

WESTERN AUSTRALIAN PLANNING COMMISSION

**METROPOLITAN REGION SCHEME
Amendment No. 1010/33**

PORT CATHERINE

City of Cockburn

AMENDMENT REPORT

November 2001

PERTH
WESTERN AUSTRALIA



Government of
Western
Australia



WESTERN AUSTRALIAN
PLANNING COMMISSION

1-111(941.1) WES

Department of
Environmental Protection
Library



20010701/1

711.41-111
WES
20010701

**METROPOLITAN REGION SCHEME
Amendment No. 1010/33**

PORT CATHERINE

AMENDMENT REPORT

City of Cockburn



WESTERN AUSTRALIAN
PLANNING COMMISSION

November 2001

LIBRARY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WESTRALIA SQUARE
141 ST. GEORGE'S TERRACE, PERTH

© State of Western Australia

Published by the
Western Australian Planning Commission,
Albert Facey House,
469 Wellington Street,
Perth Western Australia 6000

MRS Amendment No. 1010/33. Amendment Report
File 809-2-23-13 Pt. 1
Published November 2001

ISBN 0 7309 9291 8

Internet: <http://www.planning.wa.gov.au>
Email: corporate@planning.wa.gov.au
Phone: (08) 9264 7777
Fax: (08) 9264 7566
TTY: (08) 9264 7535

Copies of this document are available in
alternative formats on application to the
Disabilities Services Coordinator.

CONTENTS

The Metropolitan Region Scheme	v
Abbreviations	ix
1. Proposal.....	1
2. Background.....	2
3. Discussion	2
4. Formal Environmental Protection Authority Advice.....	4
5. The Amendment Process.....	4
6. Submissions on the Amendment.....	5
7. Hearings	5
8. Modifications to the Amendment	5
9. Final Outcome.....	6
Figure 1.....	7
Appendix A Notice of Environmental Assessment	
Appendix B List of Detail Plans Supporting the Amendment	
Appendix C Your Property and the Metropolitan Region Scheme	
Appendix D Preparing a Submission	
Appendix E Submission form for this Amendment (Form 6A)	

THE METROPOLITAN REGION SCHEME

What it is and how it is amended

PLANNING PERTH'S FUTURE

Perth has a reputation as one of the world's cleanest and greenest cities. This is largely due to good planning. It is a city anticipated to grow. As it grows, change must be well planned and well managed.

In 1996 Perth was home to nearly 1.3 million people. Each year its population is growing by between 20,000 and 25,000 people. By the State's Bicentenary in 2029, Perth's population is expected to have exceeded 2 million, making up 72 percent of the population of Western Australia.

Provision must be made for future housing, employment opportunities and transport needs to meet this growth. There also must be land set aside for conservation and recreation.

This change is provided for in the Metropolitan Region Scheme.

WHAT IS THE METROPOLITAN REGION SCHEME?

The Metropolitan Region Scheme (MRS) is a large town planning scheme for land use in the Perth metropolitan area. This area stretches from south of Rockingham to north of Yanchep and east of Mundaring.

The Scheme defines the future use of land, dividing it into broad zones and reservations. It requires local government town planning schemes to provide detailed plans for their part of the region. These schemes must be consistent with the Metropolitan Region Scheme.

The MRS uses a set of maps and a scheme text. The scheme text provides planning rules for zones and reservations, which are shown on the maps in different colours and patterns.

This plan has been in operation since 1963 and provides the legal basis for planning in the Perth metropolitan region.

To plan for changing needs, the MRS is amended frequently.

WHAT IS AN AMENDMENT?

An amendment to the Metropolitan Region Scheme changes the zoning or reservation of land to allow for a different land use.

When a rezoning or a new reservation is considered, an amendment to the MRS is advertised to seek comment from the wider community and all levels of government.

The process allows for extensive community consultation and discussion in Parliament before a final decision is made.

HOW IS THE METROPOLITAN REGION SCHEME AMENDED?

The Western Australian Planning Commission (WAPC) is responsible for keeping the Metropolitan Region Scheme under review and promoting changes where they are seen to be necessary.

The amendment process is regulated by the Metropolitan Region Town Planning Scheme Act, and most amendments are made under the provisions of Section 33 of that act. These are often referred to as 'major' amendments.

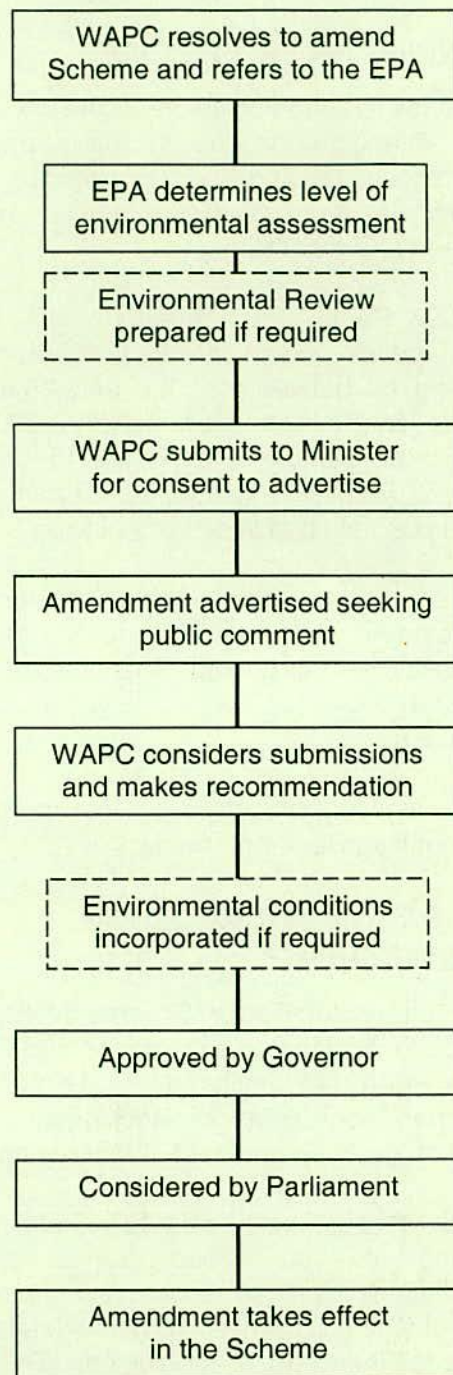
The process of amending the Metropolitan Region Scheme includes the following steps:

- The proposed amendment is referred to the Environmental Protection Authority (EPA) to decide whether environmental assessment is needed. Where the EPA requires an environmental review, this is carried out before the amendment is advertised.
- The amendment is advertised for public inspection and submission. Advertisements are placed in local and Statewide newspapers, and information made available on the *Planning* internet site.

Landowners whose property is directly affected by a proposed change are contacted in writing. Where there is an environmental review, this is also made available for comment.

- A three-month period is provided for the Western Australian Planning Commission to receive public submissions.
- Written submissions are considered by the Western Australian Planning Commission. During this time, people who have made submissions may, if they wish, also make an oral presentation to a special committee appointed to consider and report on the submissions.
- The Western Australian Planning Commission always reconsiders a proposed amendment in light of submissions and may choose to modify the amendment before proceeding.
- If the amendment has been substantially modified as a result of submissions, the Minister for Planning and Infrastructure may ask the Western Australian Planning Commission to readvertise for further public submissions before presenting it to the Governor
- The Minister presents the Commission's recommendations to the Governor for approval.
- The amendment as approved by the Governor is placed before each House of State Parliament where it must remain for 12 sitting days. During this time, the amendment is again on public display and the Western Australian Planning Commission publishes a *Report on Submissions* for public information.
- In Parliament, a Member may introduce a Motion to Disallow the amendment. If this motion succeeds, the Metropolitan Region Scheme will not be amended. Otherwise the amendment becomes legally effective in the Scheme.

