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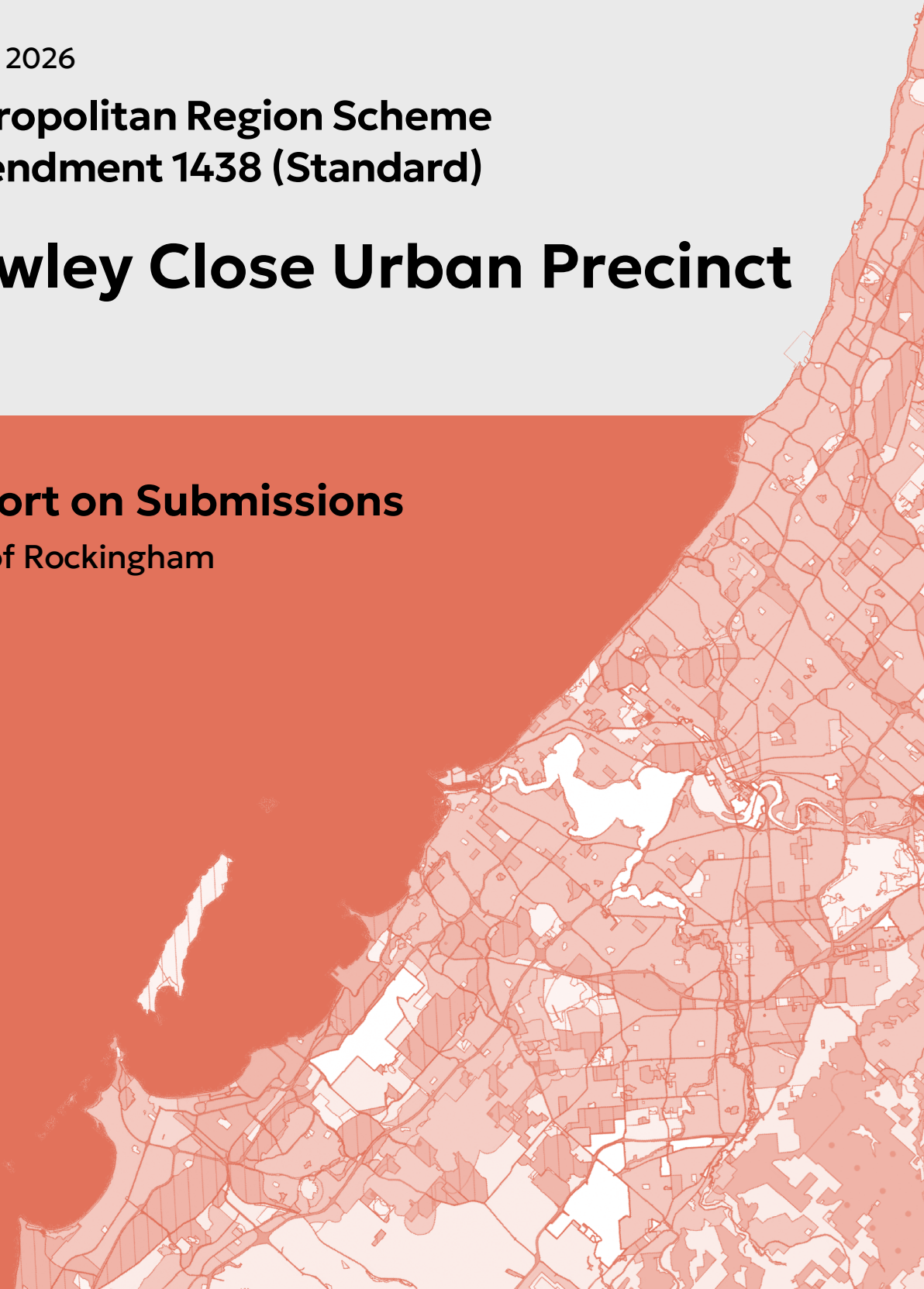
March 2026

Metropolitan Region Scheme Amendment 1438 (Standard)

Sawley Close Urban Precinct

Report on Submissions

City of Rockingham



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Report on Submissions

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Acknowledgement of Country

The Western Australian Planning Commission acknowledges Aboriginal people as the traditional custodians of Western Australia. We pay our respects to the Ancestors and Elders, both past and present, and the ongoing connection between people, land, waters, and community. We acknowledge those who continue to share knowledge, their traditions and culture to support our journey for reconciliation. In particular, we recognise land and cultural heritage as places that hold great significance for Aboriginal people.

Disclaimer

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Published by the
Western Australian Planning Commission

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Amendment 1438 (Standard)
Report on Submissions

File: RLS/1137

Published March 2026

This document is available in alternative formats on application to the
Department of Planning, Lands and Heritage Communications Branch.

1. Introduction

At its March 2025 meeting, the Western Australian Planning Commission (WAPC) resolved to proceed with this amendment to the Metropolitan Region Scheme (MRS), in accordance with the provisions of section 35 of the *Planning and Development Act 2005* and regulation 5 of the Planning and Development (Region Planning Schemes) Regulations 2023.

2. The proposed amendment

The amendment proposal was described in the previously published **Amendment Report**, and a description of the proposal is repeated below.

The purpose of the amendment is to rezone approximately 16.48 ha in Golden Bay from the Rural zone to the Urban zone and Regional Open Space (ROS) reservation in the MRS. The proposed amendment will facilitate future residential development, Public Open Space (POS) and a conservation area.

3. Environmental Protection Authority advice

On 21 May 2025, the Environmental Protection Authority (EPA) determined that the amendment did not require assessment under Part IV of the *Environmental Protection Act 1986*, and provided advice on flora and vegetation, terrestrial fauna, Inland waters and social surroundings. These matters will require further consideration in subsequent planning stages.

A copy of the notice from the EPA is in Appendix A of the **Amendment Report**.

4. Call for submissions

The amendment was advertised for public submissions for a total of 42 days from 16 July to 27 August 2025.

The amendment was made available for public inspection online at the Department of Planning, Lands and Heritage website.

During the public inspection period, a notice of the amendment was published in *The West Australian* newspaper, and the WAPC made reasonable attempts to notify and invite affected landowners, local government/s and other public authorities to comment on the amendment.

5. Submissions

Thirty-three submissions were received on the amendment; five submissions were of support, ten were of general comments, non-objection or no comment, and eighteen were of objection.

Copies of all written submissions are contained within this report.

6. Main issues raised in submissions

Environmental Impacts

Submissions state that the proposed amendment will negatively impact flora and fauna in the locality.

WAPC Response: The *South Metropolitan Peel Sub-Regional Planning Framework* (the Framework) guides the development of the Perth metropolitan area and identifies the subject land as Urban and Rural Residential reflecting the current City of Rockingham Town Planning Scheme No. 2 (TPS 2) zoning. The amendment proposes to rezone the site to Urban and ROS which reflects the intent of the Framework.

The amendment seeks to secure the most significant environmental assets and habitat in a 6.2 ha ROS reservation for conservation purposes to be ceded free of cost. A further 2.15 ha of public open space for a local reservation, containing local recreational spaces, asset protection zone planting areas and drainage is also proposed. This is considered an improvement to the current planning framework which contains these environmental assets (being significant trees, wetlands and buffers for example) in a Rural zone and under private ownership.

The majority of the vegetation within the proposed Urban area has been identified as ‘degraded’ and does not contain significant wetland assets or trees. The proponent has also advised that a series of environmental management plans are to be implemented prior to any works commencing on-site. The following outcomes are supported:

- Retaining multiple environmental assets including Tuart trees and potential black cockatoo breeding trees within the ROS reservation; and
- Retention of the southern dune ridgeline within the ROS reservation.

The EPA considered the merits of the proposed amendment and resolved to not assess the amendment under Part IV Division 3 of the *Environmental Protection Act 1986*. The EPA provided advice on inland waters, flora and vegetation, terrestrial fauna and social surroundings which will be given further detailed consideration in the subsequent local structure planning and subdivision stages.

7. Responses and determinations

The responses to all submissions are detailed in Schedule 2. It is recommended the amendment be adopted for finalisation as advertised.

8. Coordination of local and region planning schemes

Under section 126(3) of the *Planning and Development Act 2005* (the Act), the WAPC has the option of concurrently rezoning land being zoned Urban under the Metropolitan Region Scheme, to a zone which is consistent with the objectives of the Urban zone in the corresponding local planning scheme.

In this respect, the WAPC has resolved to concurrently amend the City of Rockingham Town Planning Scheme No. 2, to transfer the amendment area to the Development zone.

Under section 126(1) of the *Planning and Development Act 2005* (the Act) if a region scheme delineates land comprised in a local planning scheme for any public purpose, then the local planning scheme, in so far as it operated in relation to that land is, by force of this section, and without any further action under this Act, amended to such extent (if any) as is necessary to give effect to the reservation under the region planning scheme.

By virtue of section 126(1), the City of Rockingham Town Planning Scheme No. 2 is amended to give effect to the reservation(s) included in Amendment 1438.

9. Conclusion and recommendation

This report summarises the background to Amendment 1438 and examines the various submissions made on it.

The Western Australian Planning Commission (WAPC), after considering the submissions, is satisfied that the amendment as shown generally on the **Amendment Figure - Proposal 1** in Schedule 3, and in detail on the Amending Plan listed in Appendix A should be approved and finalised.

Having regard to the above, the WAPC recommends that the Minister for Planning and Lands approves the amendment.

10. Minister decision

Amendments to the Metropolitan Region Scheme being progressed as a standard amendment in accordance with the *Planning and Development Act 2005* and regulation 5 of the Planning and Development (Region Planning Schemes) Regulations 2023 require the WAPC to provide a report and recommendation to the Minister for Planning and Lands for approval. The Minister may approve, approve with modification, or decline to approve the proposed amendment.

The Minister, after considering the amendment, has agreed with the recommendation of the WAPC and approved the amendment.

Amendment 1438 is now finalised as advertised and shown on Amending Plan 3.2862 and has effect in the Metropolitan Region Scheme from the date of notice in the *Government Gazette* on Friday 17 April 2026.

Schedule 1

listing of submissions

Metropolitan Region Scheme Amendment 1438 (Standard) Sawley Close Urban Precinct

Submission Number	Submitter
1	Damien Thompson
2	ATCO Gas Australia
3	Suzanne Stevens
4	Name removed at the request of the submitter
5	Madison Lyne
6	Susan Cook
7	Name removed at the request of the submitter
8	Adam Bell
9	Name removed at the request of the submitter
10	David Sturgeon
11	Craig Page
12	Andrew Gibson
13	Water Corporation
14	Steward & Shelley Jankata
15	David Lee
16	Name removed at the request of the submitter
17	Department of Water & Environmental Regulation
18	Name removed at the request of the submitter
19	Name removed at the request of the submitter
20	Name removed at the request of the submitter
21	Name removed at the request of the submitter
22	Name removed at the request of the submitter
23	Name removed at the request of the submitter
24	Name removed at the request of the submitter
25	Name removed at the request of the submitter
26	Name removed at the request of the submitter
27	Department of Transport and Major Infrastructure
28	Main Roads Western Australia
29	Public Transport Authority
30	Department of Health
31	Department of Fire and Emergency Services
<hr/>	
Late Submissions	Submitter
32	City of Rockingham
33	Department of Biodiversity, Conservation and Attractions

Schedule 2

summary of submissions and determinations

Submission: 1

Submitter: Damien Thompson

Summary of Submission: OBJECTION

The submitter objects to the amendment as it too complicated.

Planning Comment: Comments noted. It should be noted that the proponent conducted multiple community consultation sessions prior to lodging the amendment to explain the project objectives and the planning process. It should also be noted that the advertised **Amendment Report** succinctly outlines the intent of the amendment.

Determination: Submission dismissed.

Submission: 2, 13, 17, 27, 28, 29, 30 & 31

Submitter: ATCO Gas Australia, Water Corporation, Department of Water and Environmental Regulation, Department of Transport and Major Infrastructure, Main Roads Western Australia, Public Transport Authority, Department of Health & Department of Fire and Emergency Services

Summary of Submission: COMMENT

The above State Government agencies and infrastructure providers raise no objections, no comment or provide general comments on the amendment.

The Department of Fire and Emergency Services have requested changes to the Bushfire Management Plan which have since been undertaken and any final updates can be undertaken in subsequent planning stages.

Planning Comment: Comments noted.

Determination: Submissions noted.

Submission: 3

Submitter: Suzanne Stevens

Summary of Submission: OBJECTION

The submitter objects to the amendment citing concerns it would remove bushland and trees, undermining the existing Sawyers Valley ecosystem, even with only “partial” clearing. The submitter is also concerned the development will bring more heavy vehicle traffic, leading to noise, dust and dirt (exacerbated by strong southerly winds) and the suburbanisation/overcrowding of the currently quiet area. The submission includes general information on the environmental

and wellbeing benefits of trees and bushland i.e. carbon sequestration, habitat, air/water quality, erosion control, and amenity.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

The proponents traffic analysis completed for the amendment anticipates dwellings will generate a daily traffic generation of 1,136 vehicles per day, or approximately 114 vehicle movements during the peak period. Once distributed across the surrounding road network, this traffic generation equates to less than the WAPC guidelines threshold of 100 vehicles per hour per lane.

Determination: Submission dismissed.

Submission: 4

Submitter: Name removed at the request of the submitter

Summary of Submission: SUPPORT

The submitter supports the amendment and acknowledges the extensive community engagement undertaken by the proponent and the ongoing opportunities for further input as planning progresses, ensuring a balanced approach to development and environmental preservation, along with ensuring that Sawley Close remains separate as it is not suited to increased traffic.

Planning Comment: Support noted.

Determination: Submission noted.

Submission: 5

Submitter: Madison Lyne

Summary of Submission: OBJECTION

The submitter objects to the proposed development citing concerns it would negatively affect surrounding homes and result in the loss of a valued nature reserve that provides wildlife habitat and a local recreational walking area. The submitter argues there are few nature reserves nearby and that converting the land to housing would be devastating, calling for the reserve to be protected rather than destroyed.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 6
Submitter: Susan Cook
Summary of Submission: SUPPORT

The submitter supports the amendment subject to there being no road connection from Secret Harbour to Sawley Close, arguing it would become a shortcut to Dampier Drive and that Sawley Close cannot cope (no footpaths and existing antisocial behaviour). The submitter also states that Dampier Drive already has serious congestion and access issues, and that additional road infrastructure is needed to manage increased traffic. The submitter adds they bought the property for a tree-filled, semi-rural setting away from urban sprawl, and asks that the local environment and amenity not be degraded.

Planning Comment: The comments of support are noted. The proponent's concept plan for area avoids any road connection between the Urban area and Sawley Close. This seeks to ensure the character and amenity of the rural residential lots are not disrupted by urban development. It is noted that the local road network will be given detailed consideration at the local structure planning stage which also includes a separate public consultation period.

The proponent's Transport Impact Assessment demonstrates negligible impact on traffic volumes, traffic flow forecast, site access and existing pedestrian and cyclist movement network.

Determination: Submission noted.

Submission: 7
Submitter: Name removed at the request of the submitter
Summary of Submission: OBJECTION

The submitter objects to the amendment because the Sawley Close area is described as the last remaining natural habitat in Secret Harbour/Golden Bay (aside from the coastal dunes). They argue that losing this remaining land would further impact already-declining wildlife, noting a significant reduction in native bird numbers following earlier habitat clearing from developments between Secret Harbour and Golden Bay.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 8
Submitter: Adam Bell
Summary of Submission: OBJECTION

The submitter objects to the amendment, indicating they are a prominent participant in the 'Save Our Dunes' protest and implying their objection is based on the protest's environmental concerns.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 9

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment, stating they bought their property next to the site in good faith believing only a small number of semi-rural lots would be developed. They are concerned that a higher-density outcome (around 150 houses) would increase noise, traffic and air quality impacts, undermining the peace and amenity they expected when purchasing.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 10

Submitter: David Sturgeon

Summary of Submission: OBJECTION

The submitter objects to the amendment, arguing the area has been overdeveloped over the past 5-10 years, eroding its natural character, and that recent large developments have not improved access to lower-cost housing. The submitter is also of the opinion that further growth will overcrowd under-serviced suburbs, citing insufficient local amenities and infrastructure (including limited shopping, no police station or train station) alongside rising crime, while development is focused on uses like petrol stations and bottle shops rather than needed services.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 11

Submitter: Craig Page

Summary of Submission: SUPPORT

The submitter supports the amendment, stating it integrates new housing while protecting the dune system's topography and views, and preserves regional open space and the local character of the area.

Planning Comment: Support noted.

Determination: Submission noted.

Submission: 12

Submitter: Andrew Gibson

Summary of Submission: OBJECTION

The submitter is not opposed to new housing between Rockingham and Mandurah but argues transport infrastructure must come first. The submitter highlights the long-promised but undelivered Karnup Road train station, infrequent/indirect bus services from Warnbro/Lakelands, and peak-hour congestion on the Kwinana Freeway, warning that further housing will worsen these issues unless public transport access (including walk/cycle connectivity) is improved.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

The proponent's Transport Impact Assessment demonstrates negligible impact on traffic volumes, traffic flow forecast, site access and existing pedestrian and cyclist movement network.

Determination: Submission dismissed.

Submission: 14

Submitter: Stewart & Shelley Jankata

Summary of Submission: OBJECTION

The submitter objects strongly to the amendment, stating this is the first time they have been consulted despite earlier planning occurring, and that they previously could not obtain clear information from the City of Rockingham. The submitter argues that the Peel region has already been heavily altered by development since the 1960s, with bushland replaced by small lots and increased crowding. The submitter cites local wildlife and birdlife they currently observe (various birds of prey and smaller birds, and previously kangaroos) and draw on their experience working in jarrah forest mining to claim clearing causes lasting harm to fauna. They question how further bush clearing aligns with goals for a cleaner future.

Planning Comment: Comments noted. It is noted that the *Planning and Development Act 2005* does not require public pre-advertising for a proposed region scheme amendment. However, the proponent advises they undertook extensive community engagement, including information sessions, surveys, a website and social

media. Over 10,000 people were engaged with the majority of responses (over 75%) from Golden Bay.

Determination: Submission dismissed.

Submission: 15

Submitter: David Lee

Summary of Submission: OBJECTION

The submitter objects to the amendment citing concerns it would remove bushland, reducing habitat for native animals and birds, and they consider the resulting loss of open space harmful to the environment and to people's physical and mental wellbeing.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 16

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment noting that their property backs onto the proposed development area and they currently enjoy bushland and ocean views. The submitter cites concerns that the development may involve higher-elevated rear lots/earthworks, leading to overlooking and privacy impacts between new homes and their existing rear balcony. The submitter also notes their opposition to the amendment due to uncertainty about the final layout, lot sizes and finished ground/house heights, and request further detail to address these concerns.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

The proponent's concept plan for the area demonstrates that all existing rural residential lots will have a landscape buffer to create a visual separation and screening to the proposed residential dwellings. This includes the retention of tuart trees within the Regional Open Space reserve, as well as new planting in the local public open space. Further detailed consideration of such matters will occur in the subsequent local structure planning stage which includes a separate public consultation period.

