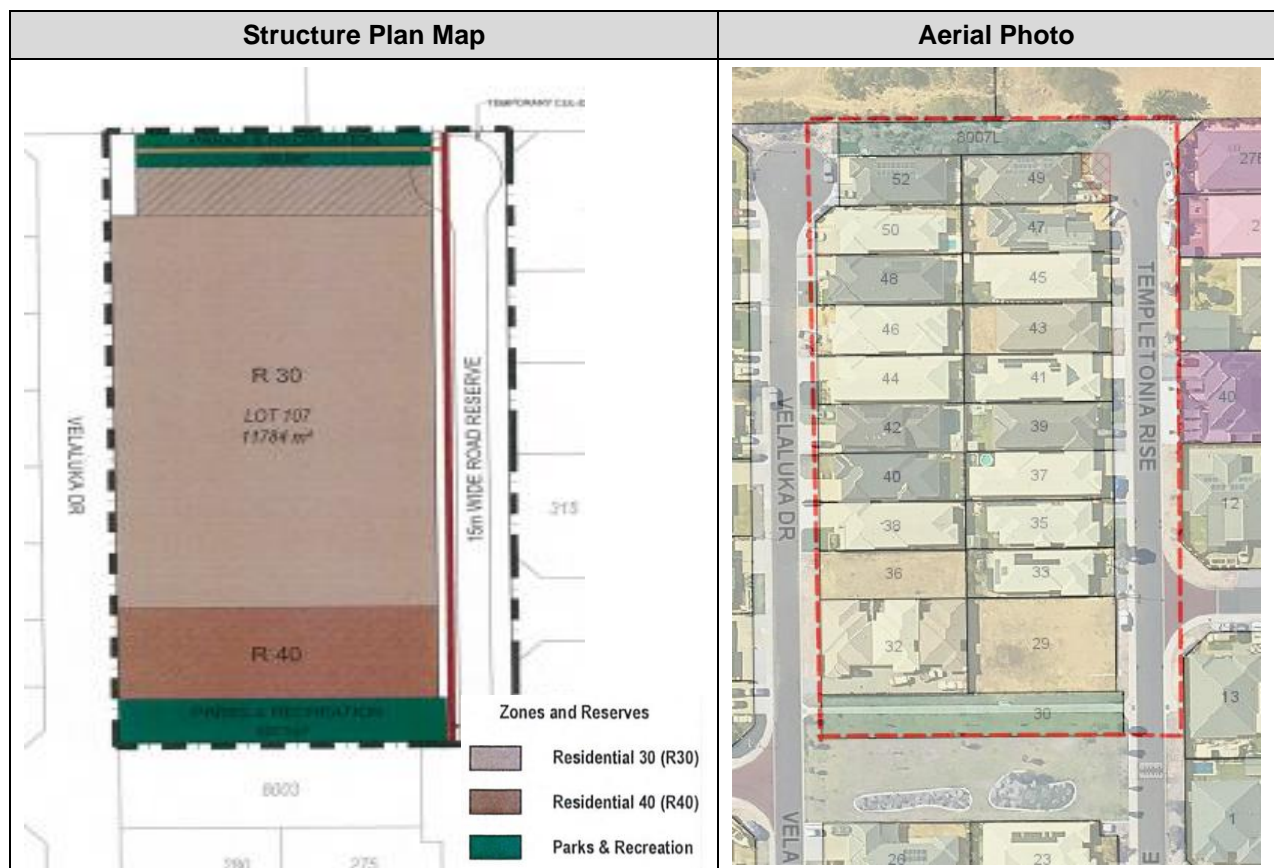
Centrally located within the southern portion of DA5, this structure plan essentially involves a central expansion of structure plan 5B. It makes use of the constructed portion of Velaluka Drive and proposed a northern extension of Templetonia Rise to principally service low (R30) density single residential housing.

A strip of medium (R40) density, accommodating grouped housing is located adjacent a northern expansion of Hobsons Park. A linear POS reserve is also located along the northern edge of the site.

Velaluka Drive and Templetonia Rise both currently terminate at temporary cul-de-sac heads that were intended to be removed and the roads extended upon development of land to the north. Future extension of Velaluka Drive may not be possible due to the existence of a locally listed heritage wall on Lot 103 (No.66) West Churchill Avenue, but this is not a concern as the temporary turning bulb has been located within an expanded road reserve. This is not the case with Templetonia Rise with the turning bulb located within a portion of No.49, with public access currently secured via an easement on title.

Otherwise, with exception to one vacant R30 code single house and three R60 coded grouped housing lots, subdivision and development of the structure plan is complete.

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix D**.

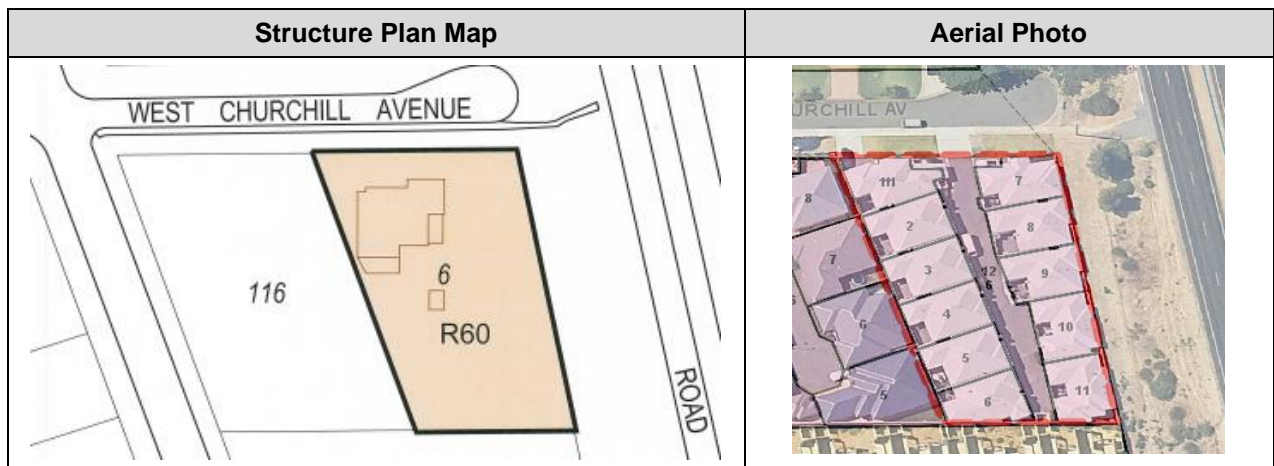


Lot 6 West Churchill Avenue, Munster (Lake Coogee) – 5L

Centrally located along the eastern edge of DA5 (beside Stock Road), this structure plan identifies the land for medium (R60) density housing that makes best use of the public transport running along Rockingham and Stock Roads.

The site has been completely developed and survey-strata subdivided for grouped housing with the land’s public open space obligation satisfied by way of a cash-in-lieu contribution.

The land is therefore proposed to be rezoned from ‘Development’ to the directly correlating zone (and density coding) identified on the Structure Plan Map shown in **Appendix E**.

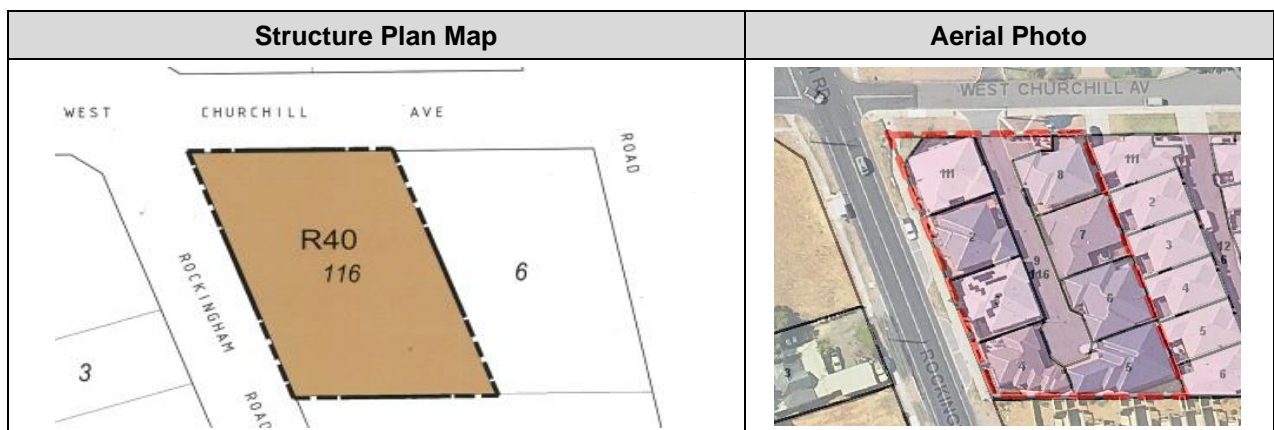


Lot 116 West Churchill Avenue, Munster (Lake Coogee) – 5M

Also centrally located along the eastern edge of DA5 (immediately west of Structure Plan 5L and east of Rockingham Road), this structure plan identifies the land for medium (R40) density housing that again makes best use of the public transport running along Rockingham and Stock Roads.

The site has been completely developed and survey-strata subdivided for grouped housing with the land’s public open space obligation satisfied by way of a cash-in-lieu contribution.

The land is therefore proposed to be rezoned from ‘Development’ to the directly correlating zone (and density coding) identified on the Structure Plan Map shown in **Appendix F**.



Lot 20 Rockingham Road, Munster (Lake Coogee) – 5N

Centrally located within the northern portion of DA5 west of Rockingham Road, this structure plan identifies a northward extension of the approved local road, and a POS reserve at the western end (portion of Glamuzina Park), to service an identical range of low (R30) to medium (R40-R60) density single and grouped residential housing as was approved for Structure Plan 5I directly to the south.

Again, the higher densities are positioned in locations that have proximity to the POS reserve or the public bus route running along Rockingham Road.

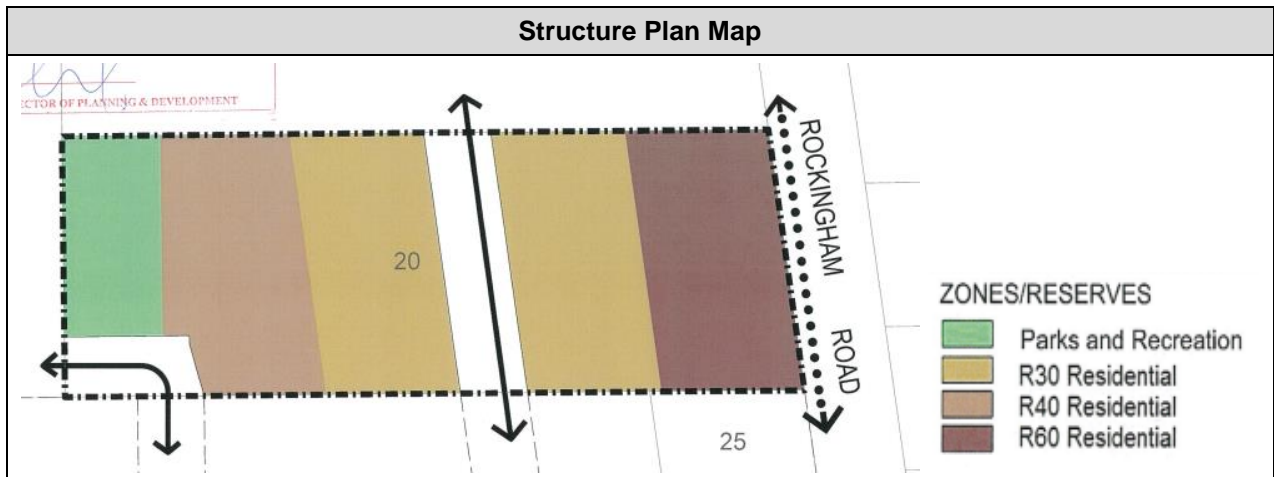
Monger Road and Carine Parade both currently terminate at temporary cul-de-sac heads that will ultimately be removed and the roads extended upon development of land to the west (via approved Structure Plan 5T) and north (via approved Structure Plan 5P).

