



Western
Australian
Planning
Commission

CITY OF COCKBURN	
DOC No	
11 MAR 2016	Your ref: 109/044 Our ref: TPS/1672 Enquiries: Heather Brooks (6551 9436)
SUBJECT	
109/044	
RETENTION	
124.2.3 A5	
PROPERTY	
APP	
ACTION	
CAROL CATHERWOOD	

Chief Executive Officer
City of Cockburn
PO Box 1215
BIBRA LAKE WA 6965

Dear Sir

**TOWN PLANNING SCHEME No. 3
AMENDMENT No. 108**

**MINISTERIAL DECISION FOR TOWN PLANNING SCHEME AMENDMENT -
APPROVAL**

Pursuant to clause 87(2) of the *Planning and Development Act 2005* (the Act), the Minister for Planning has granted final approval to amendment 108 to the City of Cockburn Town Planning Scheme No. 3 on 2 March 2016.

In accordance with clause 87(3) of the Act, the Western Australian Planning Commission (Commission) will cause the amendment to be published in the Government Gazette.

The Commission has forwarded the notice to State Law Publisher and it is the Council's responsibility to make arrangements for the payment of any publication costs. Council is required under clause 87(4B) of the Act, and clause 62(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to advertise and make copies of the amendment available to the public.

For all payment and purchase order queries, please contact State Law Publisher on (08) 6552 6012 or fax (08) 9321 7536. One signed set of the amending documents is returned herewith.

Yours sincerely

KM Blenkinsop

Kerrine Blenkinsop
Secretary
Western Australian Planning Commission

4 March 2016



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PLANNING AND DEVELOPMENT ACT 2005

APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF COCKBURN

TOWN PLANNING SCHEME No. 3 - AMENDMENT No. 108

Ref: TPS/1672

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 City of Cockburn Town Planning Scheme amendment on 2 March 2016 for the purpose of:

1. Including Lot 2 and a portion of Lot 3 Robb Road, North Coogee, as shown on the 'proposed zoning' plan within the boundaries of Development Area No. 33; and
2. Amending the scheme map accordingly.

L HOWLETT
PRESIDENT/MAYOR

A CAIN
CHIEF EXECUTIVE OFFICER



TOWN PLANNING SCHEME NO. 3

AMENDMENT NO. 108

April 2015

**PLANNING AND DEVELOPMENT ACT, 2005
RESOLUTION TO AMEND A TOWN PLANNING SCHEME**

**CITY OF COCKBURN
TOWN PLANNING SCHEME NO 3
AMENDMENT NO. 108**

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. Including Lot 2 and a portion of Lot 3 Robb Road, North Coogee, as shown on the 'proposed zoning' plan within the boundaries of Development Area No. 33; and
2. Amending the scheme map accordingly.

Dated this 11th day of December 2014



CHIEF EXECUTIVE OFFICER

REPORT

1. LOCAL AUTHORITY City of Cockburn

2. DESCRIPTION OF TOWN
PLANNING SCHEME: Town Planning Scheme No. 3

3. TYPE OF SCHEME: District Zoning Scheme

4. SERIAL NO. OF AMENDMENT: Amendment No. 108

5. PROPOSAL: Extension of Development Area 33
(power station lots)

AMENDMENT REPORT

1.0 Introduction

The purpose of this amendment is to extend the existing Development Area 33 ("DA33") over the power station lots.

Lots 2 and 3 Robb Road are owned by Synergy and include the Power Station structure. DA33 would relate to the whole of Lot 2 and a portion of Lot 3, that is only the portion to have the 'Urban Deferred' lifted, not the 'Parks and Recreation' reserved portion.

2.0 Background:

For a number of years the State Government has been working toward realising the vision for the Cockburn Coast development. The project is intended to see the redevelopment of the former Robb Jetty industrial area and the South Fremantle Power Station.

The Cockburn Coast District Structure Plan 2009 ("CCDSP 2009") was prepared to guide future land use and transport initiatives within the area stretching between South Beach and the Port Coogee marina.

In 2012, this was supplemented and in part refined by the Cockburn Coast District Structure Plan Part 2 ("CCDSP Part 2") prepared on behalf of LandCorp.