Determination: Submission dismissed.

Submission: 18

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter opposes the amendment unless supporting infrastructure is delivered first, particularly community services in Golden Bay. The submitter argues that the development would increase vehicle traffic on Dampier Road, worsening its condition and congestion given limited public transport, and they want improved public transport and delivery of planned food-and-beverage outlets before any further development proceeds.

Planning Comment: Comments noted. The proponent's Transport Impact Assessment demonstrates negligible impact on traffic volumes, traffic flow forecast, site access and existing pedestrian and cyclist movement network.

Determination: Submission dismissed.

Submission: 19 & 20

Submitter: Names removed at the request of the submitters

Summary of Submission: OBJECTION

The submitters objects to the amendment, stating that levelling the dune and clearing native bushland along their rear boundary would harm their privacy, security and their children's safety. The submitters also raise environmental concerns, noting the area contains Tuart trees and provides habitat/food resources for Black Cockatoos and Quenda.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submissions dismissed.

Submission: 21

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter opposes the amendment, stating that levelling the dune would significantly reduce their privacy and security, and that it would destroy local bushland and the wildlife living there.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 22

Submitter: Name removed at the request of the submitter

Summary of Submission: SUPPORT

The submitter supports the amendment, appreciating that feedback from Sawley Close residents has been incorporated to retain natural bushland at the end of the street. They prefer the area remain undeveloped bush (not formalised as parks/playgrounds/BBQs) to protect the area's natural amenity, and they support no new paths/through-routes (including to a future train station) through the wetlands behind their property, noting security concerns where fencing is not feasible. Overall, the submitter is satisfied and hopes that any land transferred to the government remains untouched.

Planning Comment: Support noted.

Determination: Submission noted.

Submission: 23 & 24

Submitter: Names removed at the request of the submitters

Summary of Submission: SUPPORT

The submitters support the amendment, stating it will enable new housing while protecting key environmental values (including native vegetation and wetlands) and maintaining the area's local character.

Planning Comment: Support noted.

Determination: Submissions noted.

Submission: 25

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter opposes the amendment, arguing the current rural zoning should be retained to preserve scarce lifestyle blocks and the area's semi-rural character. The submitter cites concerns that the site contains environmentally sensitive values (remnant vegetation, wetlands and habitat) and that open space reservation may not guarantee long-term protection. The submitter also contends further residential density will increase pressure on services and exacerbate social issues, and recommend keeping the land rural; if rezoned, the submitter requests larger lots, strong environmental buffers and covenants to protect ecological values and nearby amenity.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Position Statement Special Residential Zone (May 2021) confirms the intent to discontinue the Special Residential zone, as such zones are considered an inefficient use of land that constrain urban development.

The environmental outcomes of a Special Residential zoning under the existing planning framework is likely to have resulted in the clearing of the majority of the site for building envelopes, roads and bushfire response. This also results in significant environmental trees and habitat in private ownership. However, the proposed Regional Open Space reservation provides certainty of the long-term preservation of environmental assets compared to the current zoning of the site.

Determination: Submission dismissed.

Submission: 26

Submitter: Name removed at the request of the submitter

Summary of Submission: COMMENT

The submitter cites their opinion that the development has merit only if key environmental values are fully protected, including Tuart woodlands, FCT 19 sedgeland, and Black Cockatoo habitat, and supports retaining the ridgeline/topography and rural amenity. However, the submitter argues that the proposal is not yet sufficiently detailed to guarantee these outcomes (outdated flora surveys, unclear earthworks, vegetation loss risks at residential/open-space interfaces, and no clear reserve management responsibility). The submitter therefore requests the land be zoned Urban Deferred until updated plans are provided and accepted, prioritising proper planning over a rush for additional housing.

Planning Comment: Comments noted. The City of Rockingham have cites support of the Urban zoning and Regional Open Space reservation of the subject site. It is also noted that since the City's submission on the amendment was received, additional environmental studies were undertaken to validate the initial Environmental Assessment Report.

It is also noted that the proponent's concept plan for the area has been informed by cut and fill earthworks plans, to ensure no earthworks occur within the proposed Regional Open Space reservation, including the ridgeline.

Determination: Submission dismissed.

Submission: 32 (Late)

Submitter: City of Rockingham

Summary of Submission: SUPPORT

The submitter, the City of Rockingham, supports the amendment, citing consistency with the *South Metropolitan Peel Sub-Regional Planning Framework* and that it provides a framework for future planning of the site. The City preferred Urban zoning over Urban Deferred to provide certainty and enable timely delivery of new housing, and later also expressed support for the concurrent local planning scheme amendment.

Planning Comment: Support noted.

Determination: Submission noted.

Submission: 33 (Late)

Submitter: Department of Biodiversity Conservation and Attractions

Summary of Submission: COMMENT

The submitter, the Department of Biodiversity Conservation and Attractions (DBCA), provided detailed environmental and implementation comments rather than support/objection for the amendment, noting the amendment area contains (or adjoins) mapped TEC SCP19 (FCT19 sedgeland) and a Conservation Category Wetland (CCW). DBCA emphasised the need to retain these areas with buffers, implement weed control/revegetation, controlled access (paths/fencing), and a conservation management plan including groundwater level/quality protection and monitoring.

DBCA highlighted a discrepancy between DBCA mapping (two TEC occurrences remain current) and a recent flora survey that did not record the TEC, and advises a formal dispute/appeals process if proponents contest its presence. DBCA also urged maximising retention of Black Cockatoo habitat (noting 103 habitat trees identified) due to cumulative habitat loss, flags potential EPBC Act obligations, raises concerns about mosquito management constraints within adjacent DBCA managed wetlands/park, and recommends a Kangaroo Management Plan to address likely displacement and associated community/safety issues.

Planning Comment: Comment noted. A district water management strategy (DMWS) has been approved by the Department of Water and Environmental Regulation (DWER) for the amendment area. A local water management strategy (LWMS) is being progressed which outlines the stormwater management system and has been designed to maintain the predevelopment hydrological regime by ensuring that all stormwater within the site will be infiltrated with no discharge occurring towards the TEC and/or wetland areas. The stormwater modelling and stormwater management plan within the LWMS demonstrate this. The LWMS has groundwater monitoring bores located in the TEC and wetland. The subsequent UWMP will provide more detail on the stormwater management design and further refinement of the stormwater modelling provided in the LWMS.

The proponent has undertaken a Mosquito Management Plan (MMP) to inform the amendment. The key objective of the MMP is to analyse relevant mosquito data and outline recommended design controls for implementation consistent with

contemporary best management measures and the Peel Mosquito Management Group. Mosquito management measures are proposed during each planning phase and is to be supplemented by ongoing monitoring.

The proponent confirms that a Kangaroo Management Plan (KMP) has been committed to as part of the Fauna Relocation and Management Plan as part of the Local Structure Planning process.

Determination: Submission noted.

Schedule 3

amendment figure (as advertised)

Appendix A

list of plans (as advertised)

Metropolitan Region Scheme Amendment 1438 (Standard) Sawley Close Urban Precinct

as advertised

Amending Plan 3.2862

Appendix B

submissions


From: Damien Thompson <Damien@caswelldrilling.com.au>
Sent: Monday, 14 July 2025 4:14 PM
To: Region Planning Schemes
Subject: RE: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137
Attachments: image009.wmz; image011.wmz; image015.wmz
Follow Up Flag: Follow up
Flag Status: Flagged

That's far to complicated but yes I strongly appose to the rezoning.

Regards

Damien Thompson

General Manager

 0467 596 929

 damien@caswelldrilling.com.au

 www.caswelldrilling.com.au



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From: Damien Thompson <Damien@caswelldrilling.com.au>
Sent: Monday, 14 July 2025 4:15 PM
To: Region Planning Schemes
Subject: RE: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137
Attachments: image009.wmz; image011.wmz; image015.wmz
Follow Up Flag: Follow up
Flag Status: Flagged

I strongly oppose to the
PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1438 (STANDARD) – SAWLEY CLOSE URBAN PRECINCT - RLS/1137

Regards

Damien Thompson
General Manager

 0467 596 929  damien@caswelldrilling.com.au  www.caswelldrilling.com.au



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From: ATCO Engineering Enquiries <eservices@atco.com>
Sent: Thursday, 17 July 2025 11:08 AM
To: Region Planning Schemes
Subject: ATCO Response - LM01719118 - RE: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Actioned - LC, SUB

Good Morning,

Re: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137
ATCO Reference: LM01719118

ATCO Gas Australia (ATCO) has **no objection** to the proposed application, based on the information and plan provided.

Advice notes:

- Anyone proposing to carry out construction or excavation works must contact 'Before You Dig Australia' (www.byda.com.au) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- *Additional Information for Working Around Gas Infrastructure* <https://gas.atco.com/en-au/natural-gas/wa-gas-network/working-around-gas-infrastructure.html>
- Proposed construction and excavation works need to be managed in accordance with the ATCO document *Additional Information for Working Around Gas Infrastructure - AGA-O&M-PR24* <https://gas.atco.com/en-au/natural-gas/wa-gas-network/working-around-gas-infrastructure.html>

Please accept this email as ATCO's written response.

Should you have any queries regarding the information above, please contact us on 13 13 56 or eservices@atco.com.

Kind Regards

Kim Hatcher

Land Liaison/Engineering Coordinator
ATCO, Gas Division, Australia

A. 81 Prinsep Road, Jandakot, Western Australia, 6164
ATCO.com.au [LinkedIn](#) [Facebook](#) [X](#)



ATCO acknowledges Aboriginal people as the Traditional Custodians of country throughout Australia including Torres Strait Islander peoples.



Respondent No: 1

Login: Anonymous

Email: n/a

Responded At: Jul 17, 2025 20:31:38 pm

Last Seen: Jul 17, 2025 20:31:38 pm

IP Address: n/a

Q1. What is your first name?	Suzanne
Q2. What is your surname?	Stevens
Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q4. What is your email address?	suzannes129@gmail.com
Q5. What is your address?	113 Greeson Parkway, Secret Harbour WA 6173
Q6. What is your contact number?	0414670073
Q7. Are you responding on behalf of an organisation?	No
Q8. What is the name of the organisation?	not answered
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Oppose
Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.	<p>Firstly, I object to the removal of bushland & trees on the basis of maintaining the current ecosystem in the Sawyer Close area. Proposed expansion & development of this area will greatly disrupt the ecosystem despite plans to 'partially' clear the area of bushland. Secondly, I object to the expected increase in heavy vehicle traffic, noise, dust & dirt that will be blown over my property and surrounding area with the strong southerly winds we experience, and eventual overcrowding of our quiet area with the proposed suburbanization.</p>
Q11. Upload supporting documents	https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/6a72722a6c04b35c44d32c4e5e8ac2fde3bd427f/original/1752748269/ffeb8c4bc2b70ecb05743debdcd798af_The%20Importance%20of%20Trees.pdf?1752748269
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered

The Importance of Trees & Bushes in the Environment

Trees and bushes are vital for a healthy environment, offering numerous benefits including climate change mitigation, biodiversity support, improved air and water quality, and soil stabilization. They act as carbon sinks, absorb pollutants, prevent erosion, and provide habitats for countless species. Furthermore, they enhance human well-being by offering shade, reducing noise, and contributing to mental and physical health.

Here's a more detailed look at their importance:

1. Climate Change Mitigation:

- **Carbon Sequestration:**

Trees absorb carbon dioxide from the atmosphere, a major greenhouse gas, and store it in their wood, roots, and leaves, helping to reduce global warming.

- **Temperature Regulation:**

Trees provide shade, reducing the urban heat island effect and lowering energy consumption for cooling.

2. Biodiversity and Ecosystem Health:

- **Habitat Provision:**

Trees and bushes offer shelter, food, and breeding grounds for a wide variety of animals, insects, and other organisms, supporting biodiversity within ecosystems.

- **Pollination:**

Trees and bushes provide food and habitat for pollinators like bees and butterflies, which are essential for plant reproduction and ecosystem health.

- **Nutrient Cycling:**

Trees and their fallen leaves contribute to soil fertility, supporting plant growth and overall ecosystem health.

3. Air and Water Quality:

- **Air Purification:**

Trees filter air pollutants, removing harmful substances like particulate matter and nitrogen oxides, improving air quality.

- **Water Regulation:**

Trees absorb rainfall, reducing runoff and preventing erosion, while also helping to filter and purify water as it passes through their roots.

4. Soil Health and Erosion Control:

- **Erosion Prevention:**

Tree roots bind soil together, preventing soil erosion by wind and water, which is crucial for maintaining fertile land.

- **Soil Improvement:**

Trees contribute to soil health by adding organic matter and improving soil structure.

5. Human Well-being:

- **Mental and Physical Health:**

Studies show that exposure to trees and green spaces reduces stress, improves mood, and promotes physical activity.

- **Aesthetic Value:**

Trees and bushes enhance the beauty of landscapes, contributing to a sense of place and community pride.

- **Economic Benefits:**

Trees can provide timber, fruits, and other resources, supporting local economies.

In conclusion, trees and bushes are essential for maintaining a healthy planet and supporting human well-being. Their diverse benefits highlight the importance of protecting and expanding these vital components of our environment.

https://www.google.com/search?q=importance+of+trees+and+bushes+in+the+environment&oq=importance+of+trees+and+bushes+in+the+environment&gs_lcrp=EgZiaHJvbWUyBggAEEUYOTIICAEQABgWGB4yDQgCEAAyhgMYgAQYigUyDQgDEAAyhgMYgAQYigUyDQgEEAAyhgMYgAQYigUyCggFEAAyogQYiQUyBwgGEAAy7wUyBwgHEAAy7wUyCggIEAAyogQyBwgJEAAy7wXSAQkxMDg5MGowajeoAgCwAgA&sourceid=chrome&ie=UTF-8



Respondent No: 2

Login: Anonymous

Email: n/a

Responded At: Jul 19, 2025 13:50:31 pm

Last Seen: Jul 19, 2025 13:50:31 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Support

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

I endorse the proposed Metropolitan Region Scheme amendment, acknowledging the extensive community engagement undertaken by Cape Bouvard and the ongoing opportunities for further input as planning progresses, ensuring a balanced approach to development and environmental preservation, along with ensuring that Sawley Close remains separate as it is not suited to increased traffic

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered



Respondent No: 3

Login: Anonymous

Email: n/a

Responded At: Jul 20, 2025 17:44:09 pm

Last Seen: Jul 20, 2025 17:44:09 pm

IP Address: n/a

Q1. What is your first name?	Madison
Q2. What is your surname?	Lyne
Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q4. What is your email address?	madison@hotmail.com
Q5. What is your address?	28 Mileura St
Q6. What is your contact number?	0487861671
Q7. Are you responding on behalf of an organisation?	No
Q8. What is the name of the organisation?	not answered
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Oppose
Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.	
	<p>The new development will directly affect the housing around. It is also a beautiful nature reserve, home to so many animals, it's always I really nice spot to go for a walk and we don't have many nature reserves around. It would be extremely devastating to develop the land into housing. We need to keep our beautiful nature reserves, not destroy them.</p>
Q11. Upload supporting documents	not answered
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered



Respondent No: 4

Login: Anonymous

Email: n/a

Responded At: Jul 20, 2025 19:32:07 pm

Last Seen: Jul 20, 2025 19:32:07 pm

IP Address: n/a

Q1. What is your first name?	Susan
Q2. What is your surname?	Cook
Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q4. What is your email address?	mattsusiec@gmail.com
Q5. What is your address?	38 Sawley Close, Golden Bay
Q6. What is your contact number?	0404932688
Q7. Are you responding on behalf of an organisation?	No
Q8. What is the name of the organisation?	not answered
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Support
Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.	
<p>I support with a caveat that there be under no circumstances a through road from Secret Harbour to Sawley Close. It will be used as a short cut to Dampier Drive and the road will not cope with it. It has no footpath and is already experiencing antisocial behaviour at the end of the road. New infrastructure to Dampier needs to also be addressed to cope with the increased traffic that will no doubt occur. Dampier Drive is already awful and for local residents living off it, a nightmare to enter and exit. I purchased my property to be able to live amongst the trees and away from the urban sprawl. Don't ruin it or the environment.</p>	
Q11. Upload supporting documents	not answered
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered



Respondent No: 5

Login: Anonymous

Email: n/a

Responded At: Jul 21, 2025 00:03:05 am

Last Seen: Jul 21, 2025 00:03:05 am

IP Address: n/a

Q1. What is your first name? **Name and contact details removed at the request of the submitter**

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

The area around sawley cl is the last remaining natural habitat in Secret harbour/golden bay apart from the dunes closest to the beach. The loss of such a large amount of the remaining land would be impactful to the already reduced wildlife in the area. We have already seen a significant reduction in native bird numbers since the developments between secret harbour and golden bay cleared a large amount of natural habitat.