Small slivers of the Carine Parade turning bulb sit within private land. Removal of the bulb and reinstatement of that land will occur via tie-in works associated with future subdivision to the north (Lot 21, No.583 Rockingham Road).

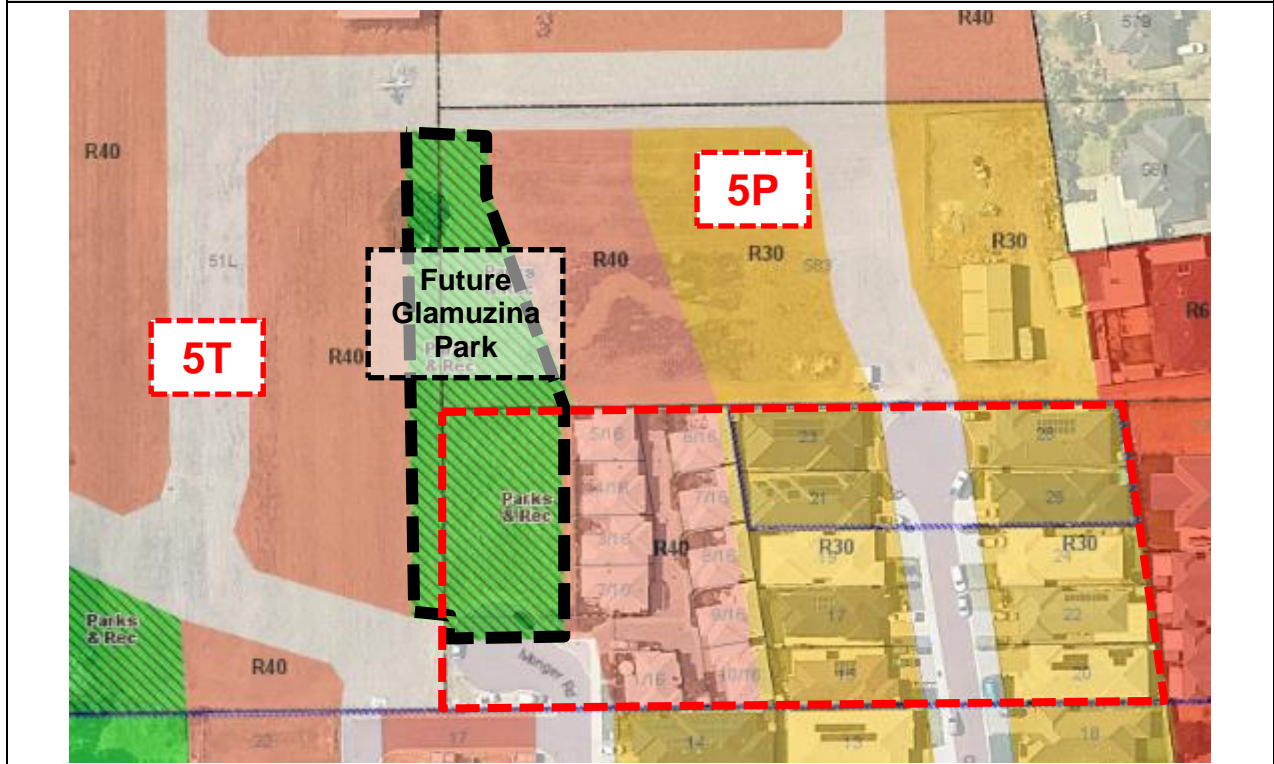
The Monger Road turning bulb sits over a portion of now ceded, POS reserve. This interim arrangement was accepted on the basis that development of the park would be deferred to creation of the broader reserve. Instead, the City accepted a bond from the original subdivider towards the future removal of the turning bulb and development of the POS.

Otherwise, with exception to one vacant R60 coded single lot fronting Rockingham Road, subdivision and development of the structure plan is complete.

All the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix G**.



Extent of Glamuzina Park Across Adjoining Structure Plans



Lot 4 Rockingham Road, Munster (Lake Coogee) – 50

Located towards the southeast corner, along the eastern edge of DA5 (in between Stock and Rockingham Roads), this structure plan identifies the land for medium (R60) density housing that makes best use of the public transport running along Rockingham and Stock Roads.

On 13 February 2023 the Metropolitan Outer Joint Development Assessment Panel approved a Child Care Premises on this site (under the land's Residential zoning – DAP/22/02368). Development of the site for the approved use has now commenced, and as the structure plan does not identify any public reserves needing to be delivered or excised from lot, there is no impediment to the land being rationalised into the scheme at this time.

The land is therefore proposed to be rezoned from 'Development' to the directly correlating zone (and density coding) identified on the Structure Plan Map shown in **Appendix H**.



Lot 6 Rockingham Road, Munster (Lake Coogee) – 5Q

Located a short distance to the north of Structure Plan 5O along the eastern edge of DA5 (beside Stock Road), this structure plan also identifies the land for medium (R40) density housing that takes advantage of the public transport running along Rockingham and Stock Roads.

Whilst three of the four resultant survey-strata lots are currently vacant, the land has been completely subdivided in accordance with the structure plan, with the land's public open space obligation satisfied by way of a cash-in-lieu contribution.

The land is therefore proposed to be rezoned from 'Development' to the directly correlating zone (and density coding) identified on the Structure Plan Map shown in **Appendix I**.



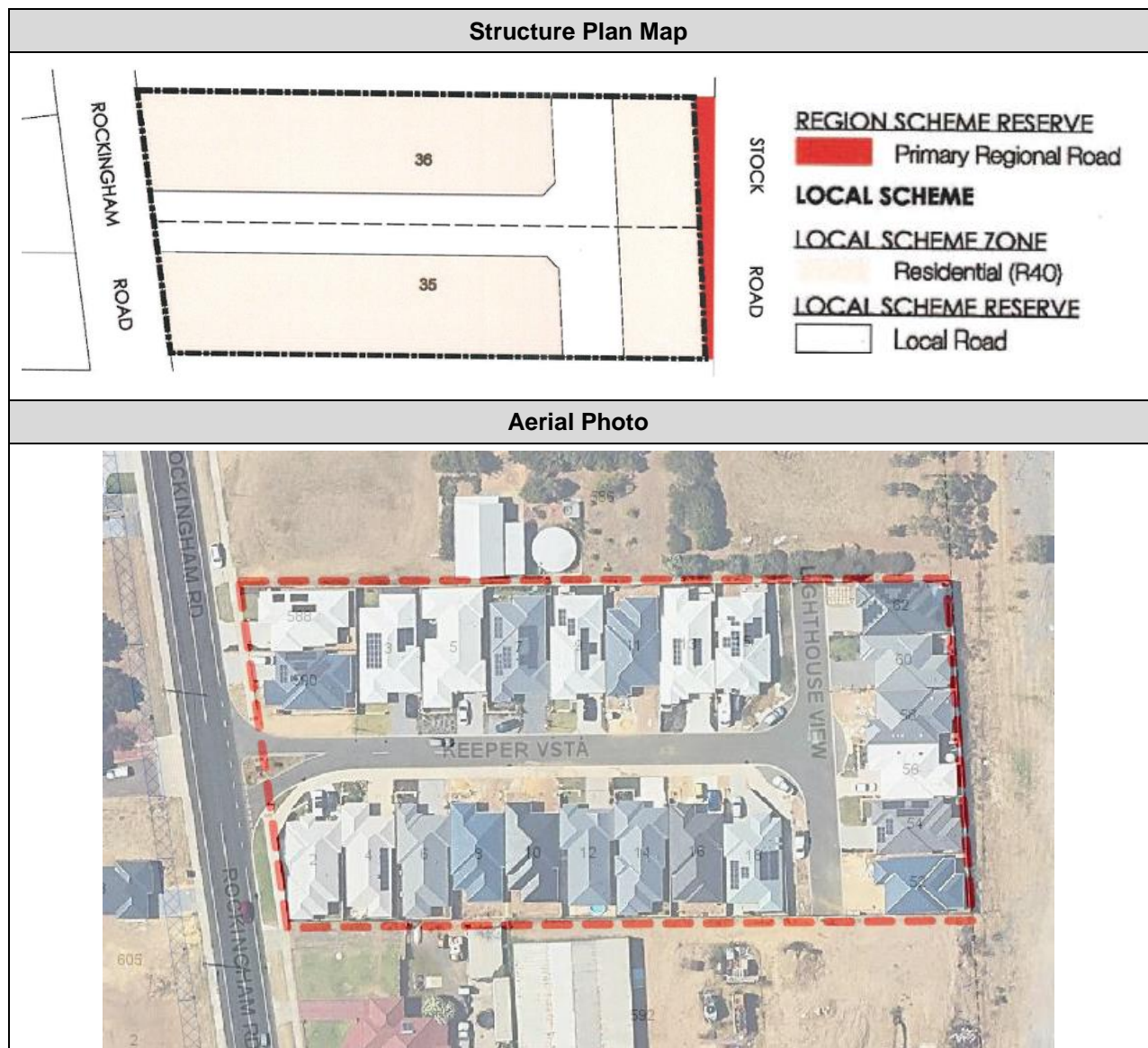
Lots 35 & 36 Rockingham Road, Lake Coogee – 5S

Located towards the northeast corner, along the eastern edge of DA5 (in between Stock and Rockingham Roads), this structure plan identifies one new local road (with connections to adjoining land) servicing medium (R40) density single housing that takes advantage of the public transport running along Rockingham and Stock Roads.

A sliver of land along its eastern edge is reserved under the MRS as 'Primary Regional Road' to facilitate a future upgrading of Stock Road to a six-lane controlled access highway and is unaffected by this proposal.

The site has been completely developed and subdivided for single residential housing with the land's public open space obligation satisfied by way of a cash-in-lieu contribution.

The land is therefore proposed to be rezoned from 'Development' to the directly correlating zone (and density coding) identified on the Structure Plan Map shown in **Appendix J**.