The following diagram shows the main steps.



When the Metropolitan Region Scheme is amended, local town planning schemes must also be amended to match the broad zonings and reservations of the MRS. Affected local governments provide more detailed planning for each area. Within three months of an MRS amendment, an affected local government must initiate an amendment to its town planning scheme.

ZONES AND RESERVATIONS

Zones and reservations in the Metropolitan Region Scheme are broad categories. They are not precisely defined or limited. The following descriptions are a guide.

ZONES

Urban: Areas in which a range of activities are undertaken, including residential, commercial recreational and light industry

Urban deferred: Land identified for future urban uses following the extension of urban services, the progressive development of adjacent urban areas, and resolution of any environmental and planning requirements relating to development.

The Western Australian Planning Commission must be satisfied that these issues have been addressed before rezoning to Urban.

Central City Area: Strategic regional centres for major retail, commercial and office facilities as well as employment, civic, business and residential uses.

Industrial and Special Industrial: Land in which manufacture, processing, warehousing and related activities are undertaken.

Rural: Land in which a range of agricultural, extractive and conservation uses are undertaken.

Private Recreation: Areas of significance to the Region's recreation resource, which are or are proposed to be managed by the private sector.

Rural - Water Protection: Rural land over public groundwater areas, where land use is controlled to avoid contamination.

RESERVATIONS

Land is reserved for community purposes. It may be reserved to protect a resource or to provide areas for infrastructure. The following descriptions are a guide.

Parks and Recreation: Land of regional significance for ecological, recreation or landscape purposes.

Railways: Provides for public transit routes, freight rail lines and associated facilities such as park'n'ride stations, maintenance depots and marshalling yards.

Port Installations: Regional maritime shipping facilities.

State Forests: Areas of woodland located on Crown Land managed under the *Conservation and Land Management Act, 1984*.

Water Catchments: Water sources protected for high quality public water supply. These areas have strict controls on land use to avoid pollution of the water resource.

Civic and Cultural: Significant civic precincts and buildings.

Waterways: Permanent inland and coastal waters including many rivers and reservoirs.

Public Purposes: Land for public facilities such as hospitals, schools, universities, car parks, and prisons, utilities for electricity and water, commonwealth government and other special uses.

Primary Regional Roads: These are the most important of the roads of regional significance in the planned road network, and are currently or proposed to be declared under the *Main Roads Act, 1930*.

Other Regional Roads: These are roads of regional significance in the planned road network for which the planning responsibilities are shared by the Western Australian Planning Commission and local governments.

WHAT IF MY LAND IS REZONED?

Landowners may find that an amendment seeks to rezone their property, for example from Rural to Urban or Urban Deferred.

If the zoning is changed, landowners do not have to change their use of the land or lifestyle. They can stay as they are or they may set about changing their land use. For instance, some may seek approval to subdivide their land or apply to develop it in some way that suits the new zoning.

The Western Australian Planning Commission realises that many people choose their properties because they like them as they are and may not want to change from, for example, a rural-residential lifestyle to an urban area. Others are keen to change the land use.

For these reasons, amendments to the Metropolitan Region Scheme are advertised so that all affected landowners and anyone else have time to examine the proposals and lodge a submission.

WHAT IF MY LAND IS RESERVED?

Land is reserved because it will be needed eventually for a public purpose such as Parks and Recreation or Important Regional Roads.

If your land is marked for a reservation in an advertised amendment, you can continue to use and enjoy your property. Generally, reserved land can remain in private ownership until it is needed for the purpose for which it is reserved. The Western Australian Planning Commission has reservations over many areas of land, which are privately owned.

To protect landowners, there are procedures for acquisition or compensation by the Western Australian Planning Commission. These are outlined in *Your Property and the Metropolitan Region Scheme*, a leaflet reproduced at the back of this report and available separately from the Department for Planning and Infrastructure.

HOW CAN MY VIEWS BE HEARD?

You can lodge a written submission on the proposed amendment during the advertising period. A submission form is available at the back of this report, from the places of display for this amendment and from the *Planning* Internet site.

People writing submissions may choose also to attend a hearing. This follows the submission period, where you can express your views to a hearings panel.

PUBLICATIONS

In the course of each substantial amendment to the Metropolitan Region Scheme, information is published under the following titles:

Amendment Report

This document is available from the start of the public advertising period of the proposed amendment. It sets out the purpose and scope of the amendment, explains why the proposal is considered necessary, and informs people how they can comment.

Environmental Review Report

The Environmental Protection Authority considers the environmental impact of an amendment to the MRS before it is advertised. Should it require assessment an Environmental Review is undertaken, and that information is made available for comment at the same time as the *Amendment Report*.

Volume 1 - Report on Submissions

This publication documents the planning rationale, determination of submissions and the recommendations for final approval of the amendment made by the Western Australian Planning Commission.

Volume 2 - Submissions

All the written submissions received on the proposed amendment are reproduced as a public record.

Volume 3 - Transcript of Hearings

A person who has made a written submission may also choose to appear before a Hearings Committee to express their views. All hearings are recorded and transcribed. The transcripts are published as a public record.

ABBREVIATIONS

DEP	Department of Environmental Protection
EPA	Environmental Protection Authority
MTS	Metropolitan Transport Strategy
MRS	Metropolitan Region Scheme
WAPC	Western Australian Planning Commission
PCD	Port Catherine Developments
CER	Consultative Environmental Review

AMENDMENT No. 1010/33 TO THE METROPOLITAN REGION SCHEME

PORT CATHERINE

1. THE PROPOSAL

The proposed amendment will facilitate the rehabilitation of a former noxious industrial area in South Coogee and its redevelopment as a marina and residential area known as Port Catherine.

The amendment area is approximately 19 kilometres south-west of the Perth Central Business District, and is situated on the coast at Owen Anchorage 4.5 kilometres south of Fremantle. The subject land is generally bounded by the disused, historically listed South Fremantle Power Station and railway line to the north, the limestone ridge within the Coogee Open Space area to the east, the Coogee Beach Reserve and northern edge of the Cockburn Waters residential estate to the south, and the western extent of the proposed ocean marina to the west.

The amendment proposes to rezone the subject land from the Industrial zone, Parks and Recreation, Railways and Waterways reservations to the Urban and Industrial zone and Parks and Recreation reservation as shown on Figure 1.

More specifically:

- 1) The majority of the land is to be rezoned from the Industrial to the Urban zone.
- 2) Portions of the Parks and Recreation reservation are to be transferred to the Urban zone.
- 3) A narrow strip of land along the coast is to be transferred from the Railways reservation to the Urban zone and a small portion in the south to Primary Regional Roads.
- 4) A portion of the seabed is to be transferred from the Waterways reservation to the Urban zone.
- 5) The existing Primary Regional Roads reservation is to be repositioned further east to reflect the land requirements of the realigned Cockburn Road.
- 6) Two parcels of land north of the east-west railways line are to be zoned Industrial. The major portion is currently reserved for Primary Regional Roads and Parks and Recreation. The smaller strip of land to the north is proposed to be transferred from the Parks and Recreation reservation to the Industrial zone.
- 7) A narrow strip of land along the northern edge of the railway line is to be transferred from the Industrial zone to the Parks and Recreation reservation.