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered

**Respondent No:** 6**Login:** Anonymous**Email:** n/a**Responded At:** Jul 21, 2025 19:57:09 pm**Last Seen:** Jul 21, 2025 19:57:09 pm**IP Address:** n/a

Q1. What is your first name?	Adam
Q2. What is your surname?	Bell
Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q4. What is your email address?	bellyboy69@hotmail.com
Q5. What is your address?	11 karunjie rd golden bay
Q6. What is your contact number?	0498243337
Q7. Are you responding on behalf of an organisation?	No
Q8. What is the name of the organisation?	not answered
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Oppose
Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below. As a main candidate in the save our dunes protest you could probably guess my reasons.	
Q11. Upload supporting documents	not answered
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered



Respondent No: 7

Login: Anonymous

Email: n/a

Responded At: Jul 21, 2025 20:19:41 pm

Last Seen: Jul 21, 2025 20:19:41 pm

IP Address: n/a

- Q1. What is your first name? *Name and contact details removed at the request of the submitter*
-
- Q2. What is your surname?
-
- Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes
-
- Q4. What is your email address?
-
- Q5. What is your address?
-
- Q6. What is your contact number?
-
- Q7. Are you responding on behalf of an organisation? No
-
- Q8. What is the name of the organisation? not answered
-
- Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose
-
- Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.
- I purchased my property adjacent to this proposed development in good faith knowing that only a small amount of semi rural lots were already approved for this land, I am concerned about a higher density development affecting noise levels, traffic, air quality and to our general peace. This was not meant to be 150 houses when I purchased my property adjacent.
-
- Q11. Upload supporting documents not answered
-
- Q12. Upload supporting documents not answered
-
- Q13. Upload supporting documents not answered
-

Submission 010



Respondent No: 8

Login: Anonymous

Email: n/a

Responded At: Jul 21, 2025 22:53:54 pm

Last Seen: Jul 21, 2025 22:53:54 pm

IP Address: n/a

- | | |
|---|--|
| Q1. What is your first name? | David |
| Q2. What is your surname? | Sturgeon |
| Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? | No |
| Q4. What is your email address? | davidsturgeon2008@gmail.com |
| Q5. What is your address? | 5 bidgemia road, golden bay |
| Q6. What is your contact number? | 0432647527 |
| Q7. Are you responding on behalf of an organisation? | No |
| Q8. What is the name of the organisation? | not answered |
| Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? | Oppose |
| Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below. | |
| | <p>The area has been significantly over developed in the last 5-10 years stripping away most of its natural profile. There are huge developments in the area between golden bay and lakelands as is and none of them address the need for lower cost housing. All this amounts to is more people packed into suburbs that lack the amenities to support them. We already have rising crime rates and no police stations. No train station. A limited shopping centre. But hey I guess you keep putting up petrol station and bottle shops so well done there</p> |
| Q11. Upload supporting documents | not answered |
| Q12. Upload supporting documents | not answered |
| Q13. Upload supporting documents | not answered |



Respondent No: 9

Login: Anonymous

Email: n/a

Responded At: Jul 22, 2025 10:17:11 am

Last Seen: Jul 22, 2025 10:17:11 am

IP Address: n/a

Q1. What is your first name?	Craig
Q2. What is your surname?	Page
Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q4. What is your email address?	lisa.pagey34@gmail.com
Q5. What is your address?	36 Sawley Close
Q6. What is your contact number?	0456946502
Q7. Are you responding on behalf of an organisation?	No
Q8. What is the name of the organisation?	not answered
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Support
Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.	
<p>I endorse the proposed Metropolitan Region Scheme amendment as it effectively integrates new housing development while safeguarding the topography and views of the local dune system, while ensuring the preservation of regional open space and the character of the area.</p>	
Q11. Upload supporting documents	not answered
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered

**Respondent No:** 10**Login:** Anonymous**Email:** n/a**Responded At:** Jul 22, 2025 11:14:03 am**Last Seen:** Jul 22, 2025 11:14:03 am**IP Address:** n/a

Q1. What is your first name?	Andrew
Q2. What is your surname?	Gibson
Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q4. What is your email address?	andygibsonwork@gmail.com
Q5. What is your address?	31 Salton Street, Secret Harbour
Q6. What is your contact number?	0436520068
Q7. Are you responding on behalf of an organisation?	No
Q8. What is the name of the organisation?	not answered
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Oppose
Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.	
	<p>While I am not strictly against the building of new houses in the area between rockingham and mandurah, the supporting infrastructure needs to be improved first. We have been promised a train station at karnup road for years without any sign of this being approved, unlike the continuous approvals for new homes. The current bus services to and from either warnbro or lakelands are simply not frequent enough and take elongated routes that make it far quicker to drive to the city in the morning. However the kwinana freeway southbound is also gridlocked everyday now from 4 to 6pm. With more housing being built, this will only get worse. The easier it is to walk to or cycle to a station the more people will take public transport. We are desperate for a new station at karnup and we can't just keep increasing the population until the transportation infrastructure is fixed.</p>
Q11. Upload supporting documents	not answered
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered

Development
Services

629 Newcastle Street
Leederville WA 6007

PO Box 100
Leederville WA 6902

T (08) 9420 2099
F (08) 9420 3193



Your Ref: RLS/1137
Our Ref: MRS413864
Enquiries: Daniel Lawrence
Direct Tel: 9420 3257
Email: land.planning@watercorporation.com.au

22 July 2025

Department Of Planning Lands And Heritage
140 William St
PERTH WA 6000

Attention of: Anthony Muscara

Re: Sawley Close, Golden Bay Urban Precinct

Thank you for your correspondence inviting comments on the above proposal. Water Corporation offers the following comments:

Water

Reticulated water is currently available to the subject area. All water main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.

Wastewater

Reticulated sewerage is currently available to the subject area. All sewer main extensions, if required for the development site, should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 12 months, please contact us to confirm that this information is still valid.

Please provide the above comments to the landowner, developer and/or their representative.

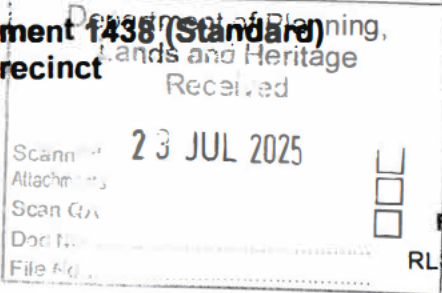
Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

Daniel Lawrence

Daniel Lawrence
Senior Planner
Development Services

Submission Form

Metropolitan Region Scheme Amendment 1438 (Standard)
Sawley Close Urban Precinct



Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Title (Mr, Mrs, Miss, Ms) Mr and Mrs Stewart and Shelley
First Name
Surname Jankata (PLEASE PRINT CLEARLY)
Address 53 Greeson Pkway Secret Harbour Postcode 6173
Contact Number 0402926624 Email Address jankata96@gmail.com

Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes No

Submission

(Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

..... This is the 1st time we have been consulted regarding the proposed development +
..... despite there already being something in place via Peelhurst estate. We were never
..... consulted on that in the past and only found out by chance last year from a
..... neighbour. We consulted the Rockingham City Council and sat with a representative
..... for sometime at their offices; however he could not find any information.
..... To say we are against this development is an understatement!
..... We have been visiting the Peel region since the 1960's and noticed over the years
..... significant change in the landscape. The bush is gone to make way for postage
..... stamp sized blocks. People are crammed in like sardines which in itself creates lots
..... of problems.
..... We currently enjoy on our property several bird species which take advantage of
..... the bird baths and the shade and protection our trees and the bush behind us
..... offers. We have grey fantails; Willy Wagtails, Honey Eaters, parrots etc. We have
..... occasionally seen Eagles and Hawks hovering over the bush area behind us. We
..... have also seen kangaroos on the top of the hill. However we have not seen them
..... sometime. Maybe they have been "removed" for this development.
..... Having worked in mining in the Jarrah forrest for over 40 years I have seen the
..... devastation it causes to the wildlife and birdlife. They don't return.
..... Over the years since the development of Secret Harbour in 1995 we have noticed
..... how the bushland from here to Golden Bay has gone!
..... We keep hearing on the news and other media outlets that we need to work for a
..... cleaner future. How is clearing bushland going to help that???

turn over to complete your submission

Submission 015



Respondent No: 11

Login: Anonymous

Email: n/a

Responded At: Jul 22, 2025 23:20:55 pm

Last Seen: Jul 22, 2025 23:20:55 pm

IP Address: n/a

Q1. What is your first name?	David
Q2. What is your surname?	Lee
Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q4. What is your email address?	dcllee83@bigpond.com
Q5. What is your address?	42 Ellendale St, Golden Bay
Q6. What is your contact number?	0417912044
Q7. Are you responding on behalf of an organisation?	No
Q8. What is the name of the organisation?	not answered
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Oppose
Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.	
	I oppose this proposal as it removes bush land in the area and reduces habitat for native animals and birds. The reduction of open space and bush land is detrimental to the environment, people physical and mental wellbeing.
Q11. Upload supporting documents	not answered
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered



Respondent No: 12

Login: Anonymous

Email: n/a

Responded At: Jul 24, 2025 14:54:51 pm

Last Seen: Jul 24, 2025 14:54:51 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

We currently live along the large fence line which this area is proposed to be built on, in Section 24 of the proposal. We have a rear balcony that overlooks the bushland area and the ocean views all the way from Golden bay up to Secret Harbour, my concern is how high will the rear blocks will be behind the current fence line, will there be removal of soil to bring the houses on the other side to the same heigh/depth as we are on the other side or will these properties likely be built at a much higher scape than our homes along Greeson Parkway. My worry is that we will then potentially have ALOT of homes overlooking our rear balcony, and vice versa of us being able to look over into their properties - will there be any restrictions held on any of the new builds with our pre-existing balcony at the rear of the property. At this stage I would certainly oppose the current plans to this area due to the unknown lay out of proposed land releases/block sizes and the heights that these will be set up on the other side. If there is any information that would help remove these concerns it would be appreciated to have that to review.

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered



Government of **Western Australia**
Department of **Water and Environmental Regulation**

Your ref: MRS1438
Our ref: RF3754-02 PA073950
Enquiries: Mark Hingston, Ph: 9550 4209

Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Attention: Anthony Muscara

Dear Anthony

PROPOSED METROPOLITAN REGION SCHEME AMENDMENT – 1438 SAWLEY CLOSE URBAN PRECINCT

Thank you for providing the proposed Metropolitan Region Scheme Amendment – 1438, Sawley Close Urban Precinct received on 14 July 2025 for the Department of Water and Environmental Regulation (the Department) to consider. The Department has reviewed the information provided and provides the following advice.

Issue

Better Urban Water Management

Advice

Consistent with *Better Urban Water Management* (WAPC, 2008) and policy measures outlined in Draft *State Planning Policy 2.9: Water Resources* a proposed scheme amendment is required to be supported by a District Water Management Strategy (DWMS) to demonstrate that the subject area can support the proposed change in zoning with regard to water resources.

The Department previously reviewed the *Various Lots, Sawley Close, Golden Bay - District Water Management Strategy* (DWMS) (Hyd2o, 2025) dated February 2025 and it was endorsed by the Department in March 2025. Therefore, the Department has no objections to the proposed Metropolitan Region Scheme Amendment proceeding.

In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.

Should you require any further information on the comments please contact Mark Hingston at the Department's Mandurah office on 9550 4209.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jane Sturgess', with a stylized flourish at the end.

Jane Sturgess
A/Program Manager – Planning Advice
Kwinana Peel Region

30 / 07 / 2025



Respondent No: 13

Login: Anonymous

Email: n/a

Responded At: Jul 26, 2025 14:46:43 pm

Last Seen: Jul 26, 2025 14:46:43 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

I oppose the development until the construction of community services in golden bay are completed. Increased vehicle traffic on Dampier Road will further exacerbate the poor state of the road and with little public transport increase traffic loads. Until there is increased public transport for the area and increase food and beverage locations in existing earmarked locations, I oppose future developments.

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered



Respondent No: 14

Login: Anonymous

Email: n/a

Responded At: Aug 04, 2025 21:13:22 pm

Last Seen: Aug 04, 2025 21:13:22 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

Levelling of the dune and clearing of native bushland that shares our homes back boundary significantly impacts our security, privacy and safety of our children

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered



Respondent No: 15

Login: Anonymous

Email: n/a

Responded At: Aug 04, 2025 21:21:47 pm

Last Seen: Aug 04, 2025 21:21:47 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

I do NOT support the metropolitan regional scheme. The leveling of the dune and the destroying of the native flora and fauna directly on or back boundary fence will impact us greatly. Our privacy, security and safety of our children will be deeply impacted. There are tuart trees growing in the bush they want to destroy by my house. The trees and bush in the area that is supposed to be destroyed supplies a food source for the Black Cockatoo as well as the Quenda.

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered

Submission 021



Respondent No: 16

Login: Anonymous

Email: n/a

Responded At: Aug 04, 2025 21:25:50 pm

Last Seen: Aug 04, 2025 21:25:50 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

I do Not support this. The privacy and security will be impacted greatly if the dune is leveled. The wildlife that live in the bush at my house will be destroyed.

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered



Respondent No: 17

Login: Anonymous

Email: n/a

Responded At: Aug 09, 2025 16:49:50 pm

Last Seen: Aug 09, 2025 16:49:50 pm

IP Address: n/a

- Q1. What is your first name? *Name and contact details removed at the request of the submitter*
-
- Q2. What is your surname?
-
- Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes
-
- Q4. What is your email address?
-
- Q5. What is your address?
-
- Q6. What is your contact number?
-
- Q7. Are you responding on behalf of an organisation? No
-
- Q8. What is the name of the organisation? not answered
-
- Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Support
-
- Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.
- I support the proposed amendment. We are grateful the developer has taken on board feedback from Sawley Close residents to preserve the natural bush at the end of the street. We much preserve this is retained as natural bush rather than parks, playgrounds, BBQs etc. this will spoil the natural amenity of the area. Importantly we are also grateful there will be no paths that could be used as thoroughfares to the future train station that would walk through the wetlands at the rear of our property in circumstances where we cannot build (nor do we want to build) fencing for security purposes. Overall we are happy with the proposal and hope the land gifted to the Govt will stay untouched.
-
- Q11. Upload supporting documents not answered
-
- Q12. Upload supporting documents not answered
-
- Q13. Upload supporting documents not answered
-



Respondent No: 18

Login: Anonymous

Email: n/a

Responded At: Aug 21, 2025 15:54:13 pm

Last Seen: Aug 21, 2025 15:54:13 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Support

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

I am supportive of the proposed Metropolitan Region Scheme amendment, which not only facilitates new housing development but also ensures the protection of important environmental values, such as native vegetation and wetlands, and maintains the local character.

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered



Respondent No: 19

Login: Anonymous

Email: n/a

Responded At: Aug 21, 2025 15:55:15 pm

Last Seen: Aug 21, 2025 15:55:15 pm

IP Address: n/a

- Q1. What is your first name? *Name and contact details removed at the request of the submitter*
-
- Q2. What is your surname?
-
- Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes
-
- Q4. What is your email address?
-
- Q5. What is your address?
-
- Q6. What is your contact number?
-
- Q7. Are you responding on behalf of an organisation? No
-
- Q8. What is the name of the organisation? not answered
-
- Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Support
-
- Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.
- I am supportive of the proposed Metropolitan Region Scheme amendment, which not only facilitates new housing development but also ensures the protection of important environmental values, such as native vegetation and wetlands, and maintains the local character.
-
- Q11. Upload supporting documents not answered
-
- Q12. Upload supporting documents not answered
-
- Q13. Upload supporting documents not answered
-



Respondent No: 20

Login: Anonymous

Email: n/a

Responded At: Aug 26, 2025 21:27:57 pm

Last Seen: Aug 26, 2025 21:27:57 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

Dear Western Australian Planning Commission, I would like to formally submit my opposition to Metropolitan Region Scheme Amendment 1438 (Standard) Sawley Close Urban Precinct, regarding the proposed rezoning of approximately 16.48 hectares in Golden Bay from "Rural" to "Urban" and "Regional Open Space." Preserving Lifestyle Blocks There is high demand for lifestyle blocks across the region, particularly for families and professionals who seek privacy, larger land, and a semi-rural lifestyle close to the city. Maintaining the current zoning would support this demand and preserve the unique character of Golden Bay. Opportunities for lifestyle blocks are already limited, and once lost, cannot be replaced. Environmental Concerns The land proposed for rezoning includes ecologically sensitive areas, including remnant vegetation, wetlands, and habitats of regional significance. While some land is earmarked as open space, this does not necessarily guarantee long-term protection or ecological balance. Retaining rural zoning provides stronger safeguards for the natural environment. Community and Social Impact Golden Bay has already absorbed a considerable number of smaller residential lots in surrounding developments. While this may assist with housing supply, it has also brought social challenges and pressure on local services. Increasing density further in this location risks compounding these issues. By contrast, retaining lifestyle blocks could attract long-term residents who invest in their properties and contribute positively to the stability and prosperity of the suburb. Long-Term Planning Urban expansion should be carefully managed to avoid sprawl and ensure that development meets genuine community needs. Larger blocks provide housing diversity and balance against the many small lots already in the area. This ensures choice for buyers and helps create a socially and economically sustainable community mix. Recommendation I respectfully request that the Commission reconsider Amendment 1438 and retain the land's current rural zoning. If urban rezoning is pursued, I urge that larger lot sizes, strong environmental buffers, and covenants be included to protect ecological values and the amenity of surrounding residents. Thank you for considering my submission. Yours sincerely, Marisha Lindsay

Q11. Upload supporting documents

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/936d5b1735d226fbcbbb512485e0aa5f438e994f/original/1756207668/63d254aa424a2da89068bf1be469b067_Lifestyle_Block_Demand.pdf?1756207668

Q12. Upload supporting documents

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/b04cbc3cee262ba631e0f6d3f1294facd6a52805/original/1756207671/d09083d123640530833aacbf06377975_Crime_Community_Impact.pdf?1756207671

Q13. Upload supporting documents

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/03247304c9c263700c61b57fc392bec404ac4b9/original/1756207674/b31e354ff783281b7f33a57e7cc6b93d_Amendment_Report_Evidence.pdf?1756207674

Supporting Evidence: Lifestyle Block Demand

Strong Market Demand

Current real estate listings for lifestyle and semi-rural properties in the Rockingham/Karnup/Baldivis region show strong prices and limited availability. Buyers are actively seeking such properties.

Irreplaceable Housing Diversity

Rezoning the Sawley Close land to small urban lots removes the opportunity for Golden Bay to provide lifestyle blocks, which are in scarce supply and valued by families and professionals.

Supporting Evidence: Crime & Community Impact

Local Crime Statistics

WA Police statistics for Golden Bay and Secret Harbour indicate notable levels of burglary and antisocial behaviour in recent years. Densification in adjacent areas has already contributed to community pressure.

Impact of Further Density

Further increasing small-lot housing may compound these issues, placing greater strain on policing, services, and the local community fabric.

Supporting Evidence: Amendment 1438 Report Extracts

Rezoning Proposal

The Amendment 1438 Report confirms the intention to rezone approximately 16.48 hectares from 'Rural' to 'Urban' and 'Regional Open Space'. This demonstrates the significant change in land use being considered.

Environmental Significance

The same report acknowledges that the land contains remnant vegetation, wetlands, and regionally significant ecological communities. This supports concerns that rezoning risks damaging sensitive natural areas.



Respondent No: 21

Login: Anonymous

Email: n/a

Responded At: Aug 27, 2025 17:45:13 pm

Last Seen: Aug 27, 2025 17:45:13 pm

IP Address: n/a

Q1. What is your first name? *Name and contact details removed at the request of the submitter*

Q2. What is your surname?

Q3. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q4. What is your email address?

Q5. What is your address?

Q6. What is your contact number?

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Support

Q10. Please type your submission (reasons for support/opposition) in the box below. Any supporting documents may be uploaded below.

I believe the development has merit as long as the threatened ecological communities comprising Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain and Floristic Community Type (FCT) 19 - Sedgeland in Holocene dune swales as well as valuable Black Cockatoo habitat are protected in their entirety. I also applaud the developer's plans to maintain the natural topography of the land and ridgeline as well as maintain the existing rural amenity of adjacent properties. However, City of Rockingham staff in their submission to the City of Rockingham's Planning and Asset Services Committee on 18 August 2025 (<https://rockingham.wa.gov.au/your-city/council/council-and-committee-meetings/agendas-and-minutes/2025/august/planning-and-asset-services-committee-minutes-augu>) with regard to this development made it clear that the developer's plans were not sufficiently advanced to ensure that the environmental benefits would be protected to the extent required. Flora surveys were not up to date, there was a disconnect with regard to the planned earthworks, the protection of trees and vegetation in the residential zone as well as the interface between the residential zone and the parks and recreation zone which will likely result in loss of vegetation. The protection of the ridgeline and undulating topography added further complexity to these plans. Furthermore no body has yet taken responsibility for managing the reserve. This is a significant issue for all our natural areas. Very few local governments including the City of Rockingham and definitely not our state government protect all their natural areas. This leads to degraded areas and loss of significant biodiversity. It is vital we protect our natural areas because in such dense residential developments to which this development adjoins (excluding the areas close to Mandurah Road) our reserves are the lungs of these suburbs in reducing the heat island effect. For all the reasons mentioned above I believe that the zoning of this amendment should be "urban deferred" until such time as the updated plans requested by the City of Rockingham have been submitted and accepted as sound. It is our natural areas and local residents that bear the brunt of poor planning decisions. This should be the priority rather than a rush for more housing (of which there is plenty of development currently occurring in Secret Harbour, Golden Bay and Singleton).