The Metropolitan Region Scheme ("MRS") Amendment No. 1180/41 was made effective on 16 August 2011 to rezone the majority of the Cockburn Coast industrial area from 'Industry' to 'Urban' to reflect the outcomes of the CCDSP Part 2. The South Fremantle Power Station site was rezoned to 'Urban Deferred'.

The Western Australian Planning Commission ("WAPC") identified that this site has a number of unique characteristics that would require further consideration prior to being rezoned to 'Urban'. The WAPC identified that for the Urban Deferment to be lifted a detailed Master Plan would need to be prepared for Lots 2, 3 and 2167 Robb Road, North Coogee.

To progress the planning for the Power Station site Landcorp engaged HASSELL to prepare a Master Plan on behalf of Synergy, the landowners of Lot 2 and 3 Robb Road, North Coogee. Following a public comment period, and subject to modifications to the Master Plan, Council supported the lifting of Urban Deferred. A request to include the land within the 'Development' zone concurrent with the MRS amendment was also made. Rezoning of the land to Urban was effected on publication in the Government Gazette on 21 April 2015.

Under Part 9 of the Planning and Development Act 2005, there are obligations on the local government to bring their town planning scheme into line with the MRS.

The next amendment needed to the City's Town Planning Scheme No. 3 ("TPS3") is to extend the existing Development Area 33 ("DA33") over the power station lots.

3.0 Town Planning Context:

3.1 City of Cockburn Town Planning Scheme No. 3

When the land was zoned Urban under the Metropolitan Region Scheme, in line with the City's request, a concurrent change to TPS3 occurred to include the land within the 'Development' zone.

There is still a need to extend the existing Development Area 33 ("DA33") over this land as well. DA33 already contains text provisions to accommodate the power station land. These provisions exist as Amendment 89 (which introduced DA33) had been advertised and adopted by Council including these lots. The spatial extent of DA33 was later reduced on direction of the Minister as the Urban Deferred was yet to be lifted. However, the text was left as advertised.

3.2 Metropolitan Region Scheme

The land is now zoned 'Urban' under the Metropolitan Region Scheme. Published in the Government Gazette on 21 April 2015.

4.0 Proposal

The purpose of this amendment is to extend the existing Development Area 33 over the power station lots.

Lots 2 and 3 Robb Road are owned by Synergy and include the Power Station structure. DA33 would relate to the whole of Lot 2 and a portion of Lot 3, that is only the portion to have the 'Urban Deferred' lifted, not the 'Parks and Recreation' reserved portion.

Including the land within the development area will enable Part 6 of TPS3 to be evoked, setting out the need and process for structure planning. It is the local structure plan that will guide subdivision and development of the land.

The recommendation has been carefully worded to acknowledge the MRS lifting of 'Urban Deferred' must be finalised before the amendment is referred to the Environmental Protection Authority for consent to advertise.

5.0 Conclusion

Extension of Development Area 33 is recommended to bring the Scheme in line with the Metropolitan Region Scheme.

PLANNING AND DEVELOPMENT ACT, 2005

**CITY OF COCKBURN
TOWN PLANNING SCHEME NO 3
AMENDMENT NO. 108**

The City of Cockburn under and by virtue of the powers conferred upon it by the Planning and Development Act 2005, hereby amend the above Town Planning Scheme by:

1. Including Lot 2 and a portion of Lot 3 Robb Road, North Coogee, as shown on the 'proposed zoning' plan within the boundaries of Development Area No. 33; and
2. Amending the scheme map accordingly.

ADOPTION

Adopted by resolution of the Council of the City of Cockburn at the ordinary meeting of the Council held on 11th day of December 2014.

Logan Howlett

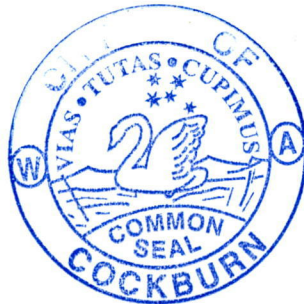
MAYOR

[Signature]

CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

Adopted for final approval by resolution of the City of Cockburn at the Meeting of the Council held on the ...^{13th}... day of August 2015, 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)

Logan Howlett

MAYOR

[Signature]

CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

DELEGATED UNDER S.16 PLANNING AND DEVELOPMENT ACT 2005

DATE.....

Final 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 2/3/16.

MINISTER FOR PLANNING

DATE.....