Lots 811 & 812 Fawcett Road, Lake Coogee – 5U

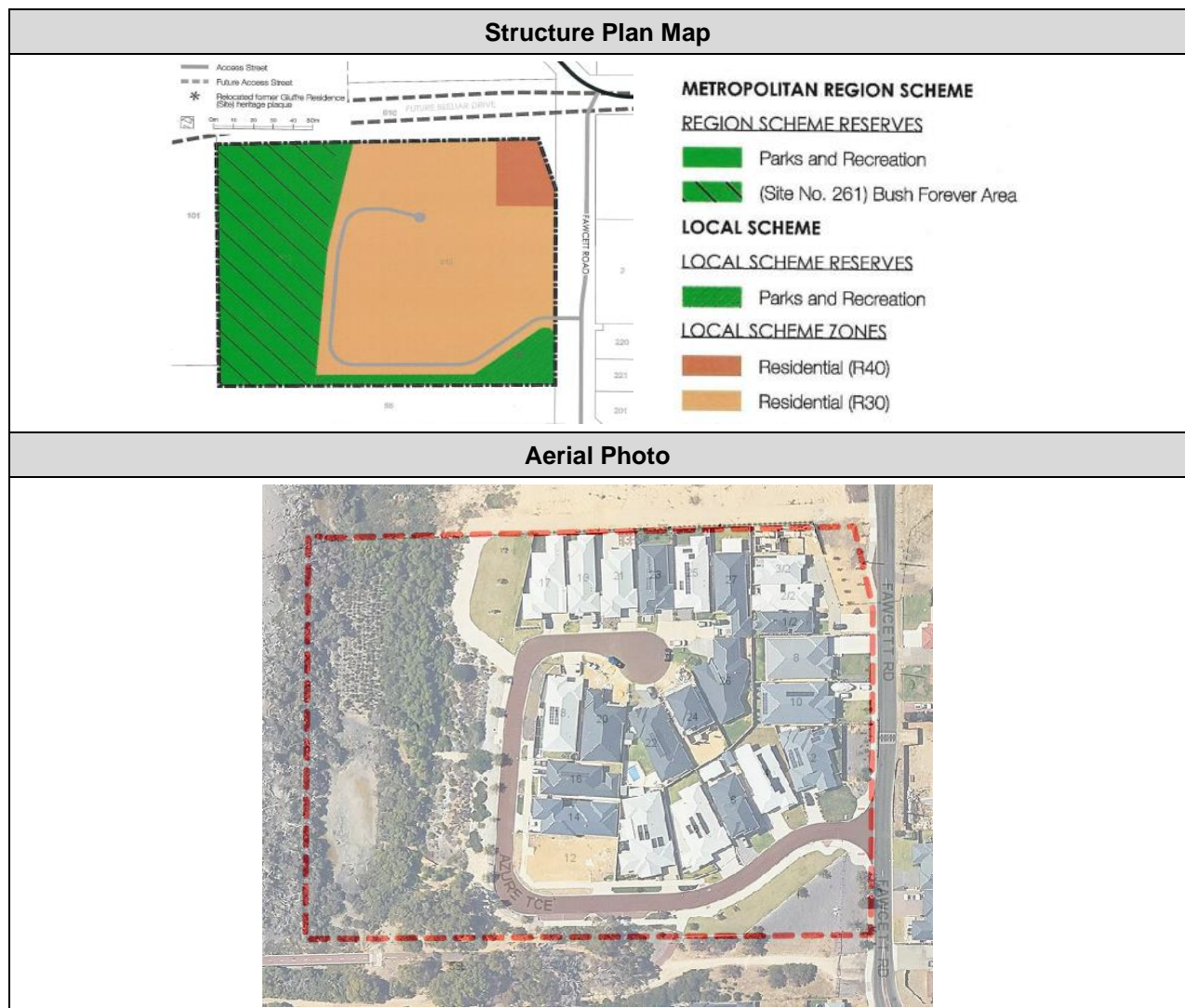
Located in the northwest corner of DA5 (west of Fawcett Road), this structure plan identifies one new local road (cul-de-sac) and a POS reserve along its southern edge principally servicing low (R30) density single residential housing.

A pocket of R40 is located in the northeast corner to coordinate vehicular access in anticipation of expected limitations associated with the future upgrade of Beelihar Drive, including its intersection with Fawcett Road.

With exception to one vacant R30 coded single house lot, subdivision and development of structure plan is complete.

The large reserve covering the western third of the land (Azure Park) is reserved for 'Parks and Recreation' and identified as part of Bush Forever Site 261 (Lake Coogee) in the MRS. This land is unaffected by this proposal.

Otherwise, all the land within this Structure Plan is proposed to be rezoned and/or reclassified from the 'Development' zone to the correlating zone and/or reserve identified on the Structure Plan Map shown in **Appendix K**.

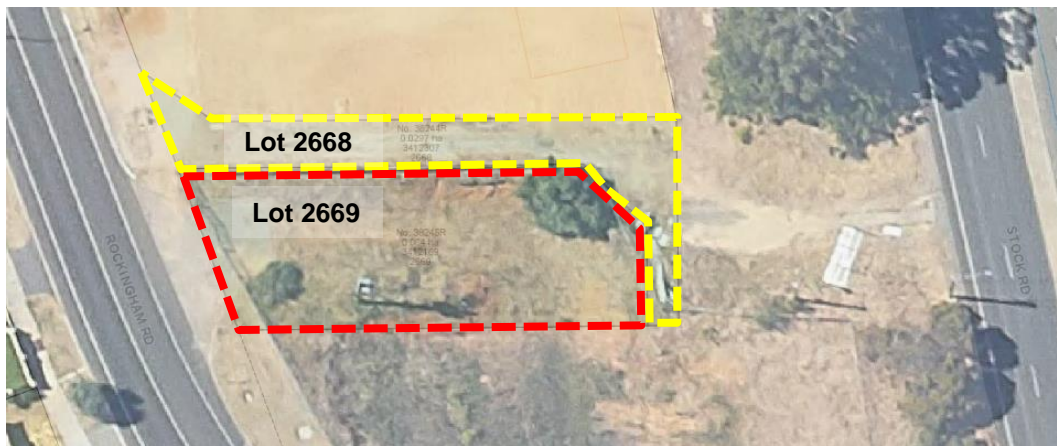


Other Crown/Government Corporation Landholdings

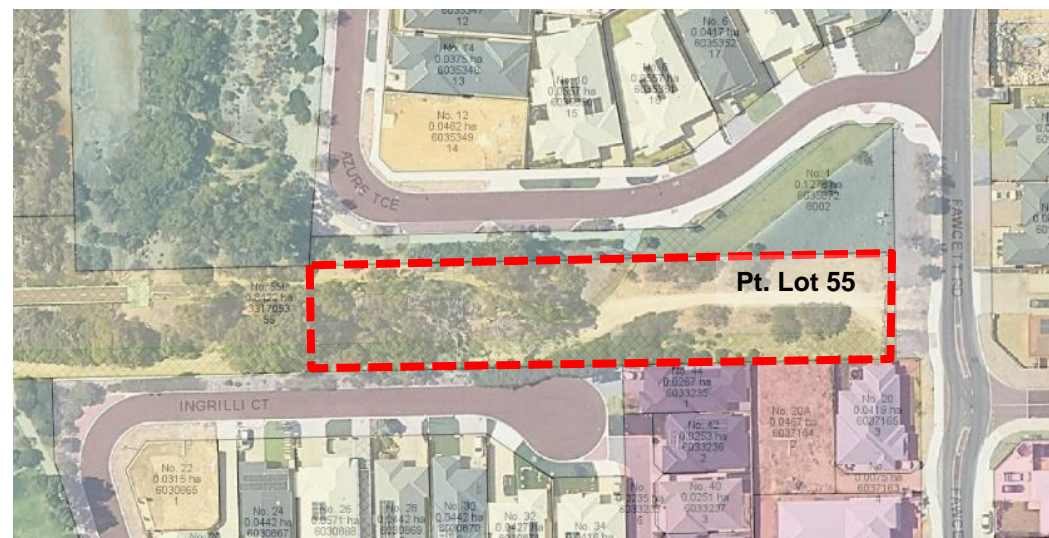
Scattered around the periphery of DA5 are also a number of Crown Reserves or Government landholdings that are not included within any approved Structure Plan.

To bring the TPS into greater consistency with the physical situation on the ground, this proposal includes incorporating these areas within Local Scheme Reserves that match their existing tenure and established use, as described in the following table:

Location	Current TPS Designation	Current Use	Proposed Local Reservation
Lot 2668 Rockingham Road (Reserve #38244)	Development Zone	Access and Public Utilities	Parks and Recreation
Lot 2669 Rockingham Road (Reserve #38245)	Development Zone	Drainage Sump	Lakes and Drainage



Part Lot 55 Fawcett Road	Development Zone	(Public Access Way/ Water Corporation Sewer Infrastructure Corridor)	Public Purpose – Water Corporation
--------------------------	------------------	---	---------------------------------------



6.0 CONCLUSION

For the following reasons, it is now an appropriate time for the structure plans discussed above to be revoked, and the applicable zones and reserves rationalised into the scheme:

- all public reserves (including local roads, drainage, public open space and public purpose reserves) have been suitably constructed/embellished and transferred into public or utility provider ownership;
- all zoned land on the endorsed structure plans have been substantially subdivided and/or developed for commercial or residential purposes; and
- where further subdivision and/or development is still to occur on private landholdings, the proposed zoning is consistent with the designation that would have applied under the applicable structure plan.

Recognising these zones and reserves within TPS3 will:

- avoid the future need to seek WAPC approval to extend the approval the approval period of the existing structure plans; and
- remove a redundant layer of planning control; whilst still
- ensuring the City maintains appropriate mechanisms to guide and control future redevelopment of land (including the same range of permissible land uses and associated development standards as currently apply), consistent with current community expectations.

The other changes proposed reflect good contemporary planning practice that do not pose a significant adverse impact on surrounding development.

POSTSCRIPT: Inclusion of Minister's modifications

Modifications required by the Minister for Planning were outlined in correspondence dated 20 December 2024 sent to the City of Cockburn and are set out further below.

In carrying out these modifications, the Council resolution dates are not modified.

In the interests of posterity and to provide some clarity to persons who may compare the original recommendation and/or Council minutes to these documents and/or the amended version of Town Planning Scheme No. 3, below are the Minister modifications:

- i. Replace point one of the amending text with the following:
 1. Rezoning various lots within 'Development Area 5' from 'Development' to 'Residential (R25)', 'Residential (R30)', 'Residential (R40)' and 'Residential (R60)', as depicted on the Scheme Amendment Map.
- ii. Remove the proposal relating to Lot 2688 Rockingham Road, Reserve 38244 from the proposed scheme amendment map

In relation to point ii above, by the removal of Lot 2688 Rockingham Road (Reserve 38244) from this scheme amendment, this site will remain zoned 'Development' and within the 'Development Area 5' Special Control Area.

PLANNING AND DEVELOPMENT ACT 2005

CITY OF COCKBURN

TOWN PLANNING SCHEME NO.3

AMENDMENT NO.173

RESOLVED that 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. Rezoning various lots within 'Development Area 5' from 'Development' to 'Residential (R25)', 'Residential (R30)', 'Residential (R40)' and 'Residential (R60)', as depicted on the Scheme Amendment Map.
2. Reclassifying land within 'Development Area 5' from the 'Development' zone to a local reserve for 'Parks and Recreation', 'Lakes and Drainage', 'Public Purposes – Water Corporation', or 'Local Road', as depicted on the Scheme Amendment Map.
3. Reducing the extent of the 'Development Area 5' (DA5) special control area boundary, as depicted on the Scheme Amendment Map.