2. BACKGROUND

The rehabilitation of a former noxious industrial area in South Coogee and its redevelopment as a marina and residential area was initially embodied in the Coogee Master Plan, which was released in February 1993.

The Master Plan was concerned with relocating the noxious industries from South Coogee. Historically, the main concern with these industries was the discharge of untreated effluent to Owen Anchorage and the reduction in amenity of the surrounding area due to odour emissions.

Since 1993, the project has been the subject of extensive consultation and negotiation between the developer and the State and local government, which culminated in May 1997 with the endorsement of a project agreement between the State Government and Port Catherine Developments (PCD) by Cabinet. The agreement was revised and endorsed again by Cabinet in February 2000. Under the terms of the agreement, the Western Australian Planning Commission (WAPC) is required to remediate and assemble the government land within the project area and PCD are to gain approval for the Metropolitan Region Scheme and town planning scheme amendments and develop the land.

The specific zoning details, such as residential densities, commercial areas and local parks along with a structure plan to facilitate the development of Port Catherine will be examined at the local government town planning scheme amendment stage, which will be advertised at a later date for public comment.

3. DISCUSSION

Proposed Urban Zone

The majority of the site is to be rezoned to Urban. This area will extend from the proposed Primary Regional Roads reservation realignment in the east to west of the high water mark, currently reserved as Waterways, to accommodate the marina and associated residential precincts.

Benefits of an Urban Zoning

Better utilisation of public and private urban infrastructure

It is considered that an Urban zoning allowing for residential and other compatible uses over the subject land is appropriate in view of the planning context of the site. The site is within close proximity and easy access to:

- the Fremantle Strategic Regional Centre which offers a wide variety of commercial, service, educational, recreational and community infrastructure;
- major recreational facilities including Coogee Beach, the Woodman Point Recreation Reserve and Beeliar Regional Park;
- major employment areas including the Fremantle and Hamilton commercial centres, and the Hamilton Hill, Henderson, Fremantle and O'Connor industrial areas; and
- major educational facilities including the South Metropolitan College of TAFE.

These circumstances make the subject land ideal for Urban land uses including a residential community and would contribute to better utilisation of public and private urban infrastructure, and provide a greater variety of housing choice in a high amenity location.

Provision of a wider range of public amenities and facilities

The proposed marina will enhance the existing environment with the provision of a unique waterfront commercial and entertainment facility, with a diversity of waterside activities, including small protected boating areas, public jetties and boardwalks which will also offer improved recreational opportunities for the broader community.

Remediation

Rezoning to Urban will require extensive remediation of the soil, groundwater and marine water to residential standards prior to development. The Environmental Protection Authority (EPA) set the level of assessment for the remediation of the government owned land within the amendment area at Consultative Environmental Review (CER) in early 1996. This assessment has been completed and the government will remediate the site prior to the sale of the land to the developer. Remediation of the non-government land will be assessed by the EPA via the Environmental Review as part of this amendment. Remediation of the site will produce a number of benefits including the creation of a safe environment for existing and future residences and marina users as well as substantially improving the marine aquatic system.

Proposed Primary Regional Road Reservation

To create a safe and attractive residential environment the development of Port Catherine generates the need to realign Cockburn Road in the South Coogee area. The existing road alignment would restrict access to the foreshore and proposed commercial and public facilities.

A Preliminary Design Review of the Port Catherine Cockburn Road realignment has been conducted on behalf of Main Roads WA and was completed after public consultation in November 1997.

The realigned Cockburn Road is to be accommodated within the proposed Primary Regional Roads reservation. The proposed reservation is to be relocated east of the existing reservation, slightly west of the limestone ridge.

Proposed Industrial Zone

A small portion of the existing regional road reserve north of the railway line will become redundant with the proposed realignment of the Primary Regional Road, and the adjoining portion of Parks and Recreation reserve will become isolated. This land is proposed to be zoned Industrial to be consistent with the surrounding zoning. A small linear portion of Parks and Recreation reserved land in the north is proposed to be transferred to Industrial as it is inaccessible and generally unused as open space.

Proposed Parks and Recreation Reservation

The proposed Parks and Recreation Reserve along the northern edge of the railway line will accommodate a relocated power line and formally provide a suitable corridor for an existing dual use path.

4. FORMAL ENVIRONMENTAL PROTECTION AUTHORITY ADVICE

The proposed amendment was referred to the Environmental Protection Authority (EPA) who advised that an environmental assessment, known as an Environmental Review was required (refer to Appendix A). The review needed to address the following key environmental issues:

- i) maintenance of ecological values including seagrasses;
- ii) site contamination remediation;
- iii) enhancement of marine water quality;
- iv) coastal stability;
- v) protection of landscape and amenity; and
- vi) minimise potential noise and vibration nuisance from road and rail traffic upon future residents.

The Environmental Review is being advertised concurrently with this document so that environmental matters related to the amendment can be commented on. As environmental issues are discussed in the Environmental Review document, those matters are not referred to in detail in this report.

Submissions can be made on both the amendment and the Environmental Review. Submissions on the amendment which include reference to environmental matters will be referred to the EPA. The WAPC will also forward its own responses to these submissions to the EPA. The EPA will report to the Minister for the Environment on the proposed amendment and a report on it will be published. The Minister for the Environment in consultation with the Minister for Planning and Infrastructure will then set environmental conditions for the amendment, which will be incorporated into the MRS and be specifically applicable to the Port Catherine site.

5. THE AMENDMENT PROCESS

The procedures for amending the Metropolitan Region Scheme are prescribed by the *Metropolitan Region Town Planning Scheme Act 1959*.

Section 33 of that Act sets out the substantial (major) amendment process. In essence, this process involves:

- formulation of the amendment by the WAPC;
- referral to the EPA for assessment;
- completion of an Environmental Review (if required) to EPA instructions;
- Ministerial approval to public submissions being sought on the amendment (including the Environmental Review);
- advertisement;
- consideration of submissions, including the opportunity for formal hearings;
- approval by the Governor with any modifications in response to submissions; and
- consideration by both Houses of Parliament.

An explanation of this process can also be found in the front of this report, entitled The Metropolitan Region Scheme, what it is and how it is amended.

6. SUBMISSIONS ON THE AMENDMENT

The Western Australian Planning Commission invites people to comment on this proposed amendment to the Metropolitan Region Scheme.

The amendment is being advertised for public submissions for a period of three and a half months from Tuesday 20 November 2001 to Friday 1 March 2002.

Copies of the amendment will be available for public inspection at:

- i) the Department for Planning and Infrastructure in Perth;
- ii) the municipal offices of the Cities of Perth, Fremantle, Cockburn and Rockingham; and
- iii) the State Reference Library, Northbridge.

Written submissions on the amendment should be sent to:

The Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

and **must be received by Friday 1 MARCH 2002.**

All submissions received by the WAPC will be acknowledged.

For your convenience a submission form (Form 6A) for this amendment No.1010/33 – Port Catherine is attached to this report (Appendix E). Additional copies of this form are available from the display locations listed above.

Information that may assist with the preparation of a submission can be found in Appendix D.

7. HEARINGS

Any person making a written submission also has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. Details required for attending the hearings are on side two of the submission form.