Certified by *[Signature]*

Officer of the Commission Duty authorised pursuant to Section 24 of the Planning and Development Act 2005 and Regulation 32(3) Scheme and Regulation 63(3) (Amendment) of the Planning and Development (Local Planning Scheme) Regulations 2015.

Attachment One: Existing Zoning

1. The existing zoning for the property is [illegible].

2. The existing zoning for the property is [illegible].

3. The existing zoning for the property is [illegible].

4. The existing zoning for the property is [illegible].

5. The existing zoning for the property is [illegible].

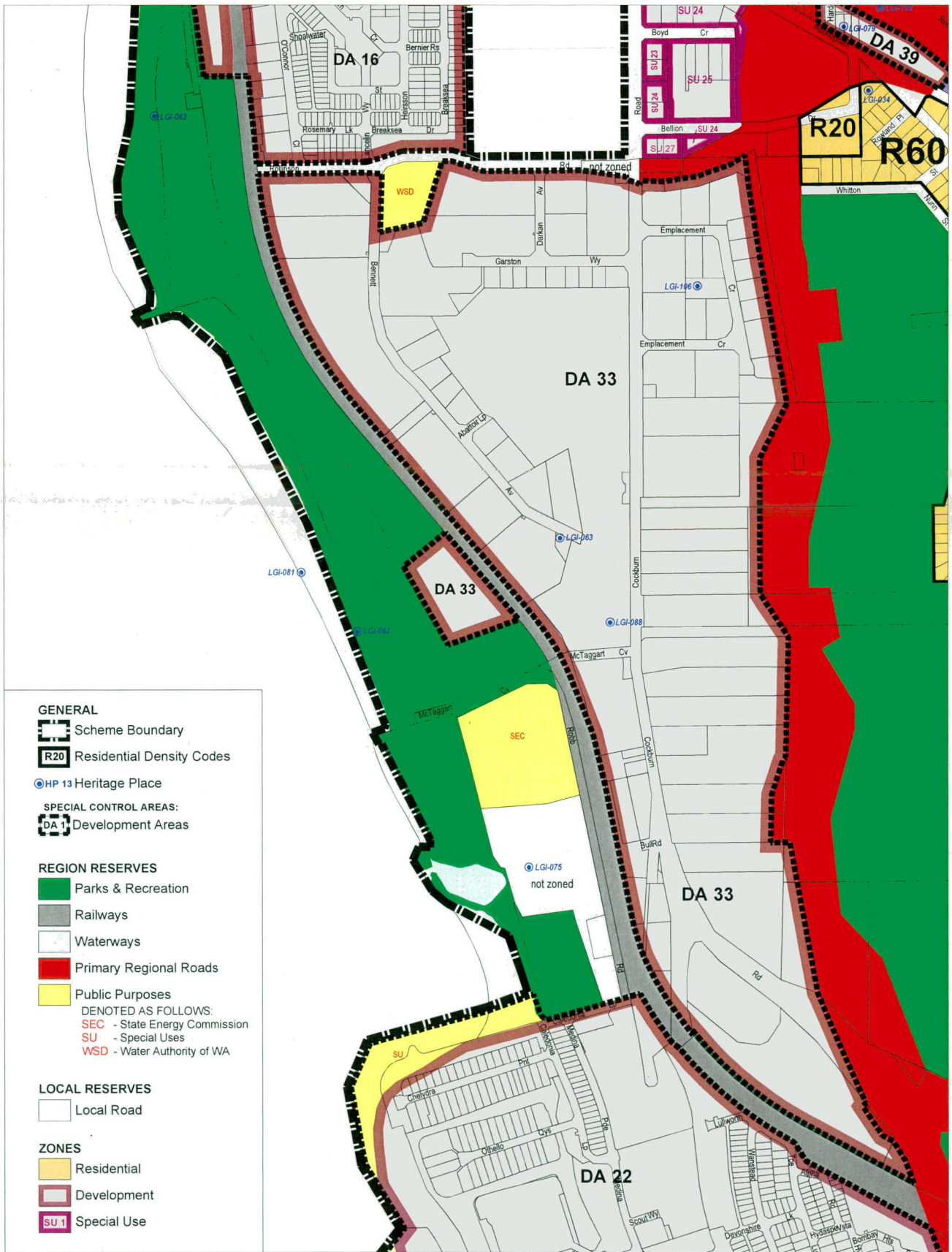
6. The existing zoning for the property is [illegible].