Q11. Upload supporting documents

not answered

Q12. Upload supporting documents

not answered

Q13. Upload supporting documents

not answered

From: [Shanthi Golestani](#)
To: [Region Planning Schemes](#)
Cc: [Anthony Muscara](#)
Subject: 20250826 DTMI response RE: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137
Date: Tuesday, 26 August 2025 4:43:00 PM
Attachments: [image007.jpg](#)
[image008.png](#)

OFFICIAL

Your ref: RLS/1137

Our ref: DT/24/00343

Enquiries: Shanthi Golestani (9216 8774)

Ms Sam Boucher
Secretary, Western Australian Planning Commission
Department of Planning, Lands and Heritage
140 William Street
PERTH WA 6000
Attention: Anthony Muscara

Dear Anthony

RE: PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1438 (STANDARD) – SAWLEY CLOSE URBAN PRECINCT - RLS/1137

Thank you for your email dated 19 August 2024 inviting the Department of Transport and Major Infrastructure (DTMI) to provide comment on the above proposed amendment. The Urban Mobility (UM) division of DTMI has reviewed the submitted documents and advises that DTMI have no comment to provide.

DMTI has liaised with the Public Transport Authority who have sent their response directly to the Department of Planning, Lands and Heritage (DPLH).

DTMI has not liaised with Main Roads. It is recommended DPLH contact Main Roads directly for their comment.

If you wish to follow up, please do not hesitate to contact me.

Kind regards,

Shanthi Golestani

Senior Project Officer - Transport Planner | Urban Mobility | Department of Transport and Major Infrastructure

GPO Box C102, Perth WA 6839

Tel: (08) [92168774](tel:92168774)

Email: Shanthi.Golestani@transport.wa.gov.au | Web: www.transport.wa.gov.au

Part time - Tues/Thurs/Fri



Empowering a thriving community



We acknowledge the Traditional Custodians of this land and pay respect to the Elders past and present.



Enquiries: Arfanara Najnin (08) 9323 6119
Our Ref: 24/7545 (D25#857317)
Your Ref: RLS/1137

Date: Monday, 25 August 2025

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

Email: regionplanningschemes@dplh.wa.gov.au

Attention: Anthony Muscara

**REQUEST FOR COMMENT - PROPOSED METROPOLITAN REGION SCHEME
AMENDMENT 1438 (STANDARD) – SAWLEY CLOSE URBAN PRECINCT - RLS/1137**

Thank you for your correspondence dated 14 July 2025 inviting Main Roads to comment on the above MRS amendment proposed to rezone from 'Rural' to 'Urban' and 'Parks and Recreation'.

Main Roads has no objection to the proposal as presented.

Main Roads requests a copy of the WAPC's final recommendation to be sent to planninginfo@mainroads.wa.gov.au quoting the file reference above.

If you require any further information, please contact Planning Information Manager Arfanara Najnin via email at arfanara.najnin@mainroads.wa.gov.au.

Yours sincerely

Lindsay Broadhurst
Director Road Planning

From: [WAPCreferrals](#)
To: [Region Planning Schemes](#)
Subject: RE: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137
Date: Monday, 25 August 2025 10:34:52 AM
Attachments: [image002.png](#)
[image003.png](#)

OFFICIAL

Hello,

Thank you for referring the Proposed Metropolitan Region Scheme Amendment 1438 for Sawley Close Urban Precinct to the Public Transport Authority (PTA) on Monday 14 July 2025.

The PTA has no objections.

Kind regards,

Connor Kiss (They/Them)

Transport and Land Use Planner | Infrastructure Planning and Land Services

Public Transport Authority of Western Australia

Public Transport Centre, West Parade, Perth, 6000

PO Box 8125, Perth Business Centre, WA, 6849

Tel (08) 9326 5845 | Web: www.pta.wa.gov.au



The Public Transport Authority of Western Australia cannot accept any liability for any loss or damage sustained as a result of software viruses. You must carry out such virus checking as is necessary before opening any attachment to this message. The information in this email and any files transmitted with it may be of a privileged and/or confidential nature and is intended solely for the addressee(s). If you are not an intended addressee please notify the sender immediately, and note that any disclosure, copying or distribution by you is prohibited and may be unlawful. The views expressed in this email are not necessarily the views of the Public Transport Authority.



Government of **Western Australia**
Department of **Health**

Your Ref: RLS/1137
Our Ref: F-AA-90444-110
Contact: John Coles 9222 2000

Mr Anthony Muscara
Department of Planning, Lands and Heritage
140 William Street
PERTH WA 6000

Via email: Anthony.Muscara@dplh.wa.gov.au

Dear Mr Muscara

PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1438 (STANDARD) – SAWLEY CLOSE URBAN PRECINCT

Thank you for your email dated 14 July 2025, requesting comment from the Department of Health (DoH) on the above proposal.

DoH position

- No objection – no comments or advice to provide.
- No objection – with comments and/or recommended conditions and advice notes provided below.
- Do not support – reasons provided below, i.e. additional reports, studies, plans or other information that should be provided to determine public health risk / legislative compliance.

DoH advice and recommended conditions

Water supply and wastewater disposal

As per the proposal, reticulated sewerage is available – all future developments are required to connect to scheme water, reticulated sewerage and be in accordance with the Government Sewerage Policy 2019.

Amenity – medical entomology and flooding

The site abuts low-lying land within the creek/wetland and the impacts and public health risks from flooding, now and into the future will need to be assessed and managed.

To protect the health and lifestyle of communities, all land use planning decisions should include consideration of mosquitoes and their management.

The City of Rockingham is a member of the Peel Mosquito Management Mosquito Contiguous Local Authorities Group, which undertakes an extensive program of health-driven mosquito monitoring and management in conjunction with the Department of Health. Despite considerable efforts to manage mosquitoes and mosquito-borne disease in the City, there continues to be cases of Ross River virus and Barmah Forest virus disease, including Golden Bay.

Contaminated sites

The site has not been classified as a C-RR¹, CRU², RRU³ as recorded on Department of Water and Environmental Regulation's (DWER) Contaminated Sites database (*Contaminated Sites Act 2003*). However, although this site does not appear on DWERs public access database, it may be subject to other important classifications not recorded on that database.

¹ C-RR - Contaminated – Remediation Required

² CRU – Contaminated – Restricted Use

³ RRU – Remediated for Restricted Use

Recommended Conditions and/or Advice Note

Prior to any future developments the Department recommends that:

- The proponents work with the environmental health team of the City of Rockingham to determine the extent of risk from mosquitoes and mosquito-borne disease for the location.
- If that risk is considered medium or high by the City, a mosquito management plan should be established and adequately funded.
- The City of Rockingham ensures they have sufficient resources to continue mosquito management for any future development associated with the proposed site.

Requested further information and/or revised plans

The proponent should obtain a Basic Summary of Records relating to the land and its surroundings to complete their assessment of the site's suitability for a rezoning to a more sensitive land use. Schedule 1 — Forms (www.wa.gov.au) Under section 11 of the *Contaminated Sites Act 2003*, if a site is 'known or suspected' of being a contaminated site, it should be Reported to DWER.

Should you have any queries or require further information, please contact System Performance on 9222 2000 or eh.eSubmissions@health.wa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Lindsay', written in a cursive style.

Dr Michael Lindsay
EXECUTIVE DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE

27 August 2025

From: [PETRELIS Kelsie](#)
To: [Region Planning Schemes](#)
Cc: [Anthony Muscara](#)
Subject: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137 - DFES Response
Date: Tuesday, 26 August 2025 9:57:22 AM
Attachments: [image002.jpg](#)
[image001.png](#)
[image003.png](#)
[RLS1137 - Sawley Close, Golden Bay - Proposed MRS Amendment 1438 \(Standard\) - DFES Response.PDF](#)
Importance: High

DFES Ref: D36256

Your Ref: RLS/1137

Dear Mr Muscara,

Re: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct

I refer to the above proposal and attach a copy of our response for your records.

Should you require clarification of the matters raised, please do not hesitate to contact me on the undersigned.

Thanks

Kelsie Petrelis

A/Senior Land Use Planning Officer

20 Stockton Bend, Cockburn Central, Perth WA 6164

T: 08 9395 9961 | E: advice@dfes.wa.gov.au | W: dfes.wa.gov.au



FOR A SAFER STATE

Acknowledgement of Country: DFES acknowledges the Traditional Owners of Country throughout Australia, and their connections to land, sea and community. We pay our respects to Elders past and present.



Our Ref: D36256
Your Ref: RLS/1137

Anthony Muscara
Western Australian Planning Commission
regionplanningschemes@dplh.wa.gov.au

Dear Anthony Muscara

RE: LOTS 23-26, 28 AND 161-162 SAWLEY CLOSE, GOLDEN BAY – PROPOSED METROPOLITAN REGION SCHEME AMENDMENT

I refer to your email dated 14 July 2025 regarding the submission of a Bushfire Management Plan (BMP) (Version B1), prepared by Covey and dated 11 August 2025, for the above proposed Metropolitan Region Scheme (MRS) amendment. The BMP is accompanied by a report 'Metropolitan Region 1438 (Standard Amendment) from the proponent dated July 2025 in relation to the proposal.

This advice relates to the *State Planning Policy 3.7 Bushfire* (SPP 3.7) and supporting *Planning for Bushfire Guidelines* (Guidelines), as well as DFES' role and responsibilities as Hazard Management Agency for Fire in Western Australia.

General Comment

- DFES acknowledges that the MRS amendment seeks to rezone land of approximately 16.48ha from 'Rural' to 'Urban' in the MRS.
- DFES acknowledges that the BMP has addressed BPC 5 Structure Plans and Subdivision Applications as the lot layout and internal road network is known.
- Specific requirements of SPP 3.7 and the Guidelines are to be further addressed in the BMP as outlined in the below assessment Tables 1 and 2.

Recommendation: Compliance with acceptable solutions not demonstrated – modifications required

DFES advises that the BMP has not demonstrated that the proposed MRS amendment complies with the following requirements of SPP 3.7 and the Guidelines:

1. Element 2: Siting and Design; and
2. Element 3: Vehicular Access.

DFES recommends the BMP be modified as per the Assessment advice provided in Tables 1-3 to ensure it is accurate and the bushfire risk management/mitigation measures are effective and can be implemented in perpetuity to manage/mitigate the bushfire risk to people, property and infrastructure to an acceptable level and appropriate to the land use and location. The required modifications are listed in the table(s) below. Should the modified BMP affect the design of the proposal, the proposal should be amended to reflect these modifications.

Could you please forward notification of the application determination to DFES for our records.

If you require any clarification or further information regarding the below assessment, please do not hesitate to contact me on telephone number 9395 9961.

Yours sincerely

A handwritten signature in black ink, appearing to be 'K. Petrelis', written in a cursive style.

Kelsie Petrelis
A/SENIOR LAND USE PLANNING OFFICER

26 August 2025

Table 1 – Assessment – Policy Measure 7.1 ii. c. Compliant Preparation of a BAL Contour Map

Vegetation Classification or Exclusions		BMP Modification Required
Classified Plot 20 – not demonstrated Vegetation Plot 20 cannot be substantiated as Class C Shrubland as no photographic evidence has been provided.		BAL Rating cannot be validated Further evidence to support the vegetation classification of Plot 20 is required.
If unsubstantiated, the vegetation classification should be revised to consider the vegetation as per AS3959, or the resultant BAL ratings may be inaccurate.		

Table 2 - Policy Measure 7.1 ii. e. Compliance with the Bushfire Protection Criteria 5: Structure Plans and subdivision applications

Element	Assessment	Action
Siting and Design – Siting and Design	A2.1 – not demonstrated The BAL ratings cannot be validated for the reason(s) outlined in Table 1.	BAL Rating cannot be validated Modification to the BMP is required to address the Assessment advice in Table 1.
Vehicular Access – Emergency Access Way (EAW)	A3.4 – not demonstrated The BMP states that temporary emergency access ways (EAWs) (if development and vehicular access construction are to be staged) will be constructed to the relevant standard as set out in the Guidelines. At this level of planning there should be no reliance on temporary EAWs as secondary access or hazard separation. Future staging should ensure that a secondary public road access route is provided in Stage 1 as per section 5.4 of the Guidelines.	Compliance with Vehicular Access not demonstrated Modification to the BMP is required to address the Assessment advice.
Vehicular Access – Perimeter Roads and Fire Service Access Route (FSAR)	A3.5a and A3.5b – not demonstrated DFES is of the opinion that the proposed structure plan has not been designed appropriately to ensure bushfire protection measures can be achieved.	Compliance with Vehicular Access not demonstrated

	<p>Residential lots are proposed on the south-western and north-eastern boundaries against a bushfire hazard. The north-eastern lots are accessed via a no-through road. It is noted that these lots are adjacent to a remaining extreme hazard and two separate fire service access routes are proposed at the rear of the lots.</p> <p>DFES notes that section 5 of the BMP states that: <i>‘A perimeter road has been provided as much as practical for the proposed development, however in order to minimise impact existing environmental values (including impacts from civil works addressing local elevation changes), it was not possible to maintain the perimeter road along all interfaces.’</i></p> <p>It is unclear if the topography in question preventing the perimeter road would allow for the provision of a compliant FSAR at this location. It is DFES’ opinion that at this level/stage of planning there appears to be insufficient evidence why a compliant perimeter road cannot be provided. Additionally a FSAR is not an appropriate mechanism to achieve defensible space or hazard separation for the proposed development at this location. Further opportunities to provide perimeter roads in lieu of an FSAR should be explored.</p> <p>Additionally, the BMP states that should additional FSARs be required as part of future planning states, that they would be constructed to the relevant standard set out in the Guidelines. At this level of planning there should be no reliance on additional FSARs for firefighter access or hazard separation.</p>	<p>Further evidence to support why a perimeter road is not achievable is required.</p>
<p>Vehicular Access – Battle-axe Access Legs</p>	<p>A3.6 – not demonstrated</p> <p>The BMP states that it is not anticipated that battle-axe legs will be proposed as part of future development, however, should lots with battle-axe legs be required as part of future planning stages that they will be constructed to the relevant standard as set out in the Guidelines.</p> <p>DFES considers that the proposed structure plan should be designed appropriately to ensure that battle-axe legs will not be required at future stages of development.</p>	<p>Compliance with Vehicular Access not demonstrated.</p> <p>Modification to the BMP is required to address the Assessment advice.</p>

Table 3: Policy Measure 7.1 iv. and Section 9.4.2 of the Guidelines: DFES Role as Hazard Management Agency (HMA)

DFES wishes to provide the below additional advice in its role and responsibilities of HMA for Fire in Western Australia.

DFES Other Technical Advice		Action
DFES Land Use Planning	It is the responsibility of the proponent to ensure the proposal complies with relevant planning and building requirements. This advice does not exempt the applicant/proponent from obtaining approvals that apply to the proposal including planning, building, environmental health or any other approvals required by a relevant authority under written laws.	Comment only.

From: [Anthony Muscara](#)
To: [Region Planning Schemes](#)
Subject: FW: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137 - DFES Response
Date: Monday, 11 August 2025 2:11:00 PM
Attachments: [image001.png](#)
[image003.png](#)
Importance: High

OFFICIAL

From: PETRELIS Kelsie <Kelsie.Petrelis@dfes.wa.gov.au>
Sent: Monday, 11 August 2025 2:07 PM
To: Anthony Muscara <Anthony.Muscara@dplh.wa.gov.au>
Subject: FW: Proposed Metropolitan Region Scheme Amendment 1438 (Standard) - Sawley Close Urban Precinct - RLS/1137 - DFES Response
Importance: High

You don't often get email from kelsie.petrelis@dfes.wa.gov.au. [Learn why this is important](#)

Afternoon Anthony,

Could you please confirm if an amended Bushfire Management Plan (BMP) has been provided at this stage.

DFES requests the opportunity to review the amended BMP prior to determination to ensure that the previously raised issues have been resolved.

In the absence of an amended BMP being provided, the comments previously made on 23 December 2024 and 24 October 2024 still stand.

Thanks

Kelsie Petrelis
A/Senior Land Use Planning Officer

20 Stockton Bend, Cockburn Central, Perth WA 6164
T: 08 9395 9961 | E: advice@dfes.wa.gov.au | W: dfes.wa.gov.au



FOR A SAFER STATE

Acknowledgement of Country: DFES acknowledges the Traditional Owners of Country throughout Australia, and their connections to land, sea and community. We pay our respects to Elders past and present.

From: [DFES Land Use Planning](#)
To: [Region Planning Schemes](#)
Subject: RE: RLS/1137 - Proposed Metropolitan Region Scheme Amendment - Sawley Close Golden Bay Urban Precinct - DFES Response
Attachments: [image001.png](#)
[image002.png](#)

Our Ref: D36256
Your Ref: RLS/1137

Dear Mr Muscara

RE: METROPOLITAN REGION SCHEME AMENDMENT – SAWLEY CLOSE, GOLDEN BAY URBAN PRECINCT - PRELIMINARY COMMENTS

In relation to the practitioner's response (dated 4 December 2024) to the original DFES referral comments (dated 24 September 2024), the following comments are provided:

Points one and two (in relation the vegetation management, and the resultant BAL ratings) are to the satisfaction of the decision maker to ensure that the landscaped areas are managed to low threat. DFES recommends that all documents forming part of the submission are updated with clear commitments to manage the required areas to low threat (in accordance with AS3959) to ensure that these areas do not revegetate to a classifiable state.

Vehicular Access:

- The BMP/response state that perimeter roads have been provided 'as much as practical' however do not provide clear reasoning as to why they cannot be provided to all lots. The Guidelines state that the use of no through roads can only be considered an Acceptable Solution where there are site constraints that will not allow for through roads. FSARs are also only considered as an Acceptable Solution where perimeter roads are not required.
- DFES notes that as the above issues are variations to the Acceptable Solutions of the Guidelines, however the practitioner has not provided a clear assessment as to why through roads and perimeter roads cannot be provided to all lots.
- Commentary relating to environmental values, and the topography of the land would need to be justified with location specific evidence to validate the site constraints exist. DFES notes that if the constraints would not allow for a compliant perimeter road, it is unclear if these constraints may also limit the ability to provide a compliant FSAR (in relation to width/slope etc.). It is unclear if these final design requirements have been considered at this stage.