The submissions and the transcripts of public hearings will become public documents. They will be published and will be made available free of charge when the amendment is presented to both Houses of Parliament.

8. MODIFICATIONS TO THE AMENDMENT

After considering any comments received from Government agencies and the public, the Western Australian Planning Commission may make modifications to the amendment.

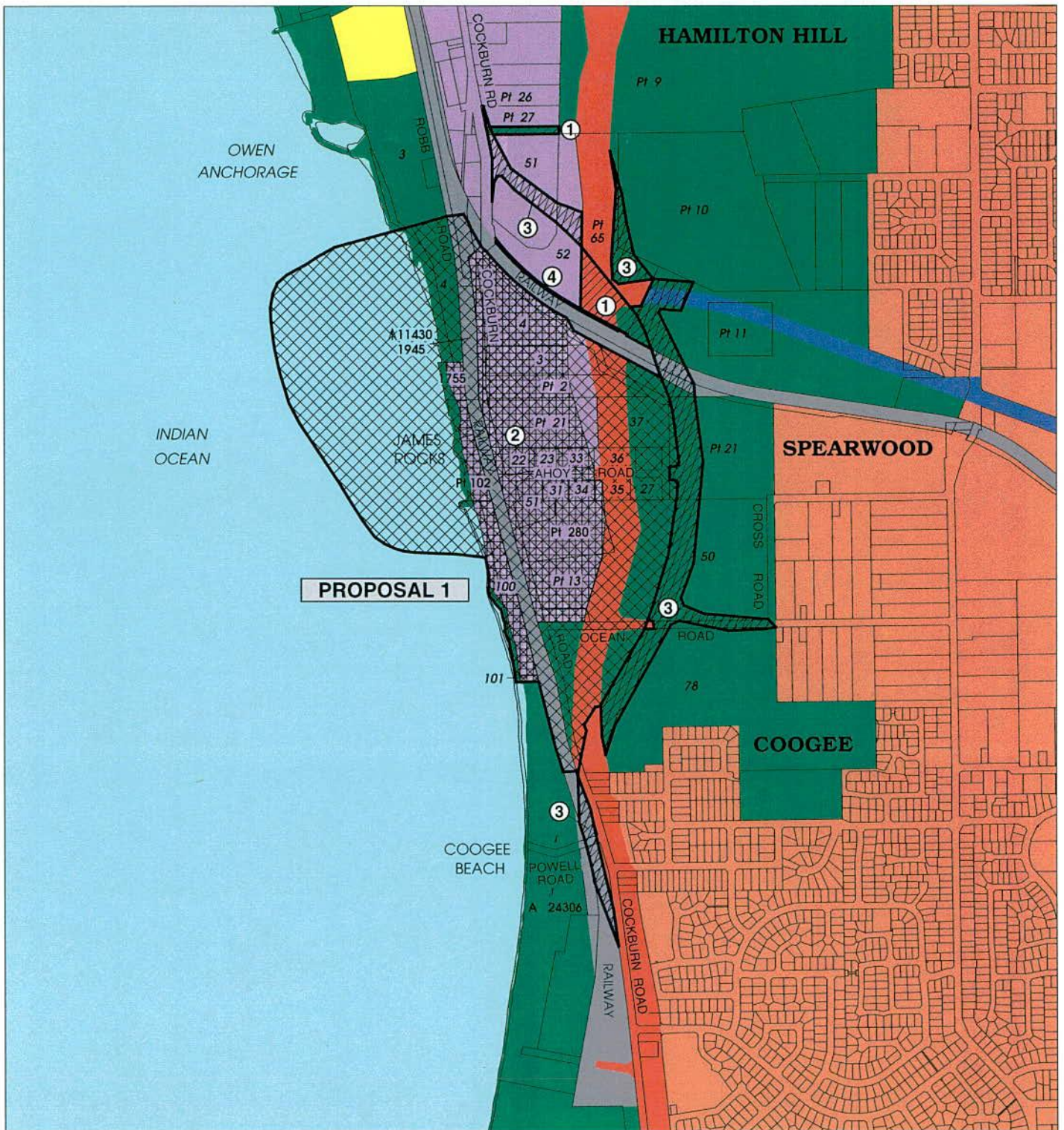
The recommendations of the WAPC, including any modifications, are published in the *Report on Submissions*. Anyone who has made a submission will receive a copy of this document when the Amendment is tabled in Parliament.

9. FINAL OUTCOME

The amendment will be considered by both Houses of Parliament. Those who made submissions will be notified of the final outcome, along with all affected landowners.

PORT CATHERINE

FIGURE 1



**PORT CATHERINE - PROPOSED MAJOR AMENDMENT
AS ADVERTISED**

11th SEPTEMBER 2001

FIGURE 1

	<p>PROPOSED:</p> <p>① INDUSTRIAL ZONE</p> <p>② URBAN ZONE</p> <p>③ PRIMARY REGIONAL ROADS RESERVATION</p> <p>④ PARKS AND RECREATION RESERVATION</p> <p>EXISTING:</p> <p>Public Purposes (Sec) Reservation</p> <p>SPECIAL INDUSTRIAL ZONE</p>	<p>LEGEND</p> <p>INDUSTRIAL ZONE</p> <p>URBAN ZONE</p> <p>PARKS AND RECREATION RESERVATION</p> <p>PRIMARY REGIONAL ROADS RESERVATION</p> <p>RAILWAYS RESERVATION</p> <p>WATERWAYS RESERVATION</p> <p>OTHER REGIONAL ROADS RESERVATION</p>
--	--	--

Produced by Statutory Mapping Section, Geographic and Planning Information Branch, Ministry for Planning

APPENDIX A

NOTICE OF ENVIRONMENTAL ASSESSMENT



Head Office:
Westralia Square
141 St Georges Terrace
Perth, Western Australia 6000
Tel (08) 9222 7000 Fax (08) 9322 1598
<http://www.environ.wa.gov.au>

Postal Address:
PO Box K822
Perth, Western Australia 6842

Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

Your Ref 809-2-23-13 Pt 1
Our Ref 137063
Enquiries Adrian Vlok

Attention: Brian Curtis

SCHEME/AMD TITLE: Metropolitan Region Scheme Amend
No. 1010/33

SCHEME/AMD LOCATION: Port Catherine

RESPONSIBLE AUTHORITY: Western Australian Planning
Commission

LEVEL OF ASSESSMENT: Level 3 - Assessed, Environmental
Review Required (Assessment
No.1263

Thank you for your letter of Tuesday, 16 February 1999 regarding the above scheme amendment.

The Environmental Protection Authority (EPA) has determined that the scheme should be assessed under Division 3 of Part IV of the Environmental Protection Act.

For the purposes of this assessment the EPA will shortly issue you, as the Responsible Authority, with instructions for the preparation of an environmental review of the scheme. The EPA's instructions will also be forwarded to decision-making authorities and involved agencies and advertised in The West Australian newspaper as being publicly available.

There is a 14 day appeal period from the date of issue of these instructions during which, upon payment of a \$10 fee, anyone may lodge a written appeal with the Minister for the Environment regarding their contents. Please note, however, that there is no appeal against the EPA's decision to assess the scheme.

The environmental review must be prepared in accordance with the instructions and in consultation with the Department of Environmental Protection which manages the assessment on the EPA's behalf. The environmental review is a public document which is to be available for public comment during the public review of the scheme.