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

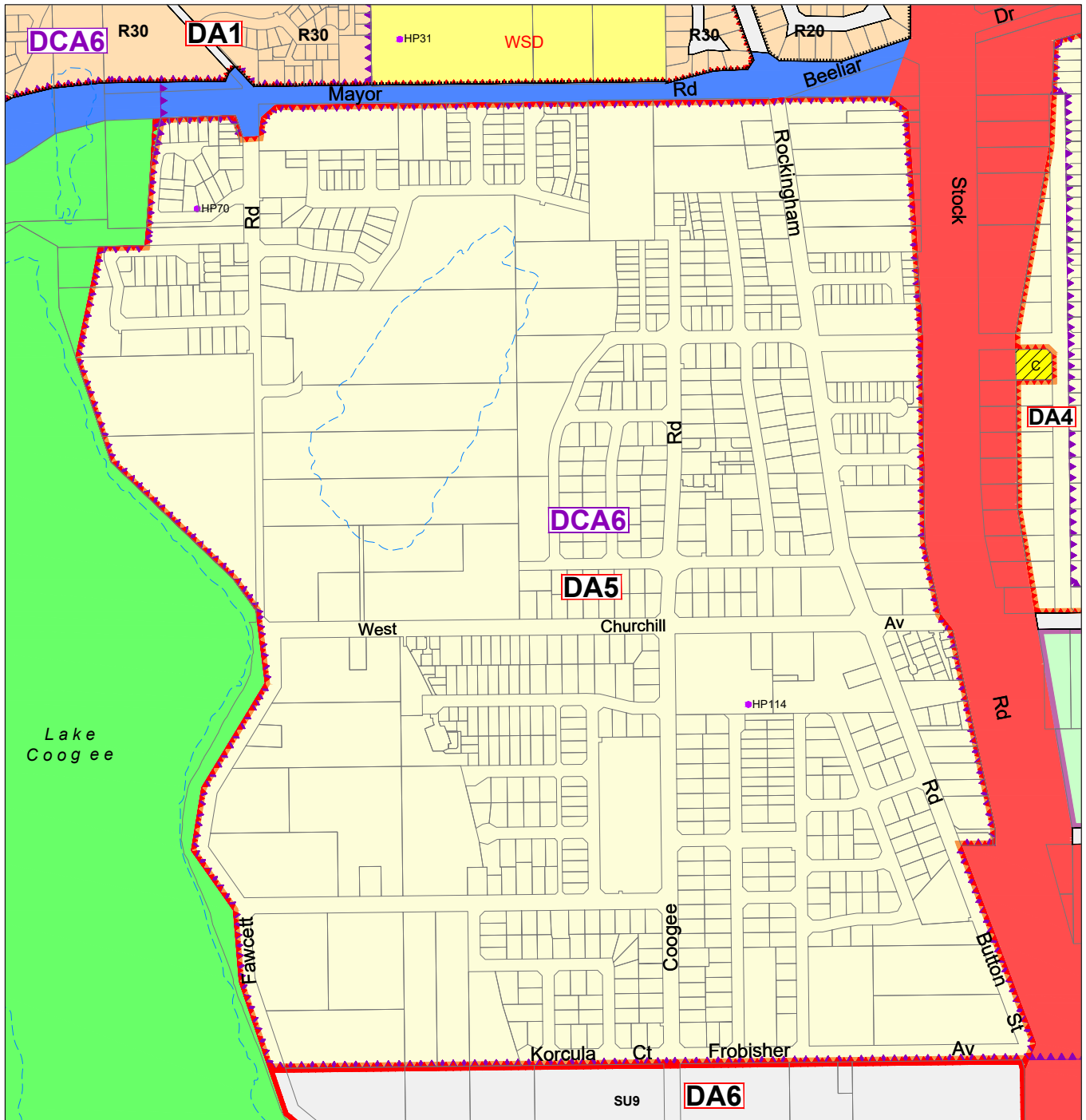
- *It is an amendment the local planning scheme that involves zoning land consistent with an approved structure plan for the same land and/or is*
- *Proposing zoning/reservation changes that are purely administrative in nature.*

Pursuant to Regulation 35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the amendment to the above Local Planning Scheme affects the following structure plan(s):

Structure Plan #	Address	Latest WAPC Endorsement	WAPC Reference
5G	Lots 3 & 4 West Churchill Avenue, Munster (Lake Coogee)	18/2/2010	801/2/23/0005P 2V
5H	Lot 18 Rockingham Road, Munster (Lake Coogee)	16/5/2013	SPN/0321

Structure Plan #	Address	Latest WAPC Endorsement	WAPC Reference
5I	Lot 19 Rockingham Road, Munster (Lake Coogee)	31/10/2014	SPN/0503/1
5K	Lot 107 Hobsons Avenue, Munster (Lake Coogee)	23/12/2014	SPN/0647
5L	Lot 6 West Churchill Avenue, Munster (Lake Coogee)	Not Required	N/A
5M	Lot 116 West Churchill Avenue, Munster (Lake Coogee)	Not Required	N/A
5N	Lot 20 Rockingham Road, Munster (Lake Coogee)	22/09/2015	SPN/0707
5O	Lot 3 Rockingham Road, Munster (Lake Coogee)	03/05/2016	COCK/2015/4
5Q	Lot 6 Rockingham Road, Munster (Lake Coogee)	11/09/2017	SPN/2102
5S	Lots 35 & 36 Rockingham Road, Lake Coogee	20/12/2018	SPN/2143
5U	Lots 811 & 812 Fawcett Road, Lake Coogee	23/07/2019	SPN/2192

Upon the amendment taking effect the approved structure plans are to be revoked.



Current Scheme Map

GENERAL

Residential Density Codes

Heritage Place

SPECIAL CONTROL AREAS:

Development Areas

Development Contribution Areas

REGION RESERVES

Parks & Recreation

Primary Regional Roads

Other Regional Roads

Public Purposes - Water Authority of WA

LOCAL RESERVES

Local Road

Public Purposes - Civic

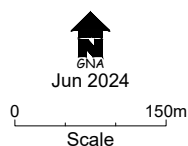
ZONES

Residential

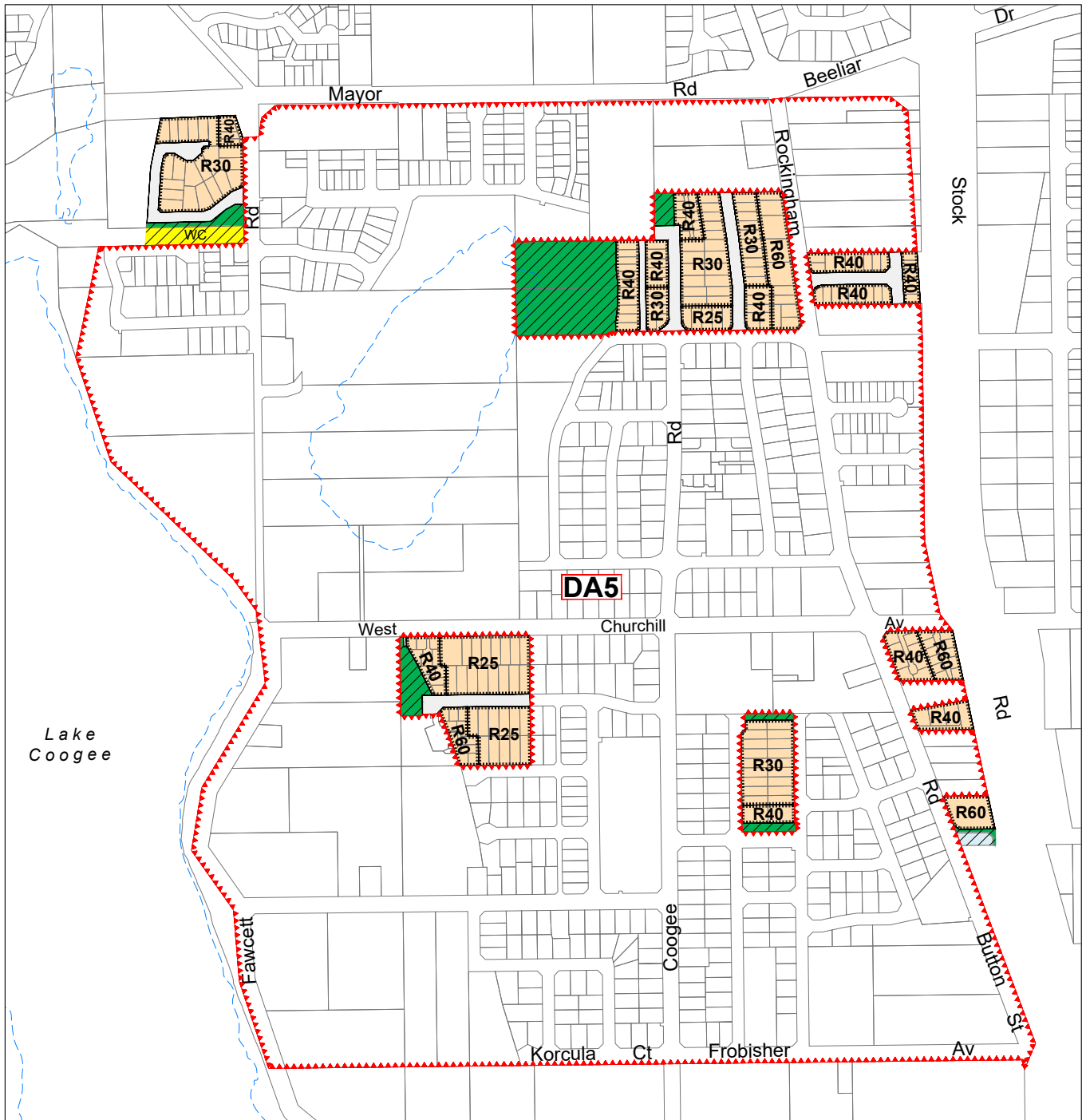
Development

Special Use

Rural Living



Amendment No.173 Town Planning Scheme No.3



Scheme Amendment Map

GENERAL

R20 Residential Density Codes

SPECIAL CONTROL AREAS:

DA1 Development Areas

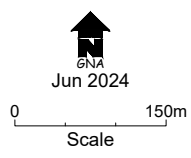
REGION RESERVES

LOCAL RESERVES

- Parks and Recreation
- Lakes and Drainage
- Local Road
- Public Purposes - Water Corporation

ZONES

Residential

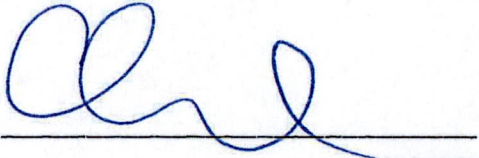


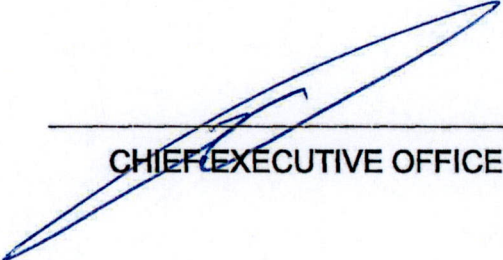
Amendment No.173 Town Planning Scheme No.3

This Basic Amendment was adopted and is recommended for approval by resolution of the City of Cockburn at the Ordinary Meeting of the Council held on the 4th day of July 2024, 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:

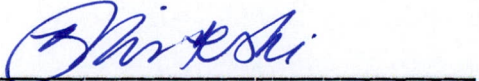


(Seal)


MAYOR


CHIEF EXECUTIVE OFFICER

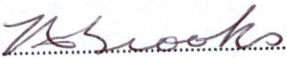
WAPC ENDORSEMENT (r.63)


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

DATE 17/01/2025

APPROVAL GRANTED

It is hereby certified that this is a true copy of the Scheme/Amendment, final approval to which was endorsed by the Minister for Planning on 29/1/2025

Certified by 

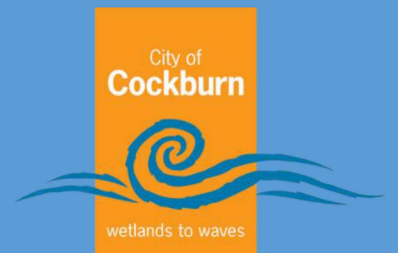
Officer of the Commission Duty authorised pursuant to Section 24 of the Planning and Development Act 2005 and Regulation 32(3) Scheme and Regulation 33(3) (Amendment) of the Planning and Development (Local Planning Scheme) Regulations 2015.