In the absence of further changes to the BMP to resolve the above issues, the BMP does not adequately address the requirements of the Guidelines. DFES requests an updated BMP at this stage to ensure that the site can be developed to the proposed density.

DFES accepts that the proposal is currently in its pre-lodgement stage, however recommends that these issues be resolved prior to any formal submission being made to ensure that delays are not caused during the assessment process.

Please call me on 9395 9819 if you have any queries regarding the above comments.

Kind regards,

Michael Ball
Senior Land Use Planning Officer

20 Stockton Bend, Cockburn Central, Perth WA 6164
T: 08 9395 9819 | E: advice@dfes.wa.gov.au | W: dfes.wa.gov.au



FOR A SAFER STATE



**CHANGES TO
FIRE DANGER RATINGS**

As of 1 September 2022, WA is implementing simplified and nationally consistent Fire Danger Ratings.

  **HOW FIREPROOF
IS YOUR PLAN?** 

dfes.wa.gov.au/prepare

Acknowledgement of Country: DFES acknowledges the Traditional Owners of Country throughout Australia, and their connections to land, sea and community. We pay our respects to Elders past and present.



Our Ref: D36256
Your Ref: RLS/1137

Anthony Muscara
Western Australian Planning Commission
regionplanningschemes@dplh.wa.gov.au

Dear Anthony

RE: METROPOLITAN REGION SCHEME AMENDMENT – SAWLEY CLOSE, GOLDEN BAY URBAN PRECINCT - PRELIMINARY COMMENTS

I refer to your email dated 19 August 2024 regarding the submission of a Bushfire Management Plan (BMP) (Revision 0), prepared by Linfire dated 8 August 2024, for the above proposal. The BMP was included as Appendix G in the document titled 'Metropolitan Region Scheme Amendment – Minor Amendment for Lots 23-26, Lot 28 & Lots 161-162 on Sawley Close, Golden Bay', prepared by Urbis and dated August 2024.

This advice relates only to *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with relevant planning and building requirements. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.

Assessment

- It is noted that the proposed scheme amendment is seeking a change from 'Rural' zoning to 'Urban' and 'Parks and Recreation' and is at the pre-lodgement stage.
- Further clarification is required within the BMP of the requirements of SPP 3.7, and the supporting Guidelines as outlined in our assessment below.

1. Policy Measure 6.3 a) (ii) Preparation of a BAL Contour Map

Issue	Assessment	Action
Vegetation Exclusion	It is unclear if the vegetation exclusions (Plot 18) in the form of public open space align with the existing visual character landscape as detailed in Figure 4: Landscape Visual Character Landscape (within <i>Appendix E: Landscape Masterplan and Visual Impact Assessment Report</i>). Figure 4 shows an area of existing vegetation to be retained adjacent to the lots in the northwest, however this area is excluded as managed to low threat in the BMP.	Decision maker to be satisfied the vegetation exclusions align with the environmental assessment of the area.

2. Policy Measure 6.3 c) Compliance with the Bushfire Protection Criteria

Issue	Assessment	Action
Location and Siting and Design	A1.1 and A2.1 – not demonstrated The BAL ratings cannot be validated for the reason(s) outlined in the above table.	Modification to the BMP is required.
Vehicular Access	A3.2a, A3.2b, A3.3, A3.4a and A3.4b – not demonstrated The proposed concept plan has not been designed appropriately to ensure bushfire protection measures can be achieved. Residential lots are proposed on the south-western and north-eastern boundaries against a bushfire hazard. The north eastern lots are accessed via a no-through road. It is noted that these lots are adjacent to a remaining extreme hazard and two separate compliant fire services access routes (FSARs) are proposed at the rear of the lots. At this level of planning there is no reason why a perimeter road cannot be provided. No-through roads are to be avoided and redesign can be achieved at this strategic level of planning to ensure there are no dead-ends. The BMP also states that temporary emergency access ways (EAWs) or FSARs (if required and justified) will be constructed to the relevant standard as set out in the Guidelines. At this level of planning there should be no reliance on temporary EAWs or FSARs as secondary access or hazard separation. Future staging should ensure that a secondary public road access route is provided in Stage 1 as per section 5.3 of the Guidelines.	Modification to the BMP is required.

Recommendation – advice

DFES has assessed the MRS Amendment and accompanying BMP. There are several issues that need to be addressed prior to support of the proposal (refer to the tables above). Without careful consideration of these issues the future proposed subdivision may not achieve compliance at subsequent planning stages.

Should the MRS Amendment, BMP and / or supporting information be subject to change, the matter together with a schedule of modifications are requested to be referred back to DFES for comments.

Should you require further information, please contact me on telephone number 9395 9703.

Yours sincerely



Sasha De Brito
SENIOR LAND USE PLANNING OFFICER

24 September 2024
CC Anthony.Muscara@dplh.wa.gov.au

Our Ref: LUP/2266 - D25/191705
Your Ref: 1438
Enquiries to: Mr David Veenendaal



1 September 2025

Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

ATT: Mr Anthony Muscara

Dear Sir/Madam

Re: Proposed Metropolitan Region Scheme Amendment - Lots 23-26, Lot 28 and Lots 161-162 Sawley Close, Golden Bay

I refer to the invitation to comment on the above, seeking to amend the Metropolitan Region Scheme (MRS).

The matter was considered by Council at its Ordinary meeting held on 26 August 2025, when it resolved to support the proposal for the following reason:

- It is consistent with the intent, planning principles and recommendations of the South Metropolitan Peel Sub-Regional Planning Framework and will provide a framework for the future planning and development of the site.*

A copy of the Officer's Report is attached for your information.

As you will note, Council resolved to vary the Officer's Recommendation as it considered the proposed 'Urban' zoning will provide certainty and enable the timely delivery of new housing in the City of Rockingham.

Should you have any enquiries with respect to this advice, please do not hesitate to contact Mr David Veenendaal, Planning Officer, on 9528 0424 or via email to: David.Veenendaal@rockingham.wa.gov.au.

Yours faithfully

PETER RICCI
DIRECTOR PLANNING
AND DEVELOPMENT SERVICES



Planning and Asset Services Committee

Moved Deputy Mayor Buchan, seconded Cr Wormall:

That with the exception of Items PD-021/25, PD-022/25, PD-023/25 and AS-016/25 which are to be considered separately, the Committee Recommendations for Items AS-017/25, AS-018/25, AS-019/25 and AS-020/25 be adopted en bloc.

Carried – 12/0

Cr Schmidt declared an Impartiality Interest in Item PD-021/25 – Proposed Metropolitan Region Scheme Amendment No.1438 – Sawley Close, Golden Bay and will deal with the matter on its merits and vote accordingly (refer to Item 9 for specific details).

**Planning and Development Services
 Strategic Planning and Environment**



Report number / title:	PD-021/25	Proposed Metropolitan Region Scheme Amendment No.1438 - Sawley Close, Golden Bay
File number:	LUP/2266	
Applicant:	Urbis Ltd	
Owner:	Cape Bouvard Developments Pty Ltd	
Author:	Mr David Veenendaal, Planning Officer	
Other Contributors:	Mr Brett Ashby, Manager Strategic Planning and Environment	
Date of Committee meeting:	18 August 2025	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps / Diagrams:	1. Aerial Photograph 2. MUW and CCW Wetlands 3. 2012 WAPC Subdivision Approval 142038 4. 2021 WAPC Subdivision Approval 157945 5. Metropolitan Region Scheme Map Excerpt 6. Proposed MRS Amendment Map 7. Concept Subdivision Plan	
Site:	Lots 23-26, Lot 28 and Lots 161- 162 Sawley Close, Golden Bay	
Lot Area:	16.48ha (Combined)	
LA Zoning:	Special Residential	
MRS Zoning:	Rural	

Purpose of Report

To consider a proposed Amendment to the Metropolitan Region Scheme (**MRS**) for Lots 23-26, Lot 28 and Lots 161-162, Sawley Close, Golden Bay (**subject land**) and to seek Council endorsement to lodge a submission to the Western Australian Planning Commission (**WAPC**).

Background

Site Characteristics and Context

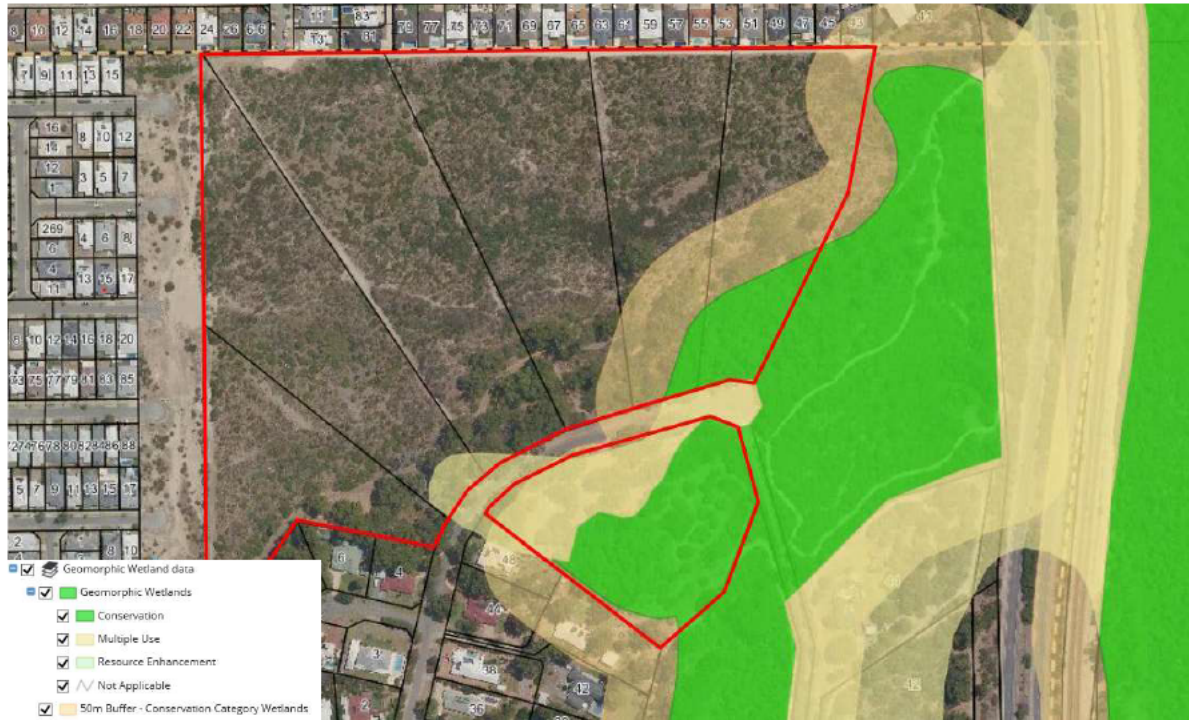
The subject land comprises seven (7) lots under the same ownership with a combined area of 16.48ha located within 1km to the future Karnup Train Station. The site adjoins 'Residential (R20)' zoned land in Secret Harbour to the north and future residential land under the Golden Bay Structure Plan to the west. Bush Forever Reserve No.379 is situated east of the subject land and established 'Special Residential' zoned lots to the south. The subject land remains largely undeveloped comprising an existing dune system, ranging between 25m above the Australian Height Datum (**AHD**) in the north and 3m AHD in the south.

A 'Multiple Use Wetland' (**MUW**) and 'Conservation Category Wetland' (**CCW**) exist within the eastern portion of the lot. CCWs are considered the highest priority wetland for protection and preservation, with development not permitted within a 50m buffer of a CCW. Figure 2 depicts the extent of the CCW and associated buffer on the site.

A portion of the subject land contains significant native vegetation and various types of Threatened Ecological Communities (**TEC**), predominantly concentrated within the south-eastern portion of the site, and within the CCW buffer.



1. Aerial Photograph



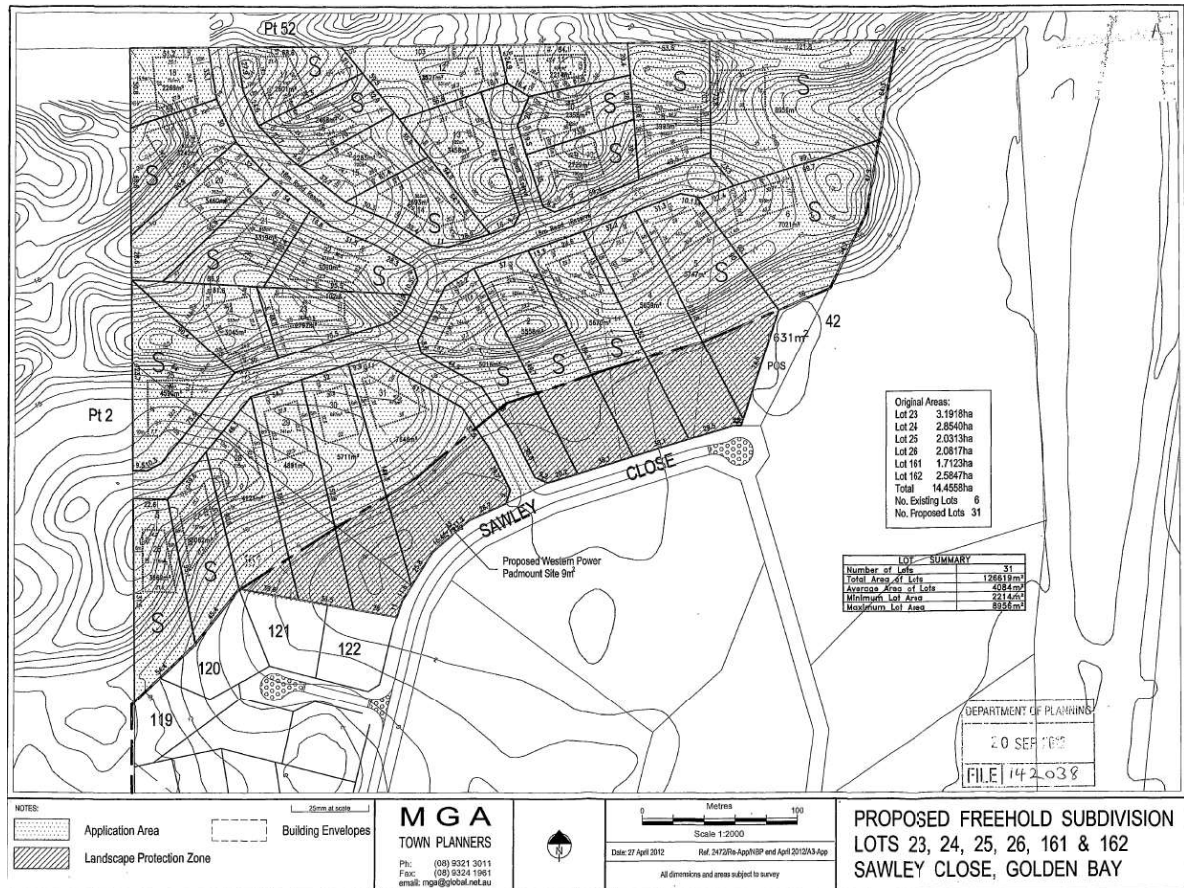
2. MUW and CCW Wetlands

Rezoning and Subdivision History

The land was initially rezoned from 'Rural' to 'Special Rural' under Amendment 143 to Town Planning Scheme No.1 (TPS1) in 1996, which has ultimately led to the existing lot pattern of the subject land.

In May 1999, the subject land, and land immediately south, was rezoned from 'Special Rural' to 'Special Residential' through Local Scheme Amendment 318 to TPS1. A Subdivision Guide Plan (SGP) was approved as part of Amendment 318, to coordinate future subdivision of this land. The existing lot layout to the south has predominantly been formalised through WAPC Subdivision Approval 102457, with additional subdivision approvals being issued in accordance with the SGP to date.

In December 2012, the WAPC issued a mediated conditional subdivision approval (WAPC 142038) through the State Administrative Tribunal (SAT) for a 32 lot subdivision, consistent with the approved SGP. This subdivision approval was not acted upon and expired in 2012.

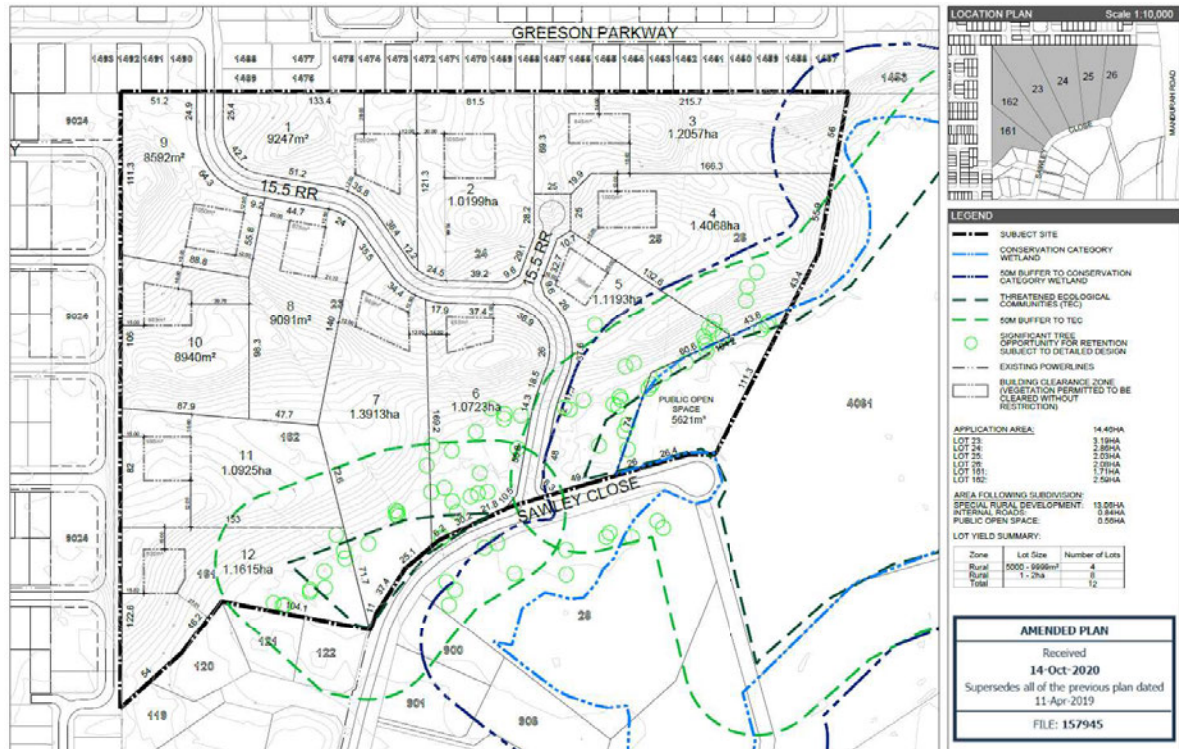


3. 2012 WAPC Subdivision Approval 142038

In July 2020, a review of the City of Rockingham (**City**) Rural Land Strategy (**RLS**) was undertaken to align the Strategy with the State Government strategic direction outlined within the South Metropolitan and Peel Sub-Regional planning framework. An outcome of this review resulted in the removal of the subject land from the RLS, given the WAPC consider ‘Special Residential’ to be a form of ‘urban’ development, rather than ‘rural’.