The EPA assesses the scheme and reports to the Minister for the Environment on the environmental factors relevant to the scheme. A copy of the EPA's report is sent to yourselves, decision-making authorities and involved agencies and is advertised in The West Australian newspaper as being publicly available.




MINISTRY FOR
PLANNING
16 MAR 1999
809-2-23-13
FILE

Final approval for a scheme subject to assessment cannot be granted until the assessment is completed, the Minister for the Environment has issued an environmental approval and the Minister for Planning is satisfied that the scheme conforms with the conditions of that approval.

To expedite the assessment process could you please provide the name of the appropriate contact person within your organisation for this scheme.

If during the assessment of your scheme you require further information on the assessment or wish to present information to the EPA in committee please contact the DEP's assessment officer in the first instance. The assessment officer is ADRIAN VLOK whose direct telephone number is 9222 7050.



K J Taylor
DIRECTOR
EVALUATION DIVISION

12 MAR 1999



Environmental Protection Authority

Mr Simon Holthouse
Chairman
Western Australian Planning Commission
Albert Facey House
469 Wellington Street
PERTH WA 6000

Your Ref 809/2/23/13PV
Our Ref TP075/03
Enquiries Gary Williams

Attention: Brian Curtis

SCHEME/AMD TITLE: Metropolitan Region Scheme - Amendment 1010/33
SCHEME/AMD LOCATION: The amendment proposes to amend the MRS to facilitate the development of the Port Catherine area at Coogee in the City of Cockburn.

The amendment involves zoning land for 'Urban' purposes and reserving land for Controlled Access Highway. A small portion of land, no longer required as 'Controlled Access Highway', is also proposed to be rezoned to 'Industry'.

LOCALITY: City of Cockburn

Please find attached the instructions specifying the scope and content of the environmental review document for the above amendment. These instructions are not yet final as they are subject to appeal to the Minister for the Environment under Section 100 of the EP Act.

If you wish to appeal it should be lodged in writing, accompanied by the \$10.00 appeal fee, to:

Appeals Convenor
C/- Minister for the Environment
18th Floor, Allendale Square
77 St Georges Tce
PERTH WA 6000

Appeals on these instructions must be received by the Appeals Convenor by 5:00 pm on 21 May 1999.

If there are no appeals, you will be informed by the Department of Environmental Protection (DEP). The attached instructions would then become the final instructions.

In the event of there being appeals, there can be two outcomes:

- a) The Minister may dismiss the appeals and would notify you accordingly. In this case the attached instructions would become the final instructions.
- b) The Minister may uphold the appeals and would notify you accordingly. In this case the attached instructions would be modified and issued to you as the final instructions.

During the preparation of the environmental review document you are encouraged to consult with Gary Williams of the DEP. The document must be prepared in accordance with the final instructions.

The EPA will decide within 30 days of receiving the completed environmental review document whether it is in accordance with the instructions. If it is in accordance, the document can be released for public review.

If the document is not in accordance with the final instructions, the EPA will set out the changes needed prior to its release for public review. If you disagree with the changes required by the EPA, you may request the Minister for Planning to consult with the Minister for the Environment as to whether or not the environmental review document is in accordance with the final instructions.



B K Bowen
CHAIRMAN

cc. Bowman Bishaw Gorham Attention: Mike Bishaw

- 7 MAY 1999



Head Office:
Westralia Square
141 St Georges Terrace
Perth, Western Australia 6000
Tel (08) 9222 7000 Fax (08) 9322 1598
<http://www.environ.wa.gov.au>

Postal Address:
PO Box K822
Perth, Western Australia 6842

Mr Simon Holthouse
Chairman
Western Australian Planning Commission
Albert Facey House
469 Wellington Street
PERTH WA 6000

Our Ref TP075/03
Enquiries Gary Williams

Attention: Brian Curtis

**METROPOLITAN REGION SCHEME - AMENDMENT 1010/33
PORT CATHERINE**

Instructions for the above scheme were issued to you on 7 May 1999. The appeal period on these instructions has now closed and no appeals were received during this time. The instructions issued to you immediately prior to the commencement of the appeal period are now the final instructions on which you are expected to base your environmental review.

The Environmental Review should focus on the relevant environmental factors and explain how the scheme meets EPA objectives, as one of the key elements of the environmental impact assessment process is determining whether the amendment meets EPA objectives. In the event that the EPA objectives cannot be met, alternative objectives should be proposed and the Environmental Review should discuss why the new objective is more appropriate.

Find enclosed a copy of the table of environmental factors. The table now contains the environmental objectives for the above scheme on which you will be expected to base your environmental review document.

for
K J Taylor
DIRECTOR
EVALUATION DIVISION

3 June 1999

Enc



TABLE 1: Port Catherine Development Project and realignment of Controlled Access Highway into Beeliar Regional Park/System Six Area M92.

CONTENT			SCOPE OF WORK
Prelim Env Factors	Site Specific Factor	EPA Objective	Work Required for the Environmental Review
Biophysical			
Terrestrial Flora			
	Vegetation communities	Maintain the abundance, species diversity, geographic distribution and productivity of vegetation communities.	<i>How is significant vegetation going to be protected?</i> Assess the condition and distribution of vegetation communities. Document environmental impacts and management provisions.
	Declared Rare and Priority Flora	Protect Declared Rare and Priority Flora, consistent with the provisions of the Wildlife Conservation Act 1950.	<i>How are Declared Rare Flora going to be protected?</i> Survey CALM's database and the site for Declared and Priority plant species. Document how Declared or Priority species will be protected and managed.
Terrestrial Fauna			
	Terrestrial Fauna	Maintain the abundance, species diversity and geographical distribution of terrestrial fauna.	<i>How are significant fauna and fauna habitats going to be protected?</i> Assess the presence and distribution of terrestrial fauna species. Document environmental impacts and management provisions.
	Specially Protected (Threatened) Fauna	Protect Specially Protected (Threatened) Fauna, consistent with the provisions of the Wildlife Conservation Act 1950.	<i>How are Specially Protected (Threatened) Fauna habitats going to be protected?</i> Survey CALM's database and the site for Declared or Threatened Fauna species. Document how Declared or Priority species will be protected and managed.
Marine Flora			
	Marine Flora (seagrass)	Maintain the ecological function, abundance, species diversity and geographic distribution of seagrasses.	<i>How is significant marine flora going to be protected?</i> Assess the condition and distribution of marine flora communities. Document environmental impacts and management provisions.
	Declared Rare and Priority Flora	Protect Declared Rare and Priority Flora, consistent with the provisions of the Wildlife Conservation Act 1950.	<i>How are Declared Rare Flora going to be protected?</i> Survey CALM's database and the site for Declared or Threatened marine flora species. Document how Declared or Priority species will be protected and managed.
Marine Fauna			
	Marine Fauna	Maintain the abundance, species diversity and geographic distribution of marine fauna.	<i>How are significant marine fauna and marine fauna habitats going to be protected?</i> Assess the presence and distribution of marine fauna species. Document environmental impacts and management provisions if the proposal is implemented.
	Specially Protected (Threatened) Fauna	Protect Specially Protected (Threatened) Fauna, consistent with the provisions of the Wildlife Conservation Act 1950.	<i>How are Specially Protected (Threatened) Marine Fauna habitats going to be protected?</i> Survey CALM's database and the site for Declared or Threatened marine fauna species. Document how Declared or Priority species will be protected and managed.
Coast			
	Dunes	Maintain the integrity, function and environmental values of the dune system.	<i>Are there any significant dune areas and how are they going to be protected?</i> Assess the environmental value of the dune system, assess the impact and document management provisions.
	Foreshore (beach)	Maintain the stability of beaches.	<i>How will development permitted by the proposed amendment impact on the foreshore?</i> Assess the beach stability and coastal processes, assess the impact and document management provisions.
	Seabed	Maintain the stability of beaches.	<i>How will development permitted by the proposed amendment impact on coastal processes?</i> Assess coastal processes, including off-shore sediment movement, assess the impact and document management provisions.