7. The existing zoning for the property is [illegible].

8. The existing zoning for the property is [illegible].

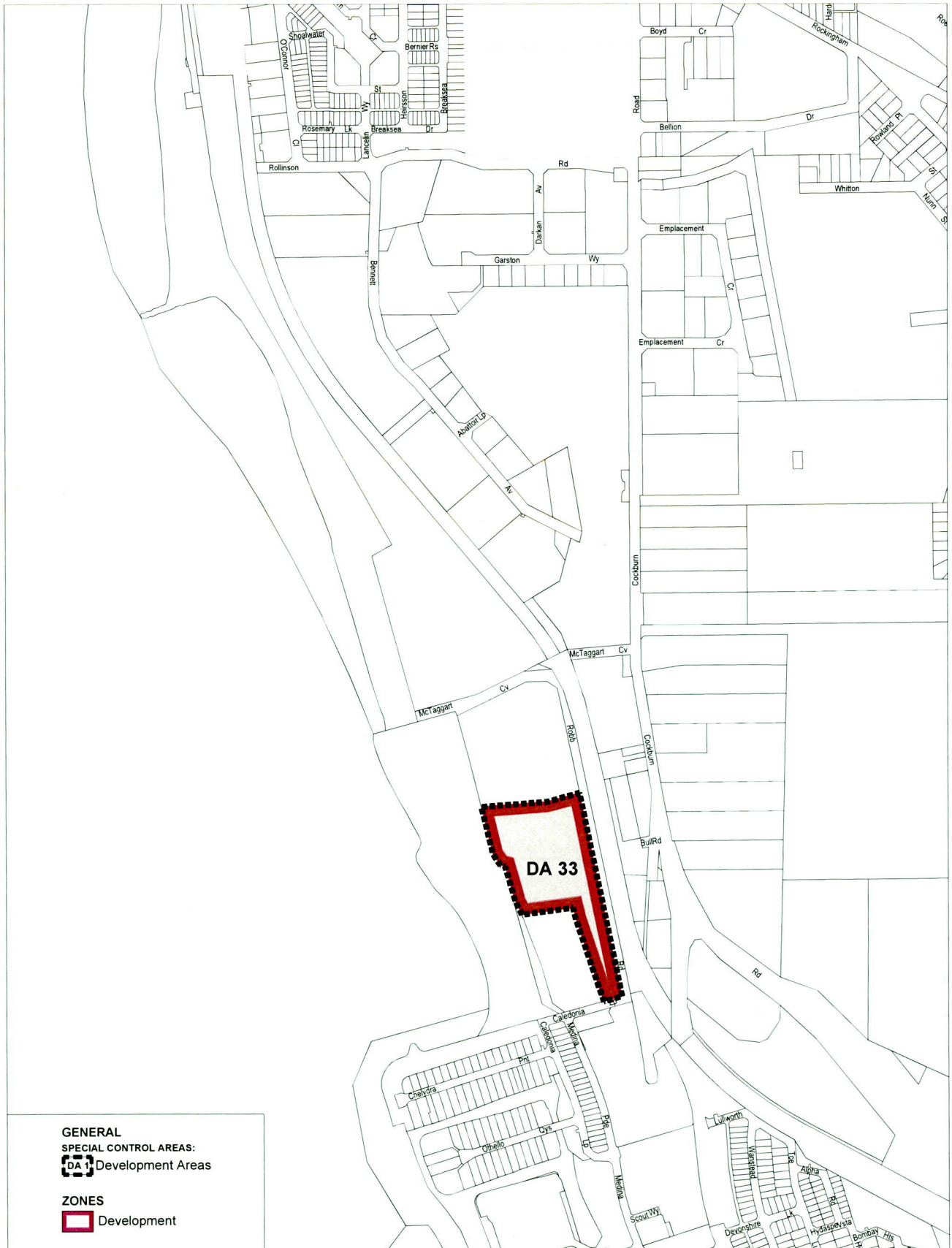
9. The existing zoning for the property is [illegible].


10. The existing zoning for the property is [illegible].





EXISTING ZONING TOWN PLANNING SCHEME No.3 AMENDMENT No.108

Attachment Two: Proposed Zoning






GNA 11/2014


 Scale

PROPOSED ZONING

TOWN PLANNING SCHEME No.3

AMENDMENT No.108