In February 2021, the WAPC issued a mediated conditional approval (WAPC 157945) through the SAT for a 12 lot subdivision, generally in accordance with the existing statutory requirements and SGP at that time. This subdivision has not been acted on and expired in February 2025.

The 2021 subdivision approval comprised 12 lots ranging from 8,592m² to 1.41ha in area, road reserve and 5,621m² of Public Open Space (**POS**). The implementation of the approved subdivision would have resulted in development occurring within the CCW and associated buffer, resulting in significant adverse environmental impacts. At the time of assessment, the City also raised significant concerns regarding the visual amenity impact on the existing ‘Special Residential’ precinct and its impact on a significant land feature within the Golden Bay area.



4. 2021 WAPC Subdivision Approval 157945

Following the release of WAPC Position Statement *Special Residential Zone* in May 2021, which seeks to phase out ‘Special Residential’ development, the applicant prepared a community engagement strategy, which was implemented in 2023, seeking community feedback on the potential for an ‘Urban’ zoning designation over a portion of the site. The proposal sought to incorporate residential development over the northern extent of the site and preserving the existing environmental values in the south of the land under ‘Park and Recreation Reserve’.

In 2024, the landowner, Cape Bouvard Developments Pty Ltd, met with the City to provide a briefing on the outcomes of community engagement. It was expressed that the results from the community consultation were broadly supportive of the proposed rezoning.

On 19 August 2024, the WAPC sought preliminary comments from the City with respect to the proposed MRS rezoning. The City provided a preliminary comment on September 2024, recommending the application be amended to rezone the land to ‘Urban Deferred’ rather than ‘Urban’ given that significant planning issues had not been resolved to allow the land to be rezoned directly to ‘Urban’.

The Applicant has since lodged the MRS Amendment without any modifications and not addressing the comments provided by the City. The proposed Amendment was initiated by the WAPC at its meeting on 19 March 2025 and approved for advertising.

Note: An 'Urban Deferred' zoning is utilised to provide a strong indication that land is suitable for urban purposes, but the land is not yet ready for development to proceed until certain requirements are met. Typically, land must satisfy the following in order to transfer from 'Urban Deferred' to 'Urban' under the WAPC's Lifting of Urban Deferment Guidelines:

- “- *the land is capable of being provided with essential services and agreement has been reached between the developers and service providers with regard to the staging and financing of services;*
- *planning is sufficiently advanced to depict an acceptable overall design to guide future development;*
- *the proposed urban or industrial development is in accordance with the endorsed strategic planning framework;*
- *regional requirements (such as regional roads, open space and public purposes) have been satisfied or provision made for them; and*
- *any constraints to urban development, including in relation to environmental, hazard and risk issues, can be satisfactorily addressed.”*

Details

MRS Amendment 1438 proposes to rezone 10.3ha in the north of the subject land from the 'Rural' zone to the 'Urban' zone and 6.2ha of the subject land in the south from the 'Rural' zone to 'Regional Open Space' reservation under the MRS. The MRS Amendment is being advertised for public comment until 27 August 2025. An excerpt of the MRS Amendment Map is included at Figure 6.

The proposed MRS Amendment request has been submitted with the following technical documents:

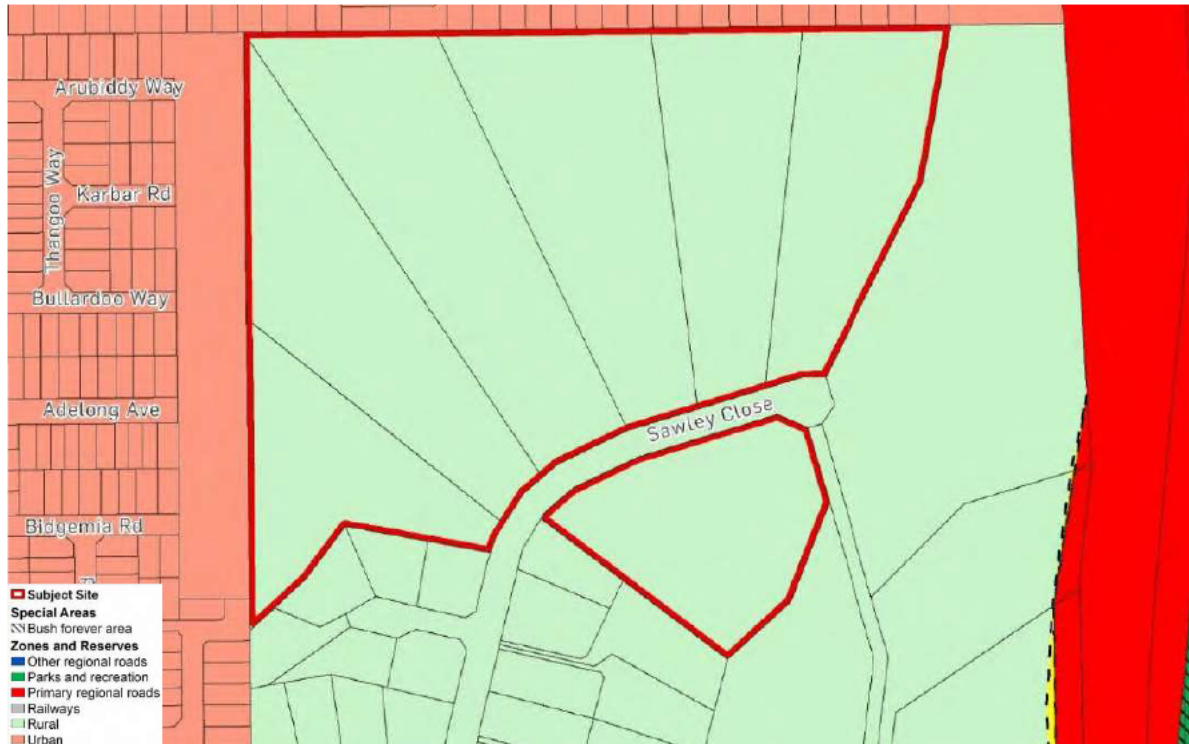
- Landscape Masterplan and Visual Impact Assessment
- Environmental Assessment Report
- Bushfire Management Plan
- District Water Management Strategy
- Transport Impact Assessment
- Engineering and Servicing Report
- Mosquito Management Plan.

The Applicant has also submitted a Concept Subdivision Plan with the proposed Amendment. The Concept Plan demonstrates that 8.35ha of land can be set aside for open space and drainage, 5.88ha utilised for residential development to accommodate approximately 142 dwellings and access can be obtained from the existing road networks located west and north of the subject site. The Concept Plan has not been supported with any additional information that would otherwise be contained as part of a Structure Plan, meaning a complete assessment cannot be undertaken.

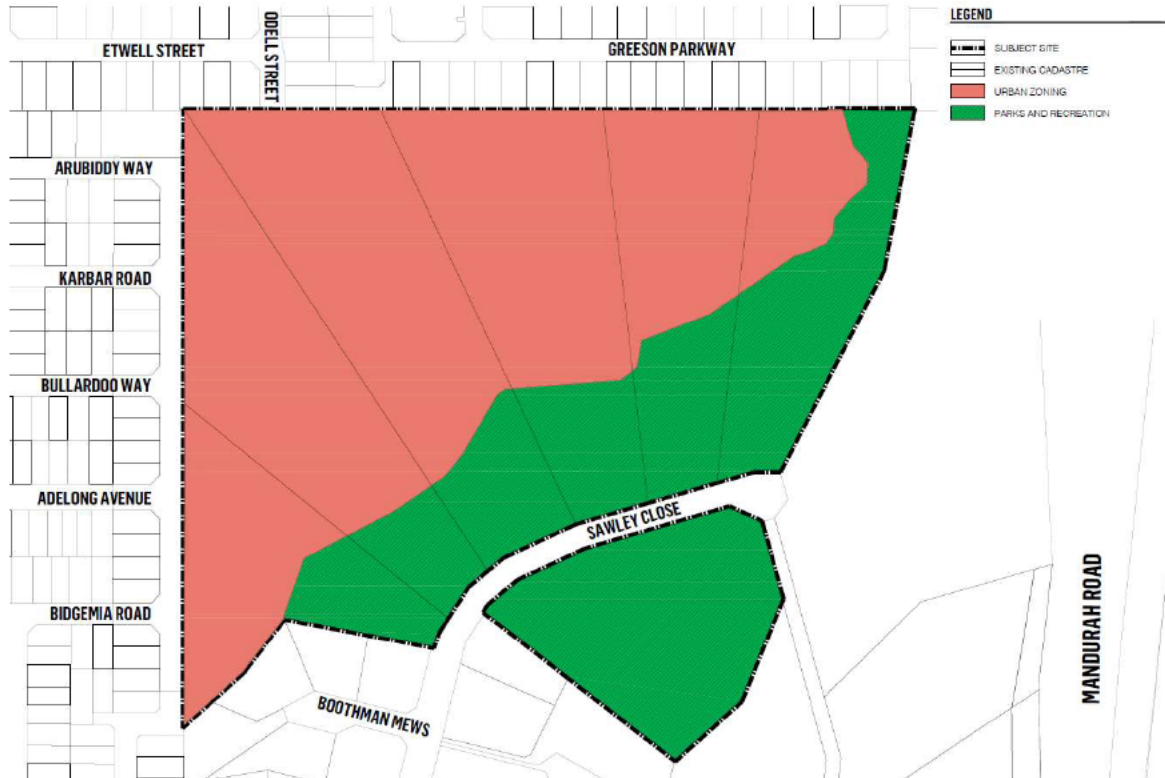
The rezoning to 'Urban' will establish a basis for progressing toward residential subdivision. The designated 'Regional Open Space' as a reserve will protect land with significant environmental assets including black cockatoo habitats, TECs, significant trees and CCWs and will be retained in perpetuity.

The Applicant has also lodged a Local Planning Scheme Amendment, pre-empting a successful outcome of the MRS Amendment. The Local Planning Scheme Amendment seeks to rezone the land from 'Special Residential' to 'Development' and 'Parks and Recreation Reserve'. The Local Planning Scheme Amendment was submitted to facilitate textual changes in addition to zoning changes. The Applicant has been advised that the Local Planning Scheme Amendment will not be progressed until the MRS Amendment has been finalised.

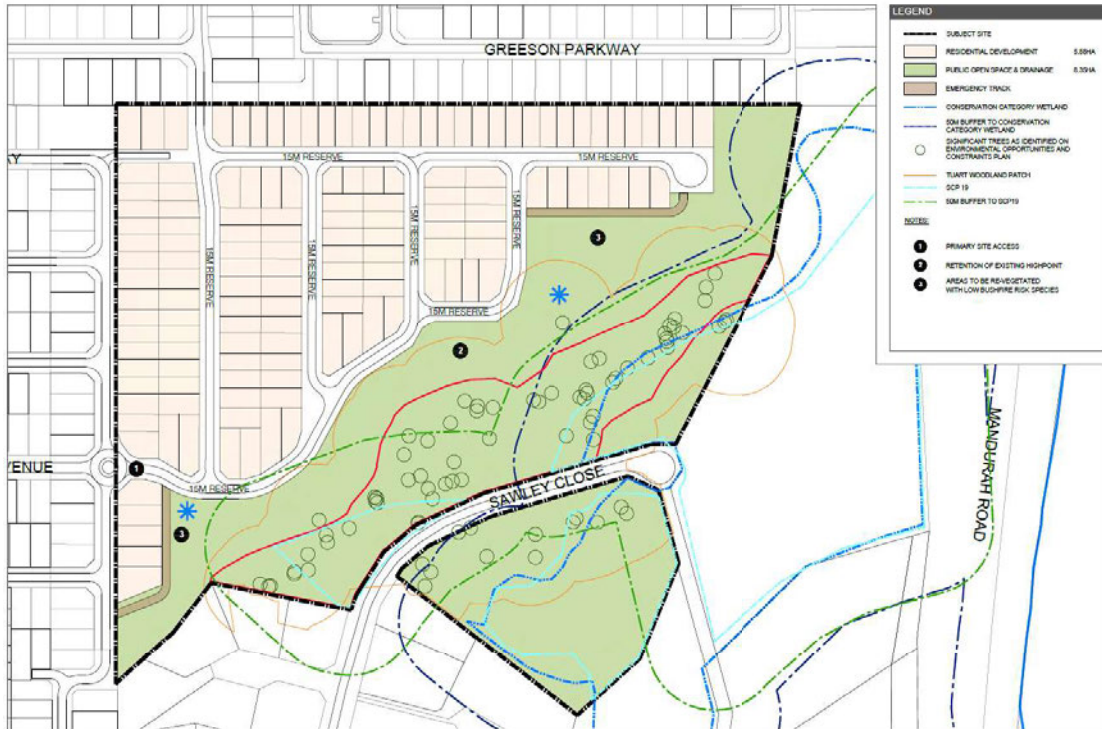
Subsequent to a successful rezoning to 'Urban' under the MRS and 'Development' under TPS2, it is likely that a Structure Plan will be prepared and submitted, ultimately progressing towards the submission of a Subdivision Application with the WAPC to formally create the new lots.



5. Metropolitan Region Scheme Map Excerpt



6. Proposed MRS Amendment Map



7. Concept Subdivision Plan

Implications to Consider

a. Consultation with the Community

The proposed MRS Amendment is being advertised by the DPLH until 27 August 2025, to enable all stakeholders, including the City and the community, opportunity to review and provide comment on the proposal.

b. Consultation with Government Agencies

Referral to Government Agencies for comment is undertaken by the DPLH.

c. Strategic

Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2023-2033:

Aspiration: **2. Natural Environment - A place of natural beauty where the environment is respected**

Outcome/Objective: *Sustainable natural green spaces - Preserve and enhance biodiversity Sustainable natural green spaces - Preserve and enhance biodiversity*

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Plan for sustainable growth - Balance growth while maintaining the identified natural environment Plan for sustainable growth - Balance growth while maintaining the identified natural environment*

d. Policy

Local Planning Policy No.3.1.1 - Rural Land Strategy

In 1996, the City adopted a RLS to provide the basis for land use planning in the rural areas of the municipality and in particular, to guide the assessment of proposals to rezone, subdivide and develop rural land in the City.

The subject land was removed from the RLS, in 2020, to align with the Sub-Regional Framework which considers 'Special Residential' development as 'Urban' under the MRS and inconsistent with the objectives for 'Rural' land. WAPC Position Statement *Special Residential Zone*, released in May 2021, supports the Sub-Regional Framework and reinforces this position.

Therefore, while the RLS continues to guide development of 'Rural' land within the City, it is not relevant to this particular proposal, given the land is zoned 'Special Residential' and is no longer subject to the RLS.

e. Financial

Nil

f. Legal and Statutory

Planning and Development Act 2005

The governing legislation for amendments to an existing Region Planning Scheme (i.e. MRS) is set out in the *Planning and Development Act 2005 (the Act)*. Part 4, Divisions 1-4 of the Act set the relevant procedures to follow after resolving to prepare an amendment to a Region Planning Scheme, including advertising requirements and referral to the Environmental Protection Authority.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

*Customer Service / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The South Metropolitan and Peel Sub-Regional Planning Strategy identifies the land as 'Urban', in recognition that the existing intent for 'Special Residential' subdivision is essentially an urban type land use with larger lot sizes. Its 'Urban' designation does not necessarily mean that higher density development than previously envisaged will be favourably considered.

The Applicant has, however, demonstrated that the site is capable of accommodating more intensive residential development in a manner that better protects the most significant environmental and landscape elements, when compared to potential subdivision under the current 'Special Residential' zoning,

The Concept Plan, while not supported by sufficient information to enable detailed assessment, demonstrates a site responsive design based on recommendations from a Visual Landscape Evaluation prepared by the City, respecting natural ridgelines, topography and vegetation, maintaining the existing natural amenity for existing residences along Sawley Close through the retention of landscape between the 'Special Residential' lots and future urban precinct.

Notwithstanding the above, the City has identified a number of issues that need to be resolved prior to the City offering its support on the Amendment. Details of the concerns are provided below as follows:

Requirements to Rezone to 'Urban' (MRS)

The WAPC *Lifting of Urban or Industrial Deferral Guidelines 2025* describe the basis for lifting of 'Urban Deferred' land. The guidelines provide five (5) key criteria under which the Urban Deferral zone may be lifted (as referenced above). The City has identified that two (2) out of the five (5) key criterion have yet to be demonstrated as being satisfied to support an 'Urban' zoning, being:

- (i) *Planning is sufficiently advanced to depict an acceptable overall design to guide future development.*

While a Concept Plan has been provided, it has not been supported by detailed technical reports and other information that allows a planning assessment to be undertaken. As such, planning is not sufficiently advanced to meet the requirements of the Guidelines, and enable the land to be rezoned directly to 'Urban'. Instead, an 'Urban Deferred' zoning should be progressed until such time as a Structure Plan has been submitted and assessed.

- (ii) *Any constraints to urban development, including in relation to environmental, hazard and risk issues, can be satisfactorily addressed.*

There are a number of fundamental planning considerations that need to be resolved before the land can be zoned 'Urban'. These issues include public health and amenity risks presented by mosquitoes breeding within Anstey and Paganoni Swamps, located immediately west of the Amendment area. The WAPC is aware of similar issues presented through the Karnup District Structure Plan (**KDSP**) currently being progressed by the City.

There is currently no strategy in place to address the management of known mosquito risks, which has emerged as a significant public health and amenity issue during the KDSP process.

Additional information is provided below.

Lifting of Urban Deferment involves the Applicant making a submission to the WAPC demonstrating the requirements for lifting have been satisfied. As it is an administrative process, public consultation is not required for the WAPC to lift Urban Deferment.

Mosquito Management

During pre-consultation with the applicant, the City recommended that a Mosquito Management Plan (**MMP**) be undertaken due to the proposed development being located in close proximity to known mosquito breeding sites. In reference to the City's consideration of the KDSP proposal in June 2022, the WAPC required the preparation of a Mosquito Risk Assessment and Management Plan (**MRAMP**) based on Department of Health advice, to inform the preparation of the KDSP. The MRAMP identified significant numbers of mosquitoes surrounding the subject land, including those mosquitoes which are active both during the day and at night, and which carry diseases such as the Ross River and Barmah Forrest Viruses.

The subject land is located within the 1km mosquito 'fly zone' of the Anstey Swamp breeding area which has been found to present significant mosquito risk to public health and amenity. The findings of the MMP are consistent with the MRAMP, prepared for the KDSP area.