	Sealevel	Development should not increase the potential impact on the environment of/from storm surge.	<i>How will development permitted by the proposed amendment impact on coastal processes?</i> Assess coastal processes and storm surge patterns, assess the impact and document management provisions.
Pollution Management			
Air			
	Particulates / Dust	Ensure that the dust levels generated by the proposal do not adversely impact upon welfare and amenity or cause health problems by meeting statutory requirements and acceptable standards.	<i>Is dust likely to impact on surrounding landuses during construction? How will these impacts be managed?</i> Assess and document the dust impacts and management provisions during construction.
Water			
	Marine water and sediment quality	Maintain or improve the quality of marine water consistent with the draft WA Guidelines for Fresh and Marine Waters (EPA, 1993); and/or Maintain or improve marine water and sediment quality consistent with Environmental Quality Objectives (EQO's) and Environmental Quality Criteria (EQC's) defined in the Southern Metropolitan Coastal Waters Study (1996).	<i>How will stormwater drainage be managed so that it does not impact on marine water and sediment quality?</i> Assess and document how surface water will be managed on the site, with particular reference to drainage management and on-site disposal (quality and quantity).
Land			
	Contamination	Ensure the rehabilitation of the site to an acceptable standard that is compatible with the intended land use, consistent with appropriate criteria. Contaminated material should be treated on-site or disposed of off-site at an appropriate land fill facility. Where this is not feasible, contaminated material should be managed on-site to prevent further groundwater contamination or risk to public health.	<i>What is the extent of contamination on the site the subject of the amendment?</i> <i>How will contamination on the site subject of the amendment be cleaned up to meet the required standards for the proposed future landuses?</i> Assess and document the type, level and extent of contamination, including the marine environment. Document the impacts (ecological and human receptors), cleanup (including disposal off-site) and management of the site in order to allow residential/marina use. Note: The remediation of government land within the development area is currently being formally assessed under Division 1 of Part IV of the Environmental Protection Act. Consequently it is recognised that the remediation of this land for residential purposes does not need to be described in detail in the Environmental Review.
Non-chemical Emissions			
	Noise	Protect the amenity of nearby residents from noise impacts resulting from activities associated with the proposal by ensuring that noise levels meet statutory requirements and acceptable standards.	<i>Is noise likely to impact on surrounding sensitive landuses during construction? How will these impacts be managed?</i> Assess the noise impacts during construction and future use of the Controlled Access Highway and railway line on current and future residents. Document the design and management provisions used to minimise these impacts.
	Vibration	Protect the amenity of nearby residents from vibration impacts resulting from activities associated with the proposal by ensuring that vibration levels meet statutory requirements and acceptable standards.	<i>Is vibration likely to impact on surrounding sensitive landuses during construction? How will these impacts be managed?</i> Assess the vibration impacts during construction and future use of the Controlled Access Highway and railway line on current and future residents. Document the design and management provisions used to minimise these impacts.

Social Surroundings			
Aesthetic			
	Visual amenity (landscape impact)	Visual amenity of the area adjacent to the project should not be unduly affected by the proposal.	<i>Will development permitted by the amendment impact on visual amenity? How will these impacts be minimised?</i> Assess and document the current level of visual amenity, the impacts and management provisions, with particular reference to the Beeliar Regional Park and System Six.
Cultural			
	Aboriginal culture and heritage	Ensure that the proposal complies with the requirements of the Aboriginal Heritage Act 1972; and Ensure that changes to the biological and physical environment resulting from the project do not adversely affect cultural associations with the area.	<i>Are there any areas of Aboriginal significance likely to be affected by the implementation of the Amendment, and if so how will this be managed?</i> Assess and document the presence of Aboriginal sties, include management provisions.
	Non-Aboriginal heritage	Comply with statutory requirements in relation to areas of cultural or historical significance.	<i>Are there any areas of non-Aboriginal heritagesignificance likely to be affected by the implementation of the Amendment, and if so how will they be managed?</i> Assess and document the presence of Non-Aboriginal sties, include management provisions.
Social			
	Public Health and Safety	Ensure that risk is managed to meet the EPA's criteria for individual fatality risk off-site and the DME's requirements in respect of public safety.	<i>How will impacts from the railway and Controlled Access Highway on public health and safety be minimised?</i> Assess the public health and safety risk from the railway line and Controlled Access Highway and document the design and management provisions used to minimise these impacts.
	Amenity	Ensure that the proposal does not unduly impact on the recreational use of Coogee Beach.	<i>How will the proposal affect the recreational use of Coogee Beach?</i> Assess and document the current use of Coogee Beach, the likely impacts and how these will be managed



Environmental Protection Authority

Mr Simon Holthouse
Chairman
Western Australian Planning Commission
Albert Facey House
469 Wellington Street
PERTH WA 6000

Your Ref
Our Ref RS001/12
Enquiries Garry Middle 9222 7069

Dear Simon

DRAFT ENVIRONMENTAL REVIEW (ER), METROPOLITAN REGION SCHEME (MRS) AMENDMENT NO.1010/33, PORT CATHERINE.

Thank you for the Western Australian Planning Commission (WAPC) letter and draft ER received on 20 September 1999. The draft document has been reviewed by the Department of Environmental Protection (DEP) to establish whether it meets the Instructions, has no errors of fact and includes the commitments made by the WAPC on 10 June 1998.

Also, the EPA considers it is important that the ER is integrated and consistent with the proposal currently being assessed by the EPA under Section 38 of the Environmental Protection Act, for the remediation of contaminated land for residential purposes at South Coogee. In this regard, at its meeting of 12 August 1999, the EPA resolved as follows:

- i) *The EPA cannot progress the S48A without investigation, remediation and completion of the fate and transport modelling for the whole location; and*
- ii) *The EPA report should be clear in the identification of the problem and strategy for investigation and remediation of the site, and of the interlinking between this and the assessment under S48A in relation to the location.*

In view of these matters, I have been advised by the DEP and I concur with that advice, that the draft ER is not suitable for public release at this time. In particular, the factors 'contamination' and 'marina water quality' have not been adequately addressed to allow the EPA to assess these factors and report with confidence and certainty.

It is important that the ER document provide a clear environmental defence of the proposal, especially in relation to the major issues. If this does not occur, matters are likely to be raised either through submissions or by the EPA assessment process. This leads to frustration by all those with an interest in the project. I have set out below an outline of additional information which should be included in the ER document before it is released.

MFP RECORDS
1. 809-2-23-13
2. 27 OCT 1999
D. M. N. *Simon*
RECEIVED

MINISTRY FOR PLANNING
22 OCT 1999
S. HOLTHOUSE
FILE 809-2-23-13

Contamination

1. Both the South Coogee remediation proposal (Section 38) and the Port Catherine Scheme Amendment (Section 48A) propose to leave some contaminated soil on site (generally below 2 metres) and some contaminated groundwater. To enable it to properly undertake its assessment of the acceptability of the proposed residential/marina development, the EPA considers that it is essential that information is provided in the ER document demonstrating that the residual contamination of soil and groundwater is acceptable from a human health perspective, and in terms of a potential environmental consequences for the near shore marine environment and marina.