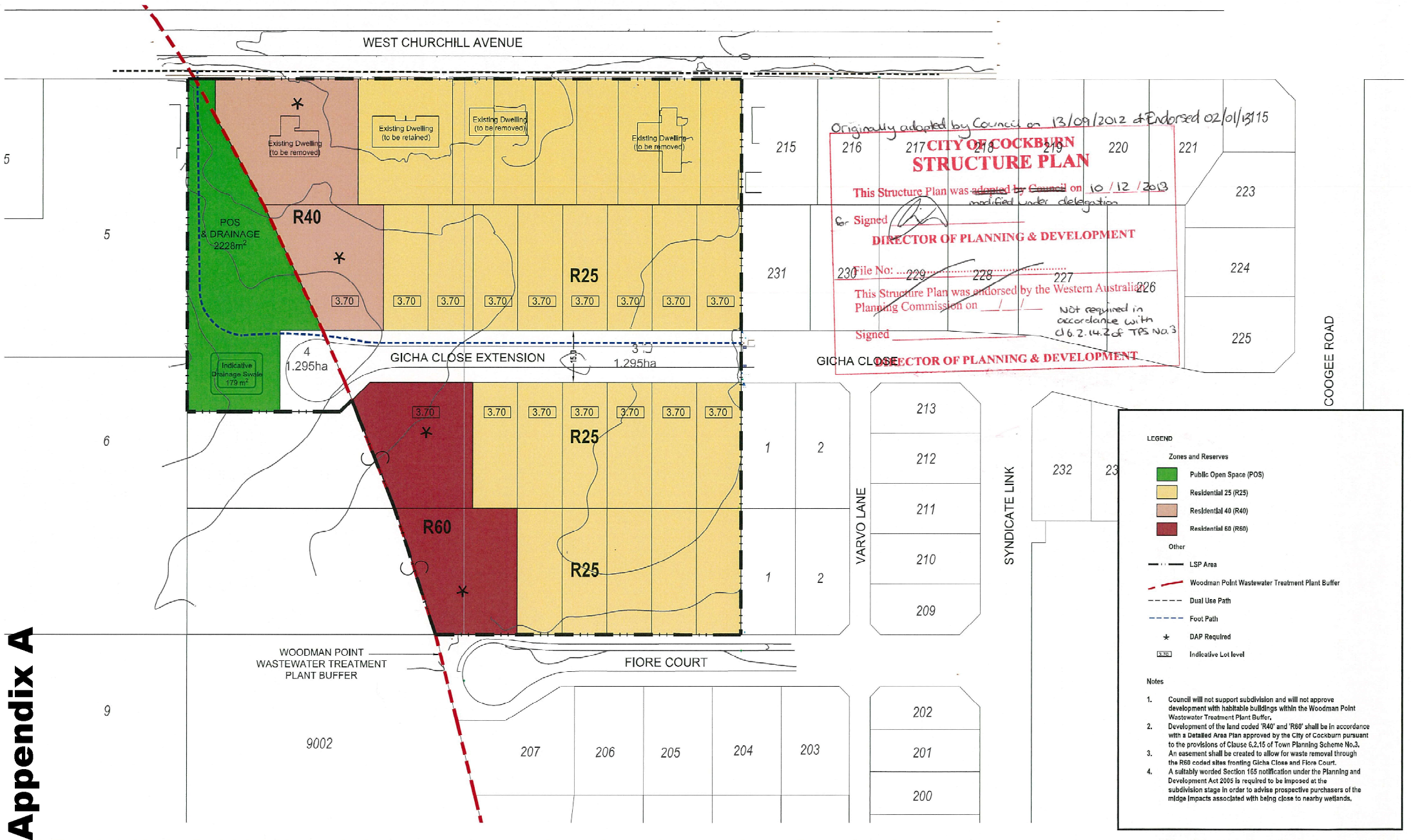
MINISTER FOR PLANNING

DATE _____

APPENDICES A-K

Current Approved Structure Plans






Originally adopted by Council on 13/09/2012 & Endorsed 02/01/2015

**CITY OF COCKBURN
STRUCTURE PLAN**

This Structure Plan was adopted by Council on 10/12/2013 modified under delegation

Signed  **DIRECTOR OF PLANNING & DEVELOPMENT**

File No: 229 / 228 / 227

This Structure Plan was endorsed by the Western Australian Planning Commission on / /

Signed _____ **DIRECTOR OF PLANNING & DEVELOPMENT**

Not required in accordance with cl 6.2.14.2 of TPS No.3

LEGEND

Zones and Reserves

- Public Open Space (POS)
- Residential 25 (R25)
- Residential 40 (R40)
- Residential 60 (R60)

Other

- LSP Area
- Woodman Point Wastewater Treatment Plant Buffer
- Dual Use Path
- Foot Path
- DAP Required
- Indicative Lot Level

Notes

- Council will not support subdivision and will not approve development with habitable buildings within the Woodman Point Wastewater Treatment Plant Buffer.
- Development of the land coded 'R40' and 'R60' shall be in accordance with a Detailed Area Plan approved by the City of Cockburn pursuant to the provisions of Clause 6.2.15 of Town Planning Scheme No.3. An assessment shall be created to allow for waste removal through the R60 coded sites fronting Gicha Close and Fiore Court.
- A suitably worded Section 165 notification under the Planning and Development Act 2005 is required to be imposed at the subdivision stage in order to advise prospective purchasers of the midge impacts associated with being close to nearby wetlands.

VARIATION TO LOCAL STRUCTURE PLAN

Lots 3 & 4 West Churchill Avenue

MUNSTER

DYKSTRA PLANNING

Subdivision, Rezoning, Structure Planning, Development Planning, Design, Advocacy

2953 Albany Highway, Kalamscott WA 6111

T: 9495 1947
F: 9495 1946
admin@dykstra.com.au

6 November 2013

Plan 1

Notes:

- This document may only be used for the purpose for which it was commissioned and in accordance with the Terms of Engagement.
- The dimensions, areas and number of lots are subject to survey and also the requirements of all authorities.

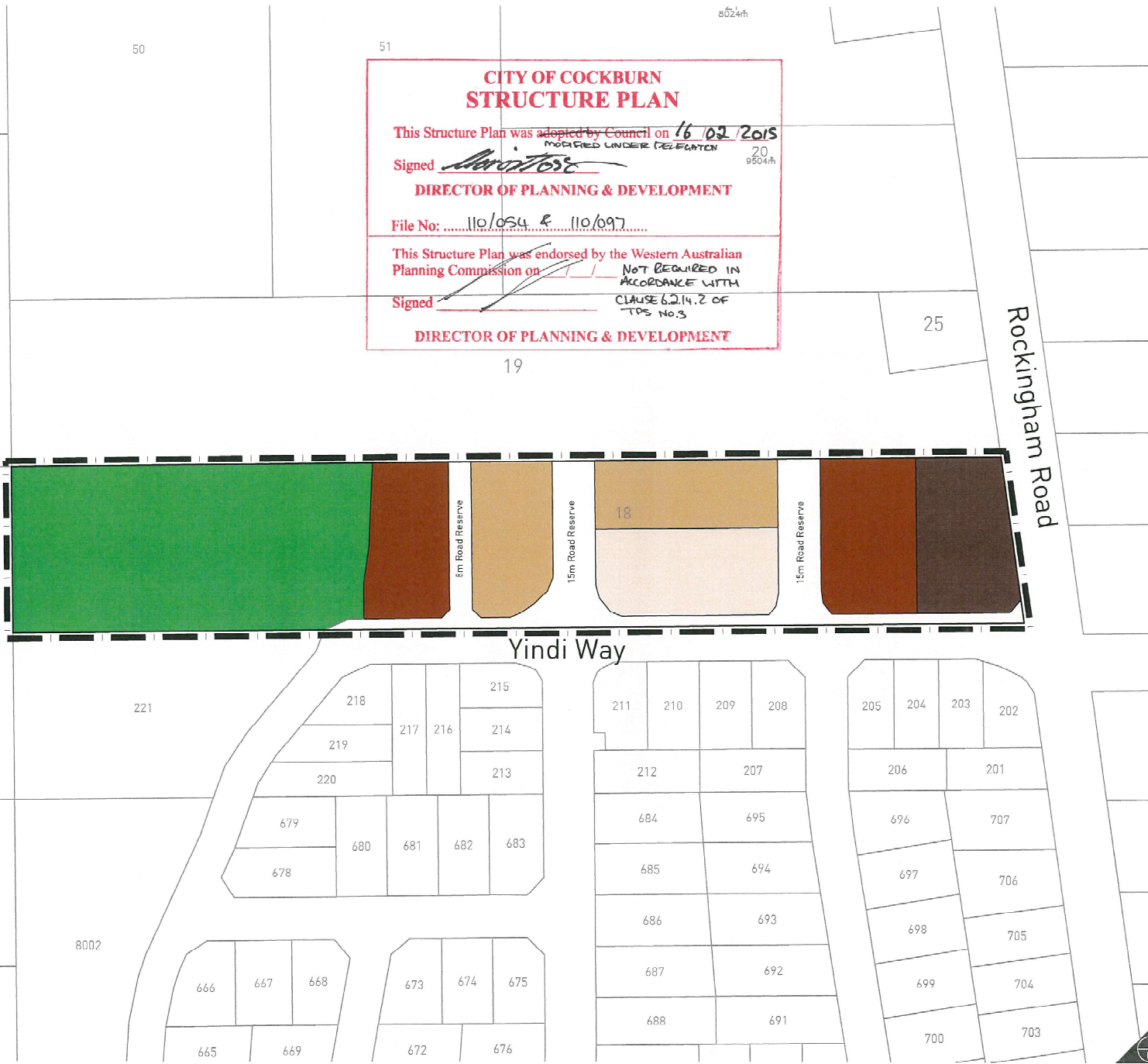
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12950-LSP-F3&F4-120807-B

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Amended Local Structure Plan

N:\TOWN PLANNING\7000-7999\7214\DRAWING\A-CAD\7214_LSP03A_20141204_MUNSTER (AMENDED LSP - LOT 18) DWG



**CITY OF COCKBURN
STRUCTURE PLAN**

This Structure Plan was adopted by Council on 16 02 2015
MODIFIED UNDER DELEGATION

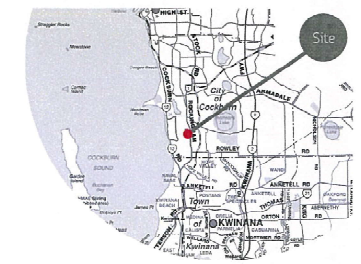
Signed [Signature] 20 0504rh
DIRECTOR OF PLANNING & DEVELOPMENT

File No:110/054 & 110/097.....