There is no reference in the submitted MMP of the need for mosquito control at Anstey Swamp. For consistency, the proposal should consider the progression of the KDSP and the future mosquito management requirements which will likely be committed to by the State Government.

The MMP does make a number of recommendations which the City supports, these include:

- Notifications on the Certificate of Title, regarding proximity to known mosquito breeding locations for the proposed lots.
- Drainage considerations to ensure there is no standing water on-site for longer than 96 hours.
- The proponent will undertake mosquito monitoring on-site.

The MRS Amendment Report does not reference the known mosquito risks applicable to the subject land that requires a collaborative, multi-agency approach to mosquito management. This includes a strategy for resolution of such considerations, such as access to treat breeding areas and ongoing funding to be resolved, and risk shown to be acceptably mitigated. Until a suitable strategy approach is resolved, the land should not be zoned 'Urban'.

Earthworks and Engineering

Due to the extensive cut and fill proposed in the engineering servicing report, it is not clear how the protection of trees and vegetation within the proposal will be considered.

There is clear disconnect between the bulk earthworks plan and the landscape masterplan. The bulk earthworks plan shows a 1 in 3 cut and fill batter from the edge of the proposed road reserve which runs along the south of the development. This indicates the extent of clearing that will need to occur for the proposed road works, however, this does not consider the proposed landscape works along the southern verge. The extent of clearing proposed will exceed what is shown on the earthworks plan to enable construction of both usable POS spaces and storm water detention basin. This will therefore result in much more clearing of existing vegetation.

A strategy to confirm the interface between the proposed developments, southern boundary road and neighbouring 'Special Residential' properties needs to be considered in more detail. Design data from previous stages of the Golden Bay Estate indicate there are significant level difference between the existing roads, neighbouring properties and the proposed Amendment area.

The City requested detail in the bulk earthworks plan as part of the further information request during pre-consultation and further identified such in its letter dated 26 September 2024. This will help demonstrate how the proposed lots will be managed in terms of interfacing with the adjoining development and existing topography.

Environmental Considerations

There are inconsistencies between the MRS Amendment report and the Environmental Assessment Report (**EAR**). In particular, the EAR is based on environmental surveys completed more than five (5) years ago. Data obtained more than five (5) years old cannot be considered or assessed due to population changes in species as a result of fires, drought, flooding and land management changes and the shift in species habitat due to changes in climate.

These inconsistencies were identified by the City as part of the preliminary consultation and have not been addressed to date. The City understands that 'Threatened and Priority' flora and vegetation and supplementary flora and fauna surveys are currently being undertaken, of which the results have not been finalised and/or known.

As outlined above, further information is required to understand how the interface between the 'Parks and Recreation Reserve' and the public road will be achieved given the undulating topography and ridge line.

The Conservation Area Management Plan will be required to be implemented at the Structure Plan stage, and can form part of the updated Bulk Earthworks Plan requested at pre-consultation stage.

The following Management Plans will be required to be implemented at subdivision stage:

- Fauna Relocation and Management Plan; and
- Construction Environmental Management Plan.

Landscape Master Plan and Visual Impact Analysis

The MRS Report does not provide a detailed Public Open Space (**POS**) Schedule outlining the detail on the restricted and unrestricted POS areas, with particular regard to identifying the easement buffer zones and drainage areas. This will need to form part of the Structure Plan documentation, consistent with Liveable Neighbourhoods and City's *Planning Policy 3.4.1 - Public Open Space*.

The City's long-term position, as confirmed in the Visual Landscape Evaluation from 2012 for the Golden Bay and Singleton precinct, was to protect the visual permeability and amenity from Mandurah Road. This should be explored and further confirmed with a cross section in the Landscape Master Plan provided in support of the Amendment Report. This was requested by the City during pre-consultation with the applicant.

Proposed Parks and Recreation Reserve

The proposal intends to protect significant environmental values by reserving portions of the site as 'Parks and Recreation', which would preclude them from urban development. The intent of this is supported.

Responsibility for care and management of the Reserve has not yet been determined. Further information is required on intended rehabilitation/enhancement works, along with interface with any adjoining POS (which is managed by the City), before the City could consider a position on accepting care and maintenance of the proposed Reserve.

Conclusion

The proposal seeks to protect environmental values, which would not have been achieved through the implementation of the previous 'Special Residential' subdivision approval, whilst also facilitating higher density residential development. Furthermore, the City acknowledges the proposed zoning will ultimately 'round off' of the existing Secret Harbour and Golden Bay residential precincts directly adjoining the north and west of the subject site.

While the general intent behind the Amendment is supported, there are still unresolved planning and environmental considerations that need to be addressed prior to this rezoning occurring. The

City acknowledges that no further amendments have been made to the application since its previous comments provided in September 2024, and consequently the position of the City remains the same.

It is therefore recommended that the Council endorse the lodgement of a submission which supports an 'Urban Deferred' rather than 'Urban' zoning to provide an opportunity to address outstanding concerns and ensure the land is developed in an orderly and proper manner.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **ENDORSES** the lodgement of a submission on proposed Metropolitan Region Scheme Amendment No.1438 for Lots 23-26, Lot 28 and Lots 161-162 Sawley Close, Golden Bay, which recommends that the land be rezoned to 'Urban Deferred' rather than 'Urban' for the following reasons:

1. In the absence of a Local Structure Plan, planning is not sufficiently advanced to depict an acceptable overall design to guide future development; and
2. Constraints to urban development, including mosquito risk management, environmental matters, earthworks/engineering and management responsibility of the proposed 'Parks and Recreation Reserve' have not been satisfactorily addressed.

Committee Recommendation

Note: Mayor Hamblin proposed an amendment to the Officer Recommendation to provide certainty for Cape Bouvard and the community and enable the timely delivery of new housing in the City of Rockingham.

That Council **ENDORSES** the lodgement of a submission on proposed Metropolitan Region Scheme Amendment No.1438 for Lots 23-26, Lot 28 and Lots 161-162 Sawley Close, Golden Bay, which recommends that the land be rezoned to 'Urban' and 'Parks and Recreation' for the following reason:

1. It is consistent with the intent, planning principles and recommendations of the South Metropolitan Peel Sub-Regional Planning Framework and will provide a framework for the future planning and development of the site.

Committee Voting (Carried) - 6/0

The Committee's Reason for Varying the Officer's Recommendation

This will provide certainty for Cape Bouvard and the community, and enable the timely delivery of new housing in the City of Rockingham.

Council Resolution

Moved Cr Schmidt, seconded Cr Jones:

That Council **ENDORSES** the lodgement of a submission on proposed Metropolitan Region Scheme Amendment No.1438 for Lots 23-26, Lot 28 and Lots 161-162 Sawley Close, Golden Bay, which recommends that the land be rezoned to 'Urban' and 'Parks and Recreation' for the following reason:

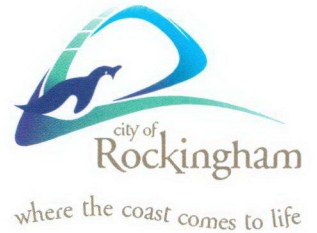
1. It is consistent with the intent, planning principles and recommendations of the South Metropolitan Peel Sub-Regional Planning Framework and will provide a framework for the future planning and development of the site.

Carried – 12/0

The Council's Reason for Varying the Committee's Recommendation

Not Applicable

Our Ref: LUP/2276 - D26/35572
Your Ref: 1438
Enquiries to: Mr David Veenendaal



25th February 2026

Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

ATT: Mr Anthony Muscara
anthony.muscara@dplh.wa.gov.au

Dear Sir/Madam

Re: Proposed Concurrent Amendment to City of Rockingham Town Planning Scheme No.2 - Lots 23-26, Lots 161-162 Sawley Close, Golden Bay

Council, at its Ordinary meeting held on 24 February 2026, resolved to support a concurrent amendment to Town Planning Scheme No.2, under Section 126 of the *Planning and Development Act 2005*, to rezone the northern portion of Lots 23-26, and 162-163 Sawley Close, Golden Bay, from 'Special Residential' to 'Development'.

In accordance with Section 126(3) of the *Planning and Development Act 2005*, the concurrent amendment is required to be considered by the Western Australian Planning Commission (WAPC).

This matter is also associated with the proposed Local Structure Plan, which was considered by Council at the same Ordinary meeting. Separate correspondence regarding the Local Structure Plan has been forwarded to the Department for consideration alongside this concurrent amendment.

A copy of the officer's report is further attached for your information.

Should you have any enquiries with respect to this advice, please do not hesitate to contact Mr David Veenendaal, Planning Officer, on 9528 0424 or via email David.Veenendaal@rockingham.wa.gov.au.

Yours faithfully


PETER RICCI
DIRECTOR PLANNING
AND DEVELOPMENT SERVICES

Department of Planning, Lands and Heritage Received	
Scanned	- 4 MAR 2026
Attachments	<input type="checkbox"/>
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File No.....	



Planning and Development Services Statutory Planning



Report number / title:	PD-003/26	Concurrent Amendment to Town Planning Scheme No.2 'Special Residential' to 'Development' - Lots 23-26 and 161-162 Sawley Close, Golden Bay
File number:	LUP/2276	
Applicant:	Urbis	
Owner:	Cape Bouvard Developments Pty Ltd	
Author:	Mr David Veenendaal, Planning Officer	
Other Contributors:	Mr Mike Ross, Manager Statutory Planning	
Date of Committee meeting:	16 February 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Executive	
Attachments:		
Maps / Diagrams:	<ol style="list-style-type: none"> 1. Context Map 2. Aerial Image 3. MUW and CCW Wetlands 4. Proposed MRS Amendment No.1438 Zoning 5. Current TPS2 Zoning Plan 6. Proposed TPS2 Zoning Plan 	
Site:	Lots 23-26 and 161-162 Sawley Close, Golden Bay	
Lot Area:	14.46ha (combined)	
LA Zoning:	Special Residential	
MRS Zoning:	Rural	

Purpose of Report

To consider a proposal to progress a concurrent amendment to the City of Rockingham (**City**) Town Planning Scheme No.2 (**TPS2**) alongside Metropolitan Region Scheme (**MRS**) Amendment No.1438, to facilitate the rezoning of the northern portion of Lots 23-26 and 161-162 Sawley Close, Golden Bay (**subject land**) from 'Special Residential' to 'Development'.

Background

Site Characteristics and Context

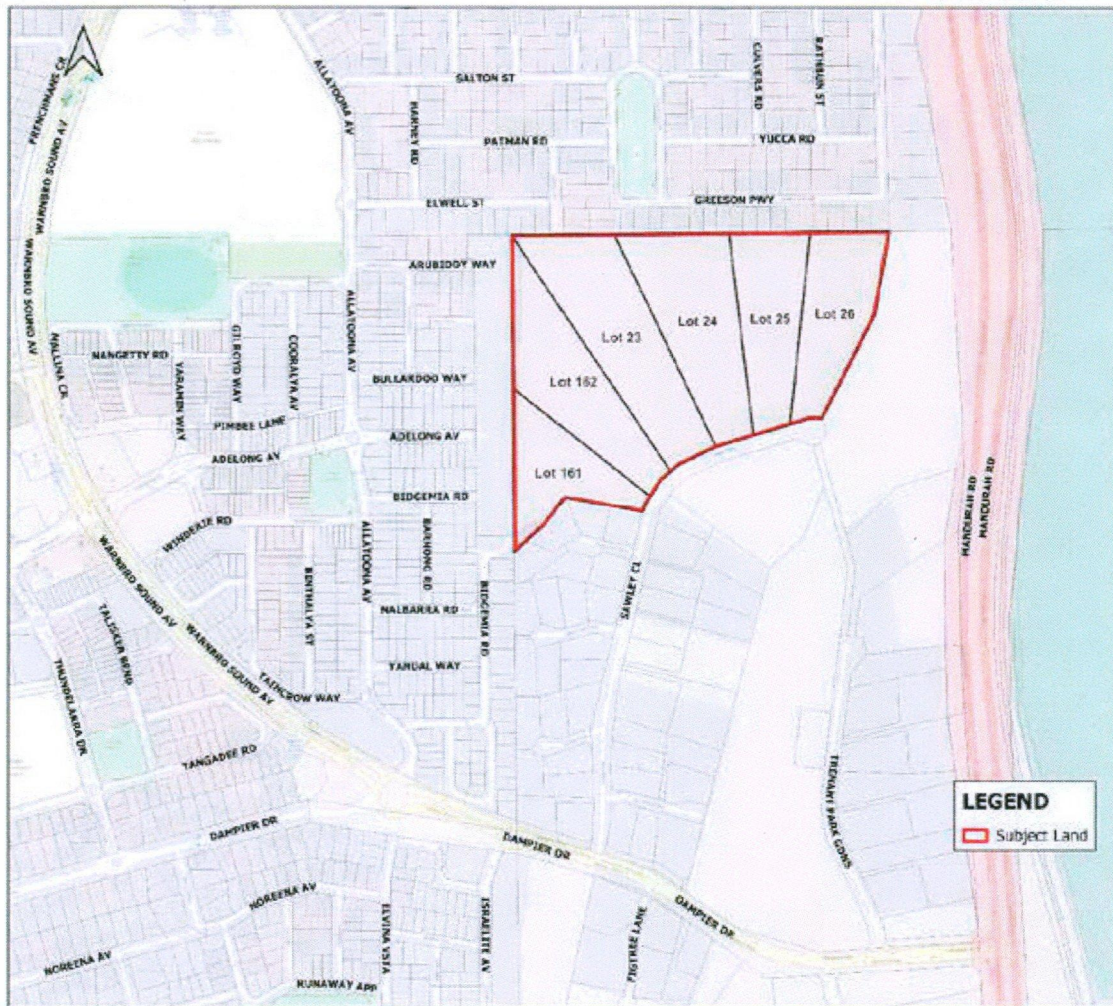
The site has a combined area of 10.3 hectares. Land immediately north and west comprises residential development at densities from R20-R30, while land to the south contains 'Special Residential' development. Land to the east is reserved for 'Parks and Recreation' under TPS2.

Under the MRS, the site and adjoining land to the east and south are zoned 'Rural', whereas land to the north and east is zoned 'Urban'.

The site remains largely undeveloped and contains an established dune system, with ground levels ranging from 25 metres Australian Height Datum (AHD) in the north to 3 metres AHD in the south.

A 'Multiple Use Wetland' (MUW) and 'Conservation Category Wetland' (CCW) extends into the eastern portion of the lot. CCW's are the highest priority wetland for protection and preservation, with development not permitted within a 50-metre buffer. The extent of the CCW and its associated buffer is shown in Figure 3 below.

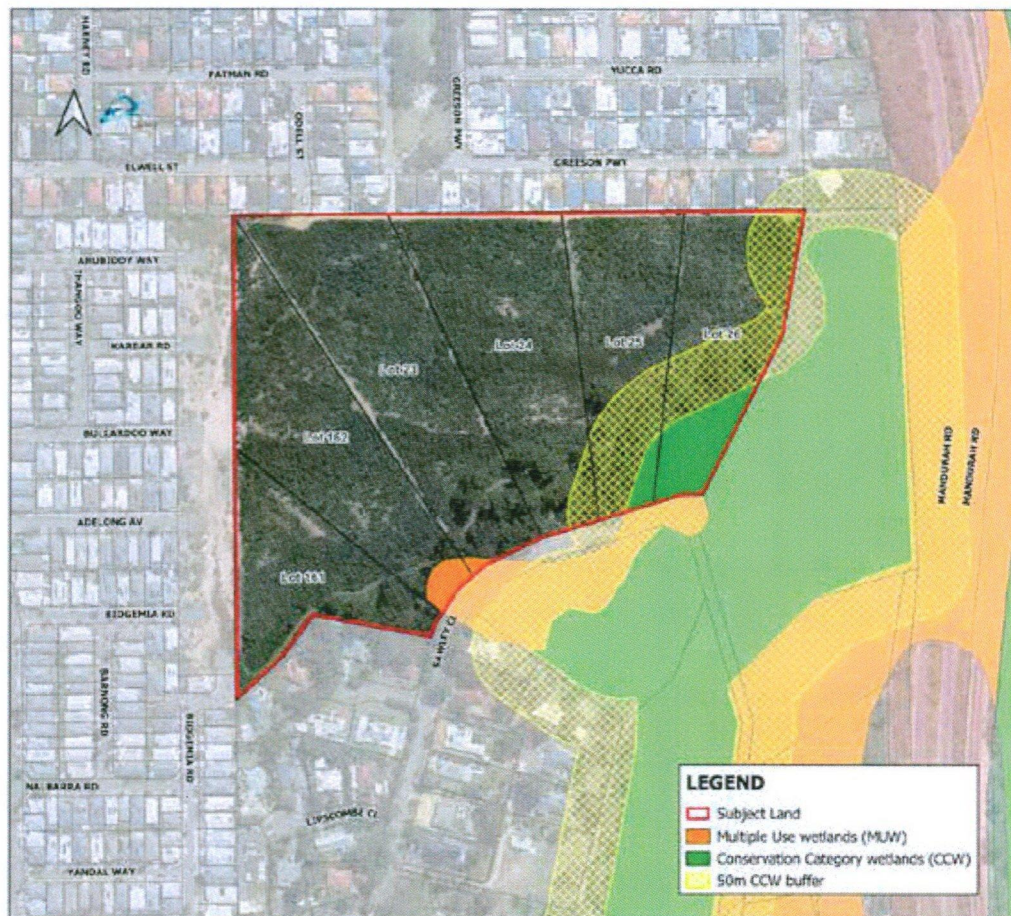
The site also contains areas of significant native vegetation and 'Threatened Ecological Communities', predominantly within the south-eastern portion of the site, largely coinciding within the CCW buffer area.



1. Context Map



2. Aerial Image



3. MUW and CCW Wetlands

Town Planning Scheme No. 1 - Brief Planning History

The subject land was rezoned from 'Rural' to 'Special Rural' in 1996 under Scheme Amendment No.143 to the former Town Planning Scheme No.1 (TPS1), which established the basis for the existing lot configuration.

In May 1999, the subject land, and land immediately to the south was rezoned from 'Special Rural' to 'Special Residential' through Scheme Amendment No.318 to TPS1. Amendment No.318 included a Subdivision Guide Plan (SGP) to coordinate future subdivision and development of this land. No further subdivision of the site has been undertaken since the approval of Amendment No.318, due to the environmental constraints over the site.

Community Engagement

In response to the release of *WAPC Position Statement - Special Residential Zone (2021)*, the applicant undertook a community engagement process in 2023 to seek feedback on the potential rezoning of a portion of the site to an 'Urban' zoning, while retaining the environmentally sensitive southern portion of the land for conservation purposes under a Regional Open Space reservation.