The EPA therefore believes that the Health Risk Assessment and Fate and Transport Model which have been committed to by the WAPC for the South Coogee proposal, should be included in the draft ER. Similarly, the Risk Assessment and Contamination Management Strategy proposed for the Port Catherine development should also be included in the draft ER.

This matter was discussed at the EPA meeting of 12 August 1999, at which officers of the Ministry for Planning were present. I am sure that these officers will understand the need for the additional information to be included in the ER document.

Marina Water Quality

1. The WAPC committed to undertake three dimensional modelling on marina flushing. However, this has been undertaken only for the original marina design and not for the current design reflected in the Amendment.

The flushing analyses for the new design have, I understand, been based on idealised theoretical calculations rather than on direct 3D modelling as applied to an earlier design of the marina, and thus may be open to challenge. The flushing characteristics for the preferred marina design should be confirmed with 3D modelling. The assumed quality of the 'flushing source water' that is used in the modelling should be re-appraised to more realistically represent near shore eastern Owen Anchorage water quality. (see point 2)

2. The draft ER has concluded that it would be necessary to intercept between 60-90 % of all groundwater discharge along the coast of the development site simply in order to reduce nitrate-N concentrations within marina waters to 100ug/L. By comparison with the proponent's target of 100ug/L, mean summer nitrate-nitrogen values averaged across broader Owen Anchorage are generally < 5ug/L, whereas, summer nitrate-nitrogen values in the eastern, nearshore zone of Owen Anchorage are of order 10-30ug/L (presumably because of alongshore extent of nutrient-rich groundwater discharge). Biological data and observations suggest that the eastern, nearshore zone of Owen Anchorage currently shows signs of nutrient enrichment, eg. the seagrass assemblages meadows exhibit 'low plant diversity and biomass and large epiphyte loads'. Hence, already in the absence the proposed marina, the nearshore waters of eastern Owen Anchorage are impacted by the effects of nutrient enrichment.

The ER should pay greater attention to assessing the site suitability (eg. source, quantity/loads and extent of nitrogen rich groundwater) and sustainable manageability of the proposed marina, in terms of the nutrient status of the eastern, nearshore Owen Anchorage. The management measures do not seem defensible. For example, disposing of 2000m³/day of nitrogen rich groundwater, without recycling to groundwater, may require an approximate irrigation area of 50ha.

Please always bear in mind that it is the responsibility of the proponent to demonstrate that a proposal should be judged by the EPA to be environmentally acceptable taking into account the environmental values being impacted upon and the community expectations in relation to those values. As a minimum, changes in water quality, resulting from a proposal, should not be of a nature which provides a potential for algal blooms. The ER needs to include a discussion of the subject evaluating the potential for algal blooms with the proposed marina, and the possible transport of these blooms beyond the proposed marina.

I am satisfied that this additional information is critical, as it relates to potential 'fatal flaws' in the proposal and in my view goes to the heart of the matter being assessed by the EPA, ie. is the land, groundwater, marine water and sediments capable of being remediated and managed to an acceptable standard, and therefore inherently suitable for residential/marina use.

In making judgement the EPA will rely heavily on submissions provided by the Health Department, Water and Rivers Commission, City of Cockburn and internally from the DEP's Contaminated Sites Branch and Marine Branch. I expect there will be considerable pressure to report promptly as well as outline the extent to which a residential/marina development is acceptable, as opposed to other uses permitted under an 'Urban' zoning in the MRS. If submissions are provided on the basis of inadequate or incomplete information the ability for the EPA to advise government will be reduced considerably.

If the EPA was to allow the ER to be released without the information requested, with a qualification that it would be completed before the EPA reported, a second round of 'non-public' submissions and responses would inevitably be required. This has two ramifications, firstly a recurring concern by the public that important information is not in the public arena, and secondly it would be difficult if not impossible for the EPA to report within 72 days.

As you know most environmental issues can be resolved at latter levels of planning (town planning scheme amendments and subdivision), through appropriate management. However, in this case I feel it would be unwise to rezone the land in the MRS, with a clear intention to develop for residential/marina purposes, when potential 'fatal flaws', remain unresolved.

It is in the interest of all parties to ensure that the requested information is included in the draft ER, as it will facilitate the EPA's ability to report regarding the environmental factors.

The DEP will provide more detailed technical comments to officers of the Ministry for Planning. In the interim, should officers require further information regarding these matters, I would be pleased if they would contact either Garry Middle on 9222 7069 or Adrian Vlok on 9222 7050.

Yours sincerely



Bernard Bowen
CHAIRMAN

cc Mr. David Rowe Port Catherine Developments
Dr. Bryan Jenkins Department of Environmental Protection

19 OCT 1999



Environmental Protection Authority

Chairman
Western Australian Planning Commission
Albert Facey House
469 Wellington Street
Perth, WA 6000

Your Ref 809-2-23-13 Pt.1
Our Ref RS001/12
Enquiries Darren Walsh

Attention: Fred Hainsworth

Dear Sir

METROPOLITAN REGION SCHEME AMENDMENT 1010/33 – PORT CATHERINE

I refer to your recent correspondence referring the Environmental Review and associated appendices for the above Amendment to the Environmental Protection Authority for its concurrence to allow advertising in accordance with the *Metropolitan Town Planning Scheme Act*.

I am pleased to advise that the revised Environmental Review provided to the Authority on **12 September 2001** is considered to be prepared in accordance with the EPA's Instructions and is approved for release.

It would be appreciated if Mr Hainsworth would liaise with the Mr Darren Walsh of the EPA Service Unit in relation to the distribution and availability of the Environmental Review during the advertising period and the associated timeframes for advertising and review.

This advice does not in any way imply that your proposal has been assessed and determined to be environmentally acceptable, nor that all issues have been exhaustively covered. It is anticipated that submissions arising from the review period will assist in providing a more complete analysis of the environmental significance of this proposal.

Should you have any questions regarding this matter, please contact Darren Walsh on (08) 9222 7069 in the first instance.

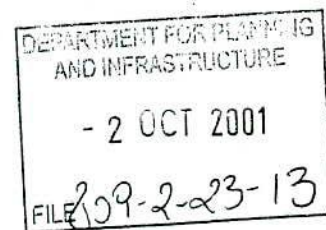
Yours faithfully



B K Bowen

CHAIRMAN

26 September 2001



APPENDIX B

**LIST OF DETAIL PLANS
SUPPORTING THE AMENDMENT**

PORT CATHERINE

PROPOSED MAJOR AMENDMENT

3.1236/1

DETAIL PLANS

- 3.1126/2 - URBAN & INDUSTRIAL ZONES
SPEARWOOD/COOGEE
- 3.1241 - PARKS & RECREATION AND INDUSTRIAL
SPEARWOOD

LAND REQUIREMENT PLANS

- 1.3679 - FREMANTLE-ROCKINGHAM HWY WHITTON ST TO LOT 9
- 1.3680 - FREO-ROCKINGHAM HWY LOT 10 TO AHOY RD
- 1.3681 - FREO-ROCK HWY AHOY RD TO ARLINGTON LOOP
- 1.3682 - FREO-ROCK HWY ARLINGTON LP TO FAIRBAIRN RD

CHANGES PLANS

- 1.3684 - FREO-ROCKINGHAM HWY LOT 10 TO AHOY RD
- 1.3685 - FREO-ROCK HWY AHOY RD TO ARLINGTON LOOP

APPENDIX C

**YOUR PROPERTY AND THE
METROPOLITAN REGION SCHEME**

YOUR PROPERTY AND THE METROPOLITAN REGION SCHEME

Landowners rights to compensation in relation to reserved land

If land is reserved in the Metropolitan Region Scheme

Land which is affected by a reservation in the Metropolitan Region Scheme (MRS) will ultimately be acquired by the Government, but generally can remain in private ownership until it is actually needed for the public purpose.