This Structure Plan was endorsed by the Western Australian
Planning Commission on 16 02 2015
NOT REQUIRED IN ACCORDANCE WITH
CLAUSE 6.2.14.2 OF
TOS No.3

Signed [Signature]
DIRECTOR OF PLANNING & DEVELOPMENT

Planning Design Delivery



- RESIDENTIAL**
- Residential - R25
 - Residential - R30
 - Residential - R40
 - Residential - R60
- PARKS, RECREATION & CONSERVATION**
- Public Open Space
- OTHER**
- Structure Plan Boundary



REVISIONS

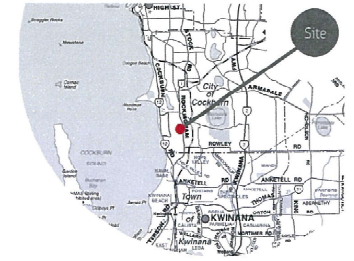
Rev	Date	Drawn
A	2014.12.04	M. Sullivan



W: www.rowegroup.com.au
E: info@rowegroup.com.au
P: 08 9221 1991

Date Drawn: 2014-12-04
Job Ref: 7214
Scale: 1:2000 @ A4
Client: Rainstone Holdings Pty Ltd
Designer: D. Hollingworth
Drawn: M. Sullivan
Projection: MGA50 GDA94
Plan ID: 7214-LSP-03-A
Cadastral supplied by LANDGATE

**Lot 18 Rockingham Road
Munster**



- RESIDENTIAL**
- Residential - R30
 - Residential - R40
 - Residential - R60
- PARKS, RECREATION & CONSERVATION**
- Public Open Space
- OTHER**
- Structure Plan Boundary

0 30 Metres

REVISIONS

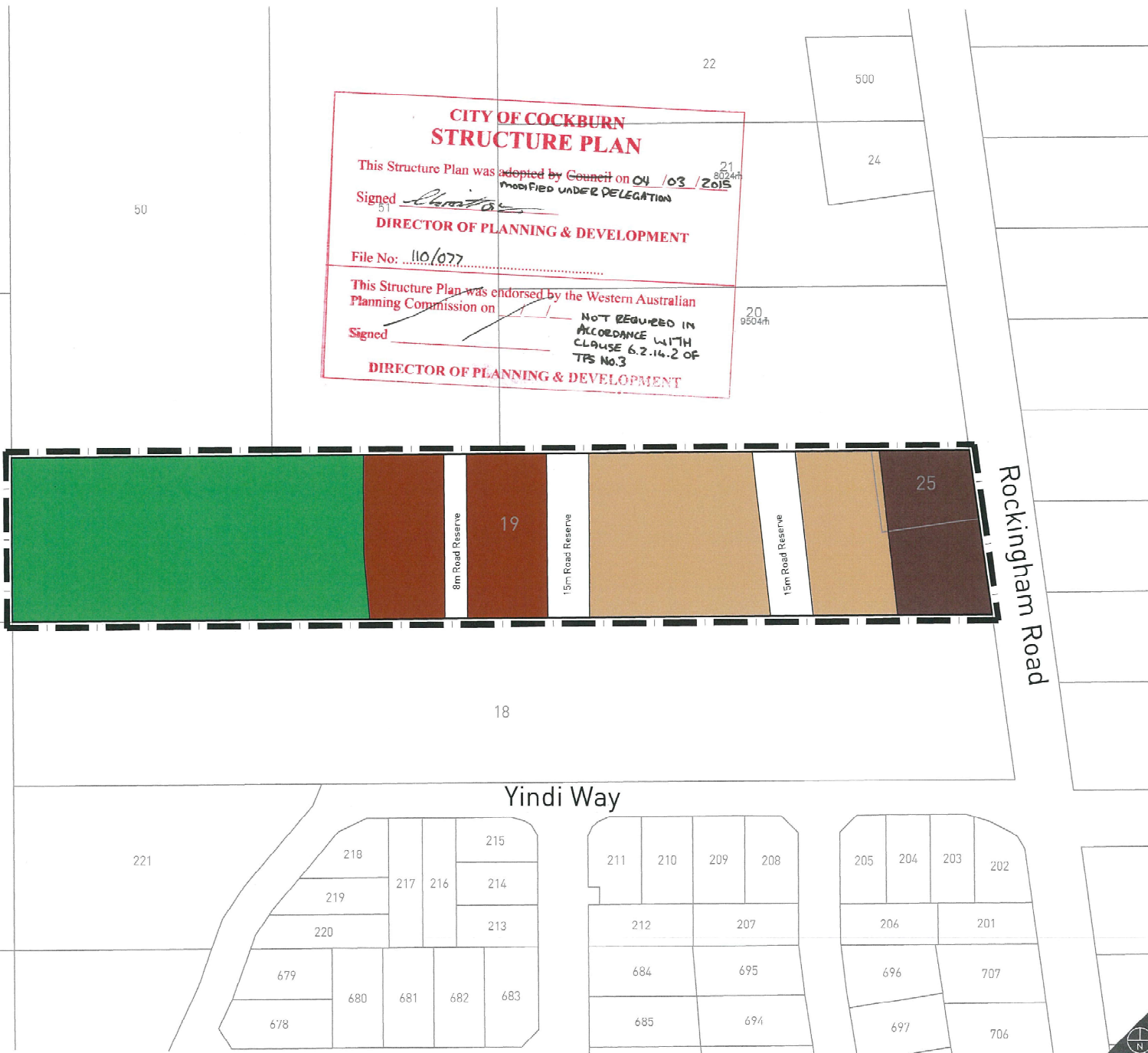
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A	2014.12.02	M. Sullivan



w: www.rowegroup.com.au
e: info@rowegroup.com.au
p: 08 9221 1991

Date Drawn: 2014-12-02
Job Ref: 7214
Scale: 1:2000 @ A4
Client: R & M Garbin and C & J Simunovich
Designer: D. Hollingworth
Drawn: M. Sullivan
Projection: MGA50 GDA94
Plan ID: 7214-LSP-02-A

Cadastre supplied by LANDGATE



**CITY OF COCKBURN
STRUCTURE PLAN**

This Structure Plan was adopted by Council on 04 / 03 / 2015
MODIFIED UNDER DELEGATION

Signed *[Signature]*
DIRECTOR OF PLANNING & DEVELOPMENT

File No: 110/077

This Structure Plan was endorsed by the Western Australian Planning Commission on *[Signature]*
NOT REQUIRED IN ACCORDANCE WITH CLAUSE 6.2.14.2 OF TPS No.3

Signed *[Signature]*
DIRECTOR OF PLANNING & DEVELOPMENT

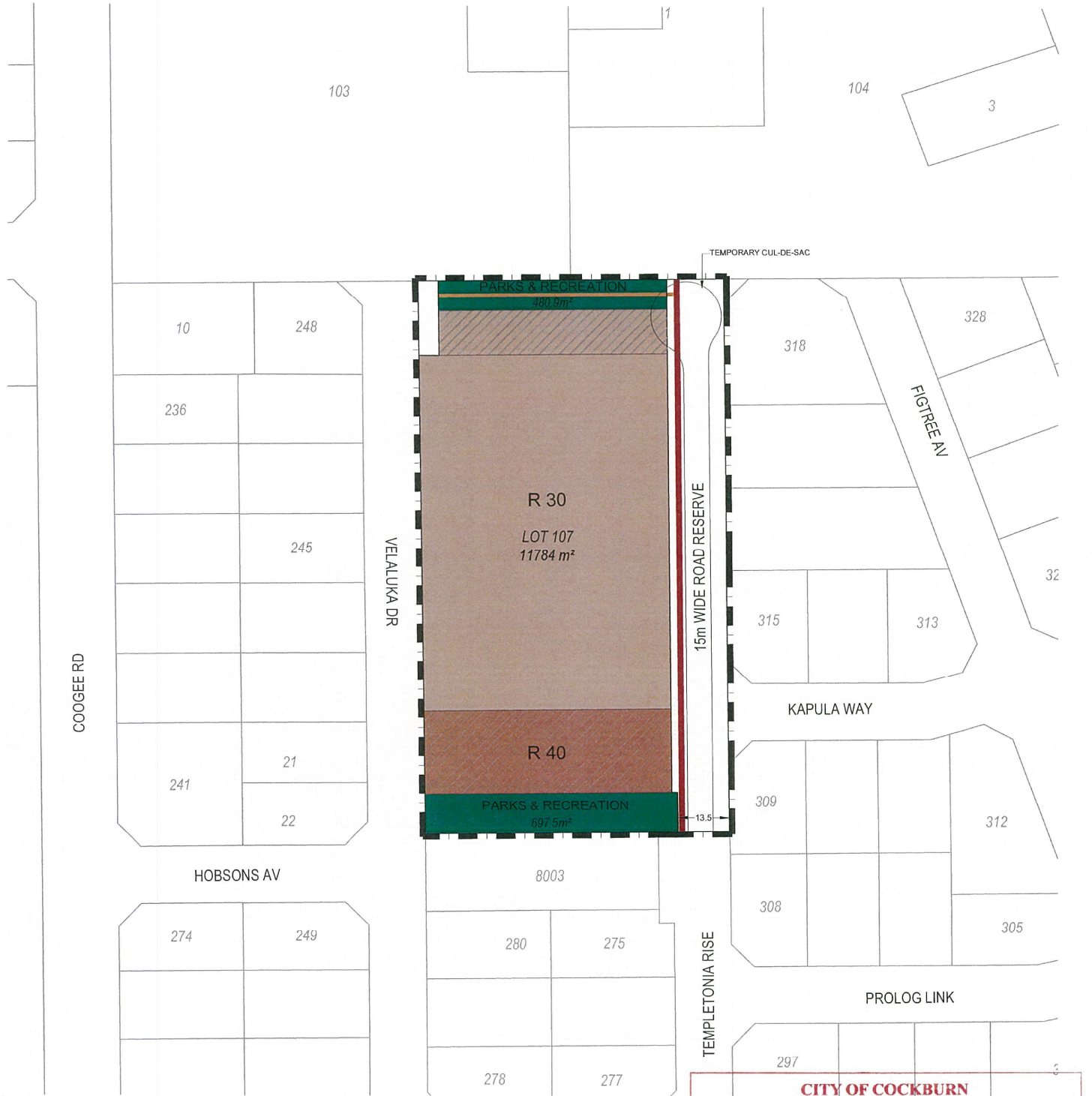
Amended Local Structure Plan

NATOWN PLANNING\17000-7999\9214\1\DRAWING\A-CAD\7214_LSP02A_20141202 MUNSTER (AMENDED LSP) DWG
Matt Sullivan 9 December 2014

Appendix C

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Appendix D



LEGEND

Zones and Reserves

- Residential 30 (R30)
- Residential 40 (R40)
- Parks & Recreation

Other

- LSP Area
- Dual Use Path
- Pedestrian Path
- Detailed Area Plan Required

**CITY OF COCKBURN
STRUCTURE PLAN**

This Structure Plan was adopted by Council on 11/9/14

Signed _____
DIRECTOR OF PLANNING & DEVELOPMENT

File No: 110/098

This Structure Plan was endorsed by the Western Australian Planning Commission on 23/12/14

Signed _____
DIRECTOR OF PLANNING & DEVELOPMENT

Harley Dykstra
PLANNING & SURVEY SOLUTIONS

Subdivision, Rezoning, Structure Planning, Development Planning, Design, Advocacy
PO Box 316 Kelmescott WA 6991
Level 1/252 Fitzgerald St, Perth
T: (08) 9228 9291
6/2954 Albany Highway, Kelmescott
T: (08) 9495 1947

LOCAL STRUCTURE PLAN

Lot 107 Hobsons Avenue MUNSTER

17 September 2014

1:1000 @ A3

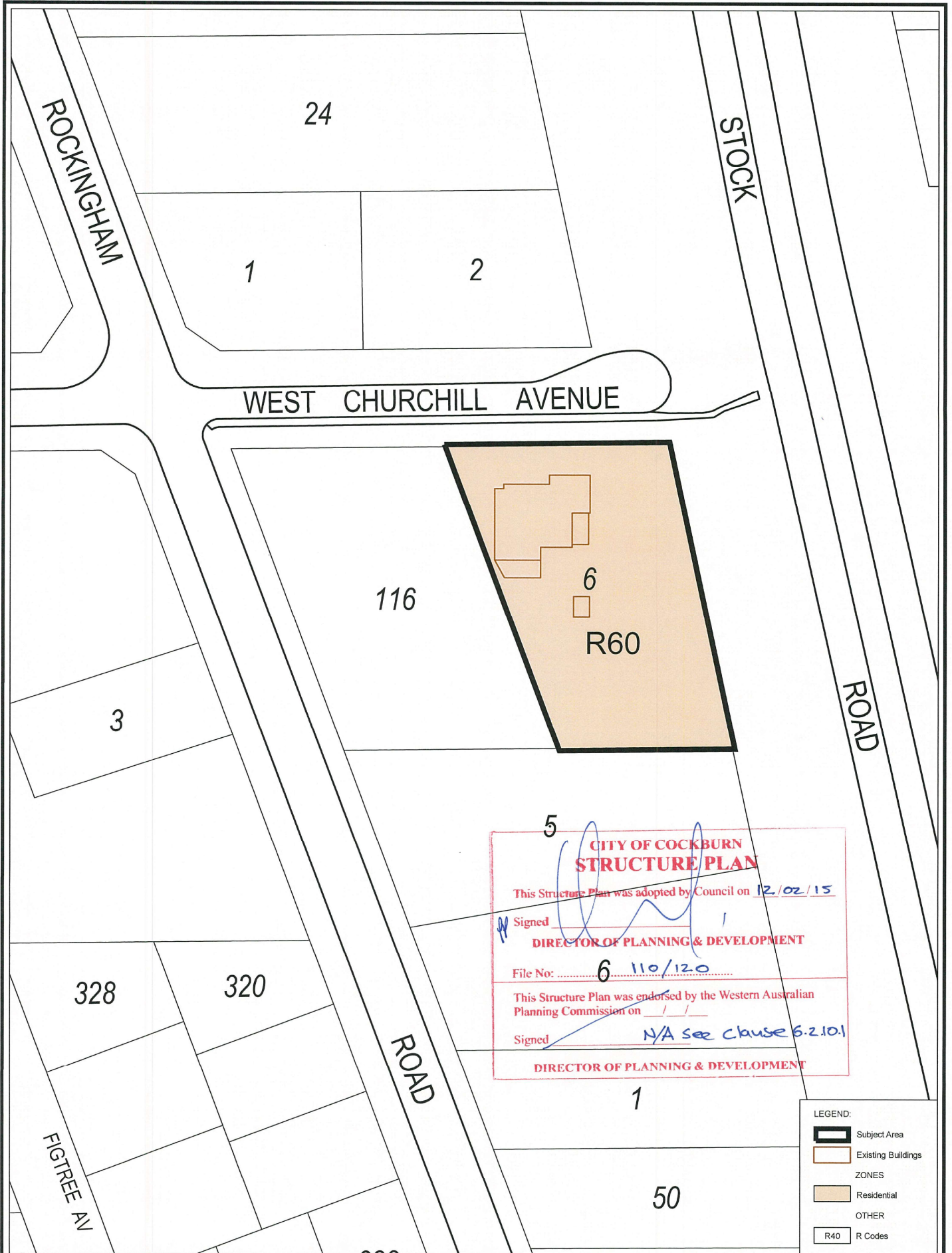
Plan 1

Notes:

- This document may only be used for the purpose for which it was commissioned and in accordance with the Terms of Engagement.
- The dimensions, areas and number of lots are subject to survey and also the requirements of all authorities.

20038-LSP-F3-P1-140213-C

Appendix E



LEGEND:

	Subject Area
	Existing Buildings
ZONES	
	Residential
	OTHER
	R Codes

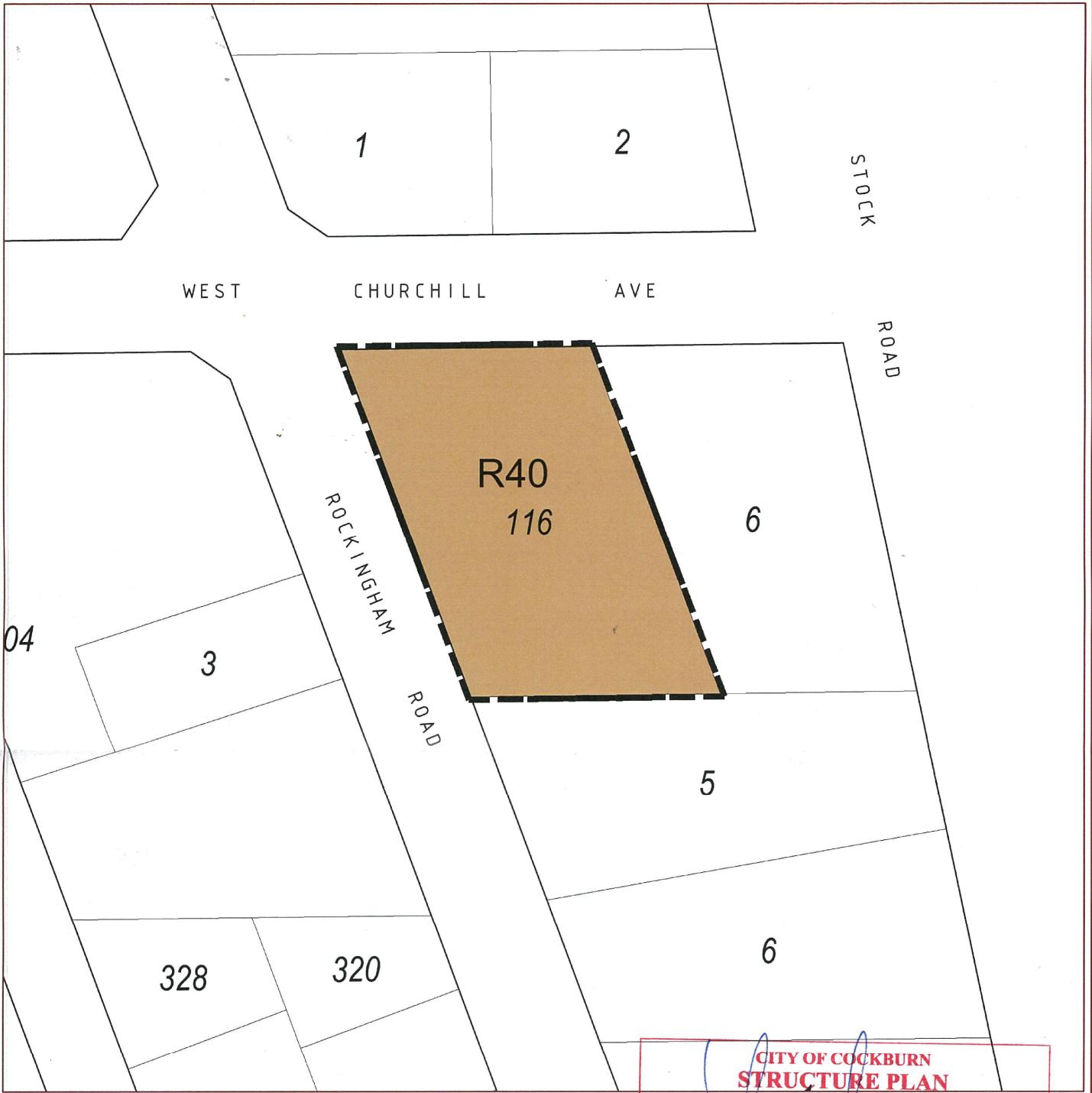
PLAN 1 - LOCAL STRUCTURE PLAN MAP
 LOT 6 (No. 90) WEST CHURCHILL AVENUE
 MUNSTER

PREPARED BY:
 VANGUARD PLANNING SERVICES

 SCALE 1:1000 @ A4
 DATE: OCTOBER 2014



Appendix F

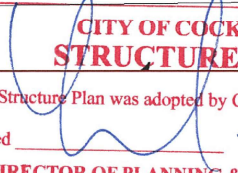


LEGEND

	SUBJECT LAND	ZONES		RESIDENTIAL
---	--------------	--------------	---	-------------

**CITY OF COCKBURN
STRUCTURE PLAN**

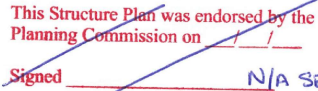
This Structure Plan was adopted by Council on 12 / 02 / 15

Signed 

DIRECTOR OF PLANNING & DEVELOPMENT

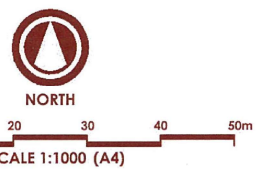
File No: 110 / 114

This Structure Plan was endorsed by the Western Australian Planning Commission on 13 / 10 / 14

Signed 

DIRECTOR OF PLANNING & DEVELOPMENT

PLAN 1



**LOCAL STRUCTURE PLAN
LOTS 116 ROCKINGHAM ROAD
MUNSTER**

burgess design group
TOWN PLANNING + URBAN DESIGN

PO Box 8779, Perth Business Centre 6849 P (08) 9328 6411
www.burgessdesigngroup.com.au F (08) 9328 4062