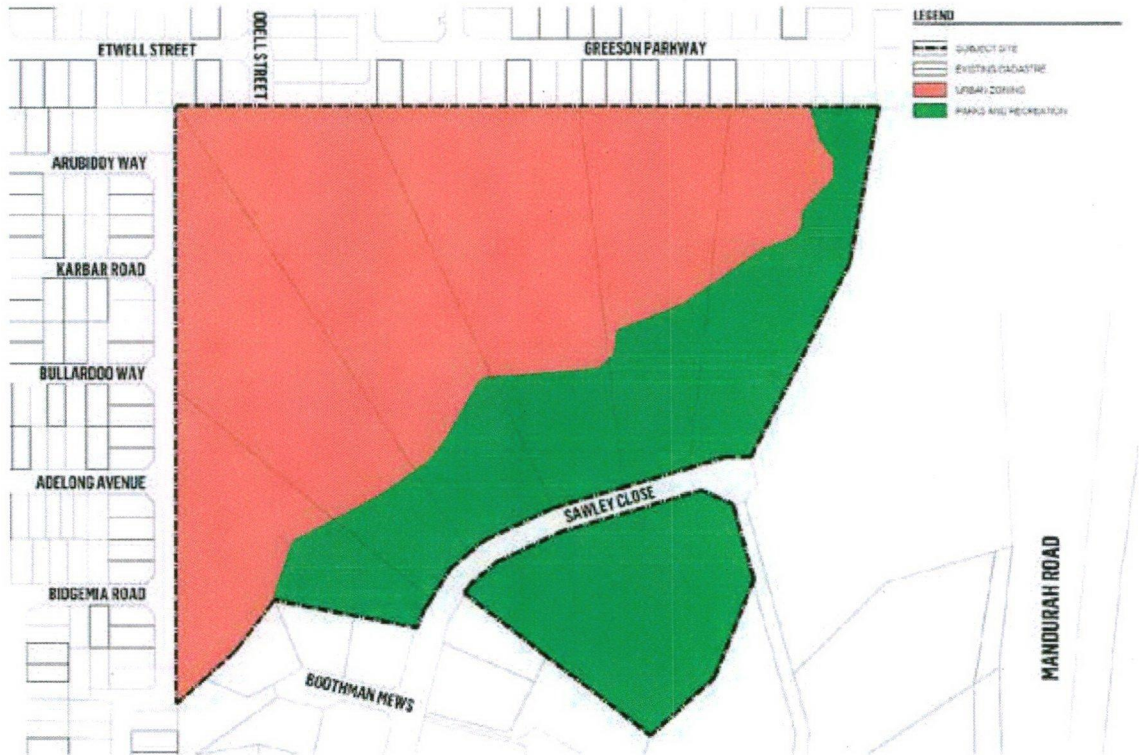
In 2024, the landowner, Cape Bouvard Developments Pty Ltd, met with City Officers to present the outcomes of the community engagement process. The feedback received was reported as being broadly supportive of the proposed rezoning approach.

Metropolitan Region Scheme Amendment No. 1438

Metropolitan Region Scheme (MRS) Amendment No.1438 proposes to rezone 10.3ha of the northern portion of the subject land from the 'Rural' zone to the 'Urban' zone and 6.2ha of the southern portion from the 'Rural' zone to a 'Regional Open Space' reservation under the MRS in accordance with Figure 4 below.

In August 2025, Council resolved to recommend support for the proposed rezoning, having determined that the Amendment is consistent with the intent, planning principles and recommendations of the *South Metropolitan and Peel Sub-Regional Planning Framework*. Council noted that the amendment would provide a clear strategic framework for the future planning and development of the site, deliver greater planning certainty for the landowner and the community, and enable the timely delivery of new housing.

The WAPC is yet to determine MRS Amendment No.1438.



4. Proposed MRS Amendment No.1438 Zoning

Town Planning Scheme No. 2 Amendment No. 198

Scheme Amendment No.198 to TPS2 was submitted in July 2025, seeking rezone 10.3ha of the northern portion of the subject land from 'Special Residential' to 'Development' consistent with framework from MRS Amendment No. 1438.

The Scheme Amendment also proposes to remove the subject land from Schedule No. 4 - Special Rural Zones and Schedule No. 5 – Special Residential Zones, which currently contain site-specific statutory provisions. This would involve the removal of references to the subject land within those schedules.

Scheme Amendment No.198 has not yet been considered by Council for the purpose of advertising, as the Applicant has requested that the local scheme amendment be considered concurrently with MRS Amendment No.1438. Should the concurrent amendment process be supported, there would be no requirement for Scheme Amendment No.198 to proceed independently.

Structure Plan Lodgement

In September 2025, a Local Structure Plan (**LSP**) for the subject land was lodged with the City. The WAPC has advised that a LSP is required to demonstrate orderly and proper planning of the site, however, no determination of the LSP can be made until the land is appropriately zoned under both the MRS and TPS2.

The LSP advertising concluded on 12 December 2025 and is presented as a separate agenda item for consideration at this meeting (PD-002/26).

Mosquito Management

In October 2025, the Applicant met with officers from the Department of Planning, Lands and Heritage (**DPLH**) and City to discuss the potential to progress an amendment to TPS2 concurrently with MRS Amendment No.1438.

At this meeting, City Officers raised concerns regarding the current and future management of mosquito impacts on the site and requested an interim Mosquito Management Report (**MMR**) be provided to assist in determining whether a concurrent amendment would be appropriate.

The applicant has since submitted the interim MMP, based on specific mosquito monitoring undertaken between September and mid-December 2025. The interim MMR has been reviewed by the City and it has been confirmed that there are no significant issues to warrant withholding the progression of a concurrent amendment with MRS Amendment No.1438.

Details

Proposal

The Applicant is seeking a concurrent amendment under Section 126 of the *Planning and Development Act 2005 (PD Act 2005)* to rezone the northern portion of the site under TPS2 from 'Special Residential' to 'Development'.

This concurrent amendment is proposed to align with MRS Amendment No.1438, which seeks to rezone the same portion of land under the MRS from 'Rural' to 'Urban'.

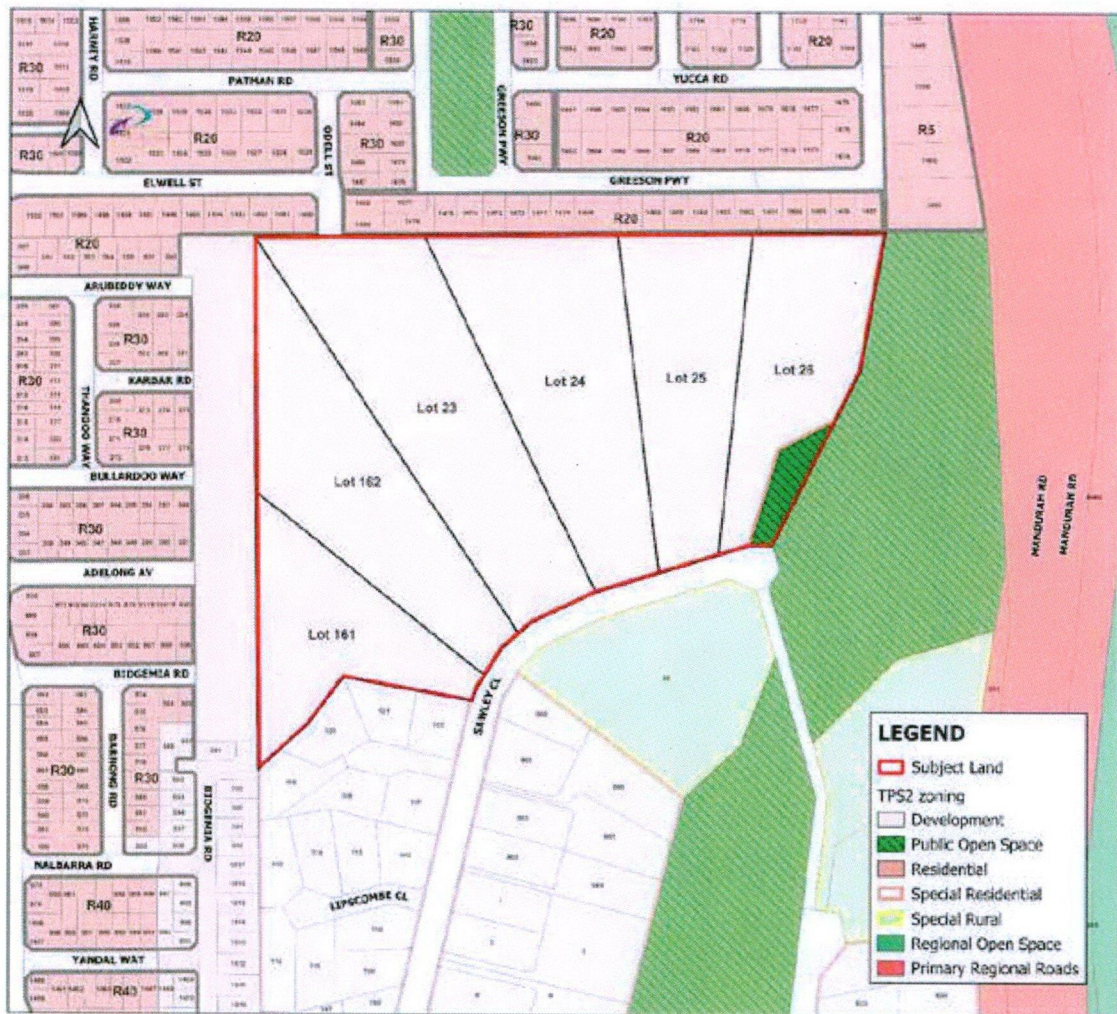
If supported, the TPS2 amendment will take effect upon the final determination of MRS Amendment No.1438, with notice of the amendment to be published in the *Government Gazette*.

The proposed zoning changes under the MRS and TPS2 are summarised in Table 1.

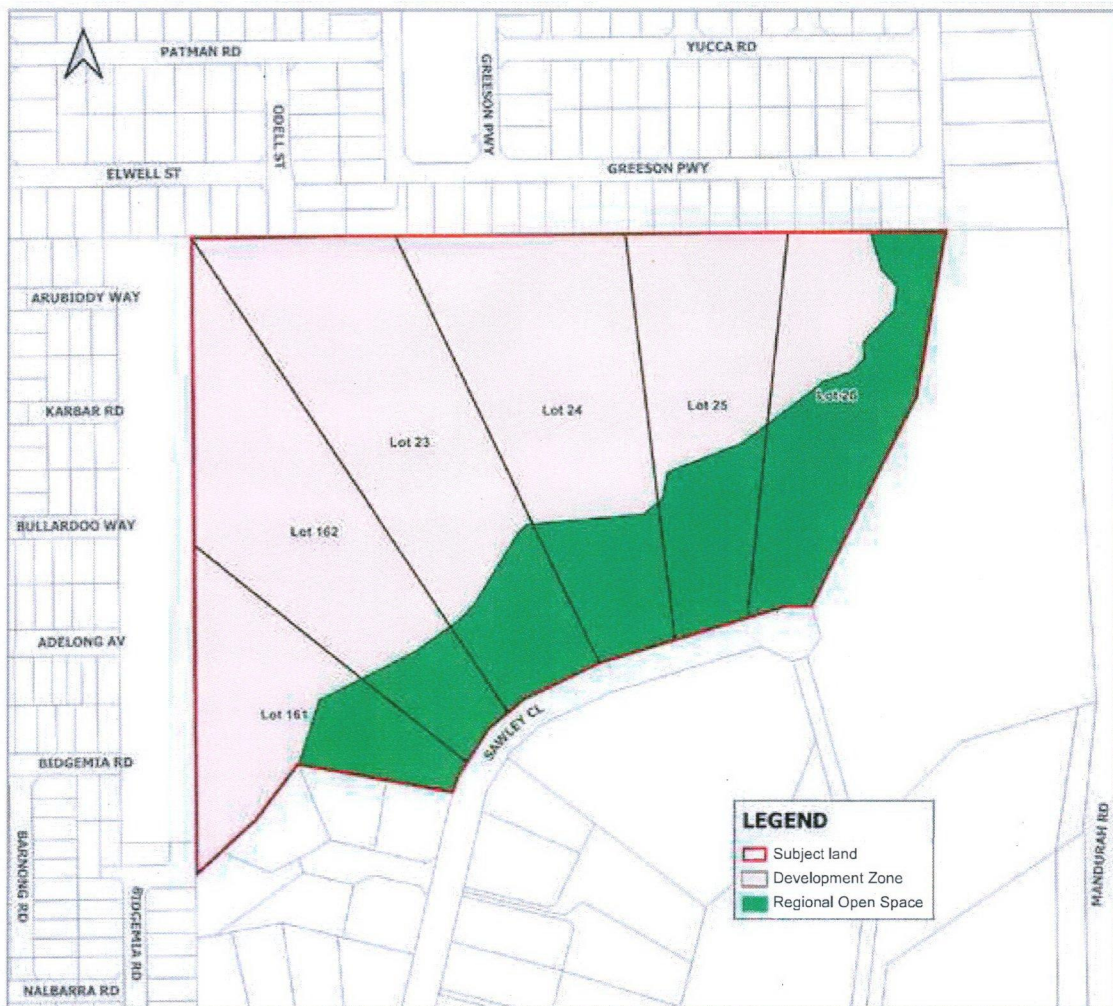
The Applicant has also submitted an interim MMR, prepared by *Rankine Mosquito Management*, and dated 5 January 2026, which summarises the site investigations undertaken between September to mid-December.

Metropolitan Region Scheme		Town Planning Scheme No.2	
Current Zoning	Proposed (Amendment 1438)	Current Zoning	Proposed (Concurrent Amendment)
Rural	Urban	Special Residential	Development

Table 1 - Zoning Changes Under MRS and TPS2



5. Current TPS2 Zoning Plan



6. Proposed TPS2 Zoning Plan

Implications to Consider

a. Consultation with the Community

No community consultation is required to be undertaken in relation to the concurrent amendment.

Community consultation has previously been undertaken as part of the MRS Amendment No.1438 process administered by the DPLH, which closed in August 2025. No further consultation in relation to the concurrent amendment to TPS2 is required.

b. Consultation with Government Agencies

No consultation with Government Agencies is required to be undertaken in relation to the concurrent amendment.

Government agencies have been consulted as part of the MRS Amendment No. 1438 process administered by the DPLH. No further consultation with government agencies is proposed in relation to the concurrent amendment to TPS2.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspirations and Strategic Objectives contained in the Strategic Community Plan 2023-2033:

- Aspiration:** **1. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: Plan for sustainable growth - Balance growth while maintaining the identified natural environment

Aspiration: **2. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: Plan for sustainable growth - Create safe community places to live, recreate and work

Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Planning and Development Act 2005 (PD Act)

Where land is proposed to be rezoned 'Urban' under the MRS, the WAPC may determine that a corresponding amendment to a local planning scheme be progressed concurrently under Section 126(3) of the PD Act 2005.

Section 126(3) of the PD Act provides that:

"If a region planning scheme delineates, or it is proposed that a region planning scheme delineate, land comprised in a local planning scheme as land in an Urban zone, the Commission may publish in the Gazette a notice amending the local planning scheme, insofar as it operates in relation to that land, so that the land is zoned in the local planning scheme in a manner that is consistent with the objectives of the delineation or proposed delineation under the region planning scheme."

Section 126(4) of the PD Act provides that:

"The Commission must not publish a notice under subsection (3) amending a local planning scheme until the local government that made or adopted the scheme has been consulted."

Having regard to the progression of MRS Amendment No.1438, a concurrent amendment to rezone 10.3ha of the subject land from 'Special Residential' to 'Development' under TPS2 may therefore be considered.

Note: Statutory Distinction

Pursuant to Section.126(1) of the PD Act 2005, a Local Planning Scheme **must** be amended to reflect land reserved under the MRS. Accordingly, all land proposed to be rezoned as 'Reserve' under MRS Amendment No.1438 is required to be reflected as such under TPS2.

In contrast, under Section.126(3) of the PD Act 2005, a Local Planning Scheme **may** be amended concurrently where land is rezoned to 'Urban' under the MRS. A concurrent amendment under Section.126(3) typically results in the land being rezoned 'Development', (or an equivalent zone), under the Local Planning Scheme.

City of Rockingham Town Planning Scheme No.2

A concurrent amendment to TPS2 will result in the northern portion of the subject land, proposed as 'Urban' under MRS Amendment No.1438, being zoned 'Development' under TPS2.

The objectives of the 'Development' zone under TPS2 are to:

- (i) Identify areas requiring comprehensive planning prior to subdivision and development; and
- (ii) Coordinate subdivision, land use and development in areas requiring comprehensive planning.

Land zoned 'Development' requires the preparation and approval of a LSP as a prerequisite to further subdivision and development of land. As mentioned above, the Applicant has lodged a LSP intended to coordinate future subdivision and development of the subject land.

The proposed concurrent rezoning to 'Development' is therefore consistent with proper and orderly planning, ensuring that comprehensive planning is undertaken and that any outstanding matters are appropriately resolved through the Structure Planning process.

TPS 2 - Textual Considerations

Concurrent amendments under Section 126 are generally limited to updates to the Scheme Maps. A review of TPS2 confirms that no consequential amendments to the Scheme Text are required in this instance.

Schedule 5 contains references to the subject land in relation to 'Special Residential' provisions. These references are subject to a disclaimer noting that lot details may have changed. Their continued inclusion does not impede or conflict with the proposed amendments and may be removed through draft Local Planning Scheme No.4.

Ordinarily, land rezoned to 'Development' would be included in Schedule No.7 of TPS2, which identifies 'Development Areas' and applicable provisions. However, under the *Planning and Development (Local Planning Schemes) Regulations 2015*, subdivision cannot occur until further detailed planning, typically via a Structure Plan, is undertaken. Structure Planning for this site has already progressed, so no additional site-specific provisions are required, nor is it necessary to include the land in Schedule No.7.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

*Customer Service / Program/Project management / Natural Environment : High and Extreme Risks
Financial / Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The proposal to support a concurrent rezoning of TPS2 alongside MRS Amendment No.1438 has been assessed against the statutory planning framework, relevant strategic planning objectives and previous planning approvals affecting the subject land.

The proposed amendment to TPS2 is largely administrative in its nature. Its primary purpose is to enable the determination of the LSP lodged over the site, and to ensure consistency between TPS2 and the MRS once Amendment No.1438 is finalised and gazetted.

The 'Development' zone facilitates coordinated and orderly planning prior to subdivision and development. The WAPC has advised that a LSP is required for the site, however, no determination can be made until the land is appropriately zoned.

Supporting the concurrent amendment enables the LSP to be formally assessed and determined within the statutory framework. This allows detailed matters such as environmental management, servicing, road connections, density, staging and public open space design to be comprehensively resolved.

If Council does not support the concurrent amendment to TPS2, the rezoning would need to proceed via the standard Scheme Amendment process. This process would require formal initiation by Council, public advertising, and reassessment against the statutory and strategic planning framework. Advertising would likely occur after the LSP, delaying the planning and delivery of subdivision and development on the site and creating inefficiencies in the process.

Conclusion