There are several options available to the owners of reserved land:

- Retain ownership and continue with the quiet enjoyment of the property until it is needed for the public purpose. You may complete any development or subdivision of the property that was approved prior to the reservation coming into effect.
- Sell the property on the open market to another person(s). The Western Australian Planning Commission (WAPC) recognises that due to the reservation this may be difficult and, subject to acquisition priorities and the availability of funds, would be willing to consider the purchase of a reserved property if an owner is unable to achieve a private sale on the open market.
- Offer the property for sale to the WAPC. Subject to acquisition priorities and the availability of funds, the WAPC would be willing to consider the early acquisition of a reserved property. In such cases the property is purchased at the current market value had the property not been affected by the reservation, with the value being determined by independent valuations of the property.
- Make a claim for compensation for injurious affection following the WAPC's refusal of a development application or approval of a development application subject to conditions that are unacceptable to the applicant. In such cases the WAPC may elect to purchase the property instead of paying compensation with the purchase price being determined in the same way as a negotiated purchase.

Am I entitled to compensation?

If your land is reserved in the MRS, you may be able to make a claim for compensation for injurious affection if:

- you are the owner of the property when it is first reserved in MRS and you wish to sell the property on the open market at a reduced price;

or

- the WAPC has either refused a development application over the property or has approved a development application over the property subject to conditions that are unacceptable to the applicant.

How do I claim compensation?

1. If you have chosen to sell the property on the open market at a reduced price, complete a Notice of Intention to Sell form which is available at the Department for Planning and Infrastructure. The department will establish the extent of the reservation and forward the notice to the Board of Valuers.

The Board of Valuers will determine the sworn unaffected and affected values of the property. You may wish to meet with the Board to raise any matters you believe are relevant to the value of the property.

Following the determination by the Board:

- you will be notified of the unaffected value of the property.
- you pay a valuation fee to the WAPC, after which you will be notified of the affected value of the property - this will represent the minimum sale price.
- you then arrange the sale of the property (either privately or through an agent). Note the sale price must not be less than the affected value determined by the Board.

- when the property is sold, you may make a claim for compensation for injurious affection for the difference between the sale price and the unaffected value as determined by the Board.
- If the property does not sell within one year of the Board's valuation, you may ask the Board for a revaluation of the property. The sale process is then repeated.
- Once compensation has been paid, a caveat will be lodged on the Certificate of Title to identify that compensation has been paid. Please note that compensation is only payable once

Alternatively, you may ask the WAPC to purchase the property as you have been unable to sell the property privately.

2. If the WAPC has refused your development application or approved it subject to unacceptable conditions **and** the property is reserved in the MRS, you may make a claim for compensation for injurious affection within six months of the WAPC's decision on the application.

In such a case the WAPC will either pay compensation or may elect to purchase the property in lieu of paying compensation.

If the WAPC elects to purchase the property, valuations are obtained for the market value of the property as at the date of the election to purchase had the property not been reserved in the MRS. Please note that the date of valuation is fixed at the date of election to purchase.

What is compulsory acquisition?

A situation may arise where a property is needed as a priority for a public purpose and the owner is unwilling to sell the property to the WAPC.

In such a case, the property may be compulsorily acquired (or "resumed") for that public purpose.

Where a property has been resumed by the WAPC, you have the right to make a claim for compensation in respect of the land resumed.

The WAPC will have the resumed land valued and following the checking of the compensation claim will make you an offer of compensation for the resumed land.

Should you have any queries concerning the matters raised in this brochure, please do not hesitate to contact the Department for Planning and Infrastructure, Properties & Parks Branch.

APPENDIX D

PREPARING A SUBMISSION

PREPARING A SUBMISSION

The Western Australian Planning Commission (WAPC) welcomes comment on proposed amendments to the Metropolitan Region Scheme 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 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. 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

Please remember to complete the Submission Form (Form 6A – appendix E). Include your name and full postal address on side one and information related to the hearings on side two. It is preferred that any attachments be loose rather than bound.

The closing date for submissions and where they should be lodged is shown on the Form 6A and in the Submissions on the Amendment section in this report. To be eligible to make a presentation to the Hearing Committee your written submission must be received by the closing date.

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 Environmental Protection Authority.

You should be aware that the calling for public submissions is a public process, and all submissions will become public documents. Presentations made to the Hearings Committee are an extension of the submission process, and the transcripts of the hearings also become a public document.

APPENDIX E

**SUBMISSION FORM
FOR THIS AMENDMENT
(Form 6A)**

Metropolitan Region Town Planning Scheme Act 1959
Section 33 Amendment (Substantial)
FORM 6A

SUBMISSION
METROPOLITAN REGION SCHEME AMENDMENT No. 1010/33
PORT CATHERINE

OFFICE USE ONLY

SUBMISSION NUMBER

To: Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH W.A. 6000

I/We (Please print clearly)
(NAME)

of Postcode
(ADDRESS)

make a submission in relation to the above mentioned proposal to amend the Metropolitan Region Scheme. The submission is as follows:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

(Please include additional plain sheets if necessary. It is preferred that any additional information be loose rather than bound)

TURN OVER TO COMPLETE YOUR SUBMISSION

HEARING OF SUBMISSIONS

The Metropolitan Region Town Planning Scheme Act 1959 also provides the opportunity for people who have made a written submission to personally present the basis of their submission to a Hearings Committee.

These hearings are arranged so that the Western Australian Planning Commission can listen to a person should they wish to explain or expand upon their written submission. A hearing is intended for listening to points of view and planning rationale, and is not a forum of general public debate. In the case of a group, a spokesperson to represent the group must be appointed.

All hearings are recorded and transcribed. The transcripts of any public hearings, along with all written submissions, are published as public records. The Commission's recommendations are also published in a Report on Submissions.

You do not have to attend a hearing. The comments presented by you in this written submission will be taken into account in determining the recommendation for the proposed amendment.

Please complete the following:

- NO**, I do **not** wish to speak at the hearings. (Please go to the end of the form and sign).
- or
- YES**, I **do** wish to speak at the hearings. (Please complete the following details. You will be contacted to arrange a time for your hearing).
- I will be represented by:
- MYSELF**. My telephone number (business hours):
- or
- MY AGENT or SPOKESPERSON** (an agent may be from a local group)
- Agent's name:
- Group name:
- Agent's telephone number (business hours):
- Mailing address:
- I would prefer my hearing to be conducted in:
- PUBLIC** (with a public hearing other persons, including the media, may attend).
- or
- PRIVATE** (a private hearing is conducted behind closed doors and only persons nominated by you and the Hearings Committee may attend).

TO BE SIGNED BY PERSON(S) MAKING THE SUBMISSION

Signed

Date

NOTE: Submissions MUST be received by the advertised closing date, being close of business (5.00pm) on FRIDAY 1 MARCH 2002. Late submissions will NOT be considered.