

Chief Executive Officer
City of Cockburn
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Bibra Lake WA 6965

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

Dear Sir/Madam

LOCAL PLANNING SCHEME NO. 3 - AMENDMENT NO. 118

I refer to your letter dated 29 January 2018 regarding Amendment No. 118.

The WAPC 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 refused to approve the amendment for the following reasons:

- (a) The amendment is inconsistent with the Southern Metropolitan Peel Sub-regional Planning Framework as:
 - (i) it does not seek to protect the existing freight railway reservation from incompatible urban encroachment;
 - (ii) the amendment area is neither serviced by high-frequency public transportation nor located within a walkable catchment to a transit corridor, higher-order activity centre or employment node.
 - (iii) the proposed R40 and R60 codings are proposed beyond a 200 metre walkable catchment of local centres and are inappropriate given the existing street layout and lack of pedestrian connectivity.
 - (iv) a portion of amendment area is earmarked for Passenger rail - further investigation. Increasing residential densities in this location, and in the manner proposed will prejudice orderly and proper planning.
- (b) The amendment is not supported by a Western Australia Planning Commission endorsed Local Planning Strategy which considers current state and regional planning policy and the suitability of increased residential codings within the amendment area in the context of the broader local government area.

- (c) The amendment is inconsistent with Draft State Planning Policy 5.4 (SPP 5.4) for the following reasons:
- (i) the proposed noise and vibration mitigation measures are predicated on methodology neither supported by SPP 5.4 nor the associated Implementation Guidelines; and
 - (ii) in the absence of an endorsed local planning strategy which considers dwelling and population projections, it has not been demonstrated that infill development is unavoidable within areas affected by road and rail noise. The proposal, therefore, represents a risk of future land use conflict as it seeks to increase noise-sensitive development and expose additional people within areas affected by road and raise noise.

It is noted the City is currently preparing a new local planning strategy. It is recommended that as a part of this process, and in addition to the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the City consider further the suitability of recoding land within the amendment area having regard to the refusal reasons listed above

Please direct any queries about this matter to Rebecca Risteski on 6551 9313 or rebecca.risteski@dph.wa.gov.au

Yours sincerely



Ms Sam Fagan
Secretary
Western Australian Planning Commission

29/03/2019