Planner: JD/ZM
Client: E&G Developments
Date: 13.10.14
Plan No: EGD ROC 2-01

**CITY OF COCKBURN
STRUCTURE PLAN**

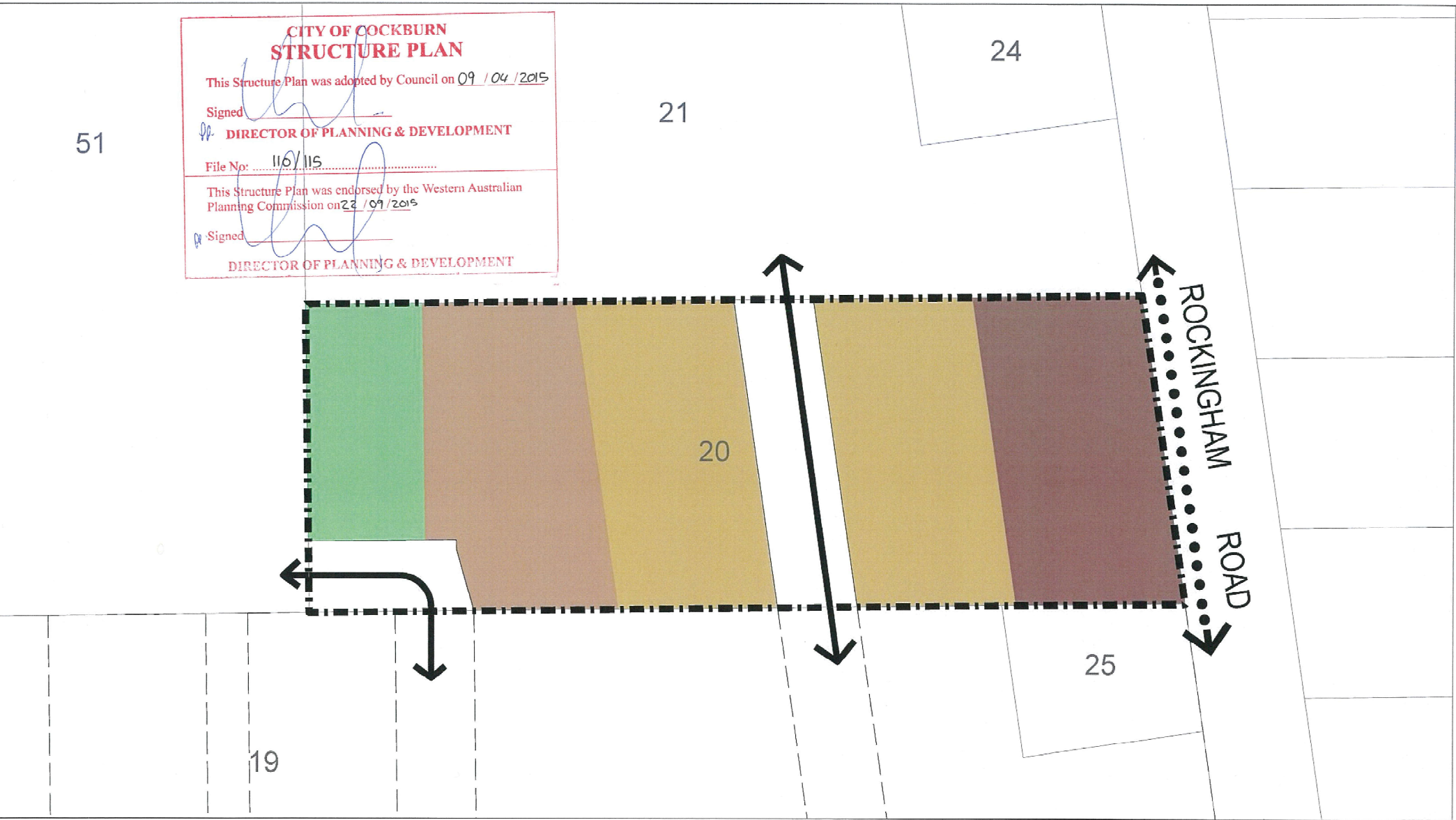
This Structure Plan was adopted by Council on 09 / 04 / 2015

Signed: 
 PP: **DIRECTOR OF PLANNING & DEVELOPMENT**


File No: 116/116

This Structure Plan was endorsed by the Western Australian
 Planning Commission on 22 / 09 / 2015

Signed: 
 PP: **DIRECTOR OF PLANNING & DEVELOPMENT**



Plan No. : 20319-2
 Revision : REV.4
 Scale : 1:1000@A4



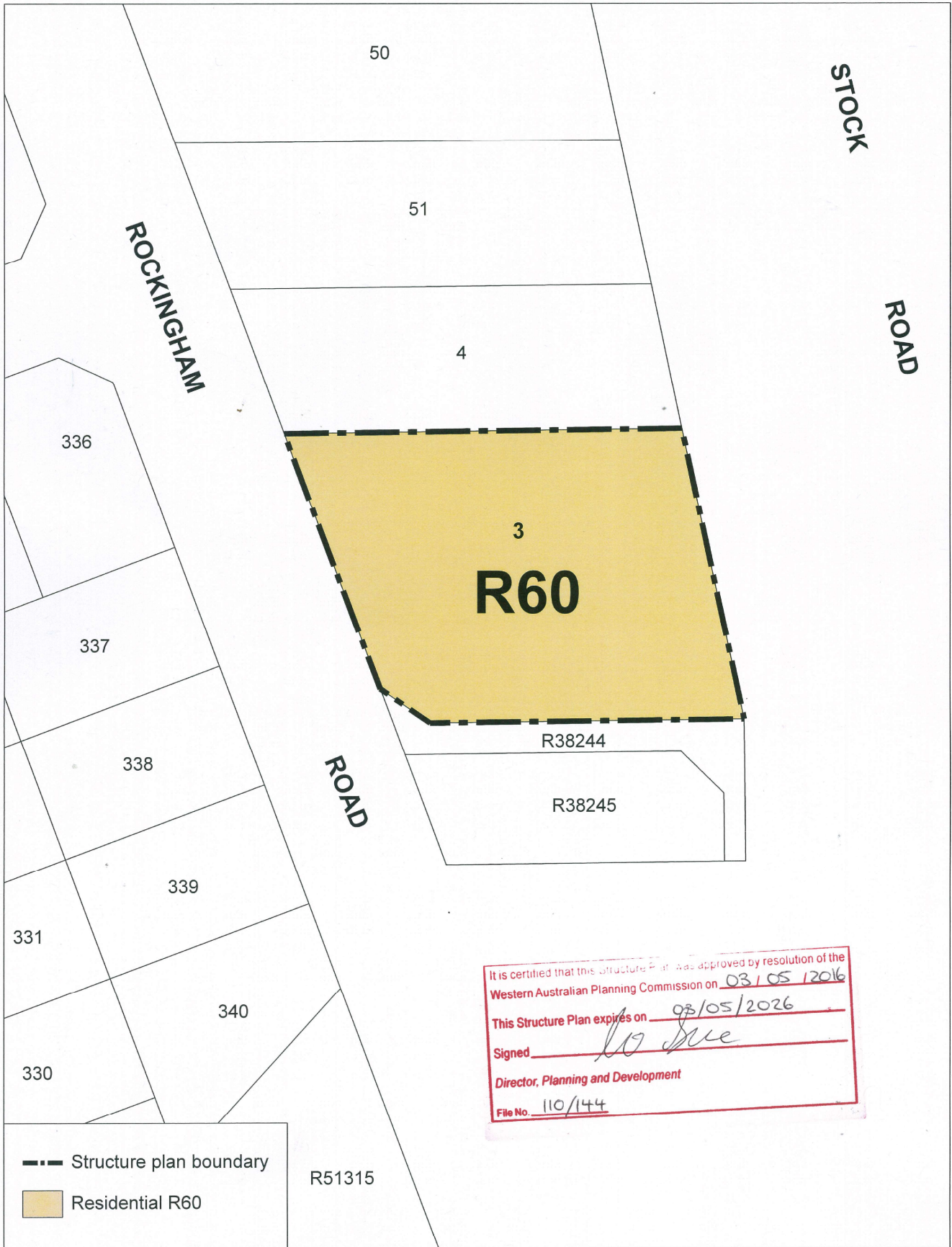
LEGEND		ZONES/RESERVES	
● ● ●	Pathway - Dual Use Path		Parks and Recreation
--- ---	Structure Plan Boundary		R30 Residential
— — —	Local Access Roads (Indicatively shown with final design at subdivision stage)		R40 Residential
			R60 Residential

**LOCAL STRUCTURE PLAN
 LOT 20 ROCKINGHAM ROAD
 MUNSTER**

Plan 1

DATE DRAWN: 12/03/2015 FILE: 140813 LSP Rockingham Road Munster.dgn
 DRAWN BY: CdeL V DATUM: AHD
 CHECKED BY: JP H DATUM: MGA94 (50)

Appendix H

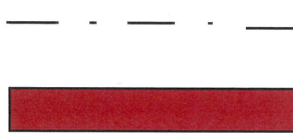


STRUCTURE PLAN


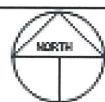
LOT 3 ROCKINGHAM ROAD, MUNSTER

Appendix I

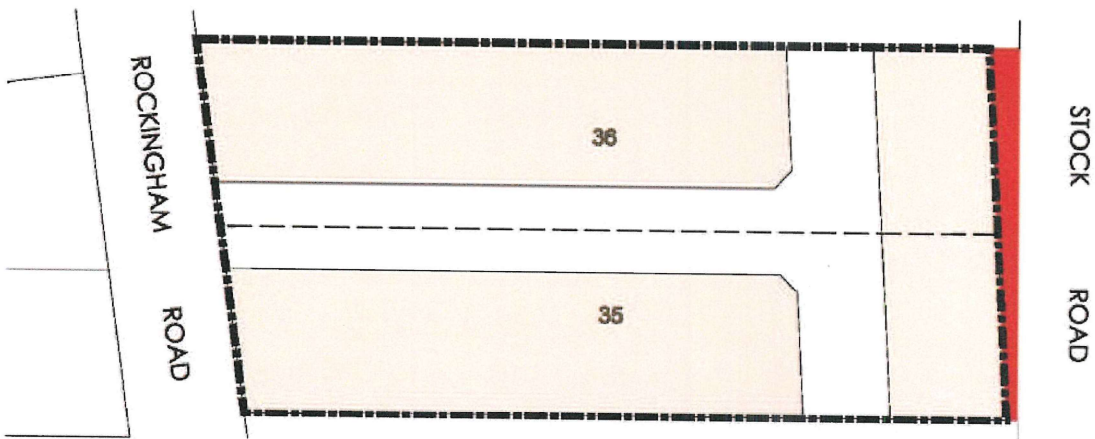
7. Plan 1 - Structure Plan



It is certified that this Structure Plan was approved by resolution of the Western Australian Planning Commission on 11/9/2017
 This Structure Plan expires on 11/9/2027
 Signed: *[Signature]*
 Director, Planning and Development
 File No. 110/167


 549 MEARES WAY, CANNINGVALE WA 6155 MOBILE: 0407 018 147 WEB: WWW.KRESWA.COM.AU	COPYRIGHT: THESE PLANS SHALL REMAIN SOLE PROPERTY OF KRES CONSTRUCTION PTY LTD AND MUST NOT BE GIVEN, COPIED OR REPRODUCED WITHOUT PERMISSION OF KRES CONSTRUCTION PTY LTD.	LOT 6 (#630) ROCKINGHAM ROAD, MUNSTER 6168	NU EDGE PROPERTY P/L CITY OF COCKBURN	Scale A4: 1 : 1500
		REV1: 16/2/2017	PLAN 1- STRUCTURE PLAN	JOB NUMBER 1502

Appendix J




LEGEND

REGION SCHEME RESERVE


 Primary Regional Road

LOCAL SCHEME

LOCAL SCHEME ZONE

 Residential (R40)

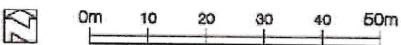
LOCAL SCHEME RESERVE

 Local Road

OTHER CATEGORY

 Structure Plan Boundary

It is certified that this Structure Plan was approved by resolution of the Western Australian Planning Commission on 20 / 12 / 2018
 This Structure Plan expires on 20 December 2028
 Signed *[Signature]*
 Director, Planning and Development
 File No. 110/175



PLAN 1 - Structure Plan Map



Appendix K

It is certified that this Structure Plan was approved by resolution of the Western Australian Planning Commission on 23/7/2019
 This Structure Plan expires on 23/7/2029
 Signed *[Signature]*
 Director, Planning and Development
 File No. 110/191

LEGEND


METROPOLITAN REGION SCHEME

REGION SCHEME RESERVES



-  Parks and Recreation
-  (Site No. 261) Bush Forever Area

LOCAL SCHEME

LOCAL SCHEME RESERVES

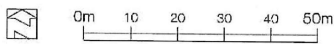
-  Parks and Recreation

LOCAL SCHEME ZONES

-  Residential (R40)
-  Residential (R30)

OTHER CATEGORIES

-  Structure Plan Boundary
-  Neighbourhood Connector 'B'
-  Future Integrator 'B'
-  Access Street
-  Future Access Street
-  Relocated former Giuffre Residence (Site) heritage plaque



PLAN 1 - Structure Plan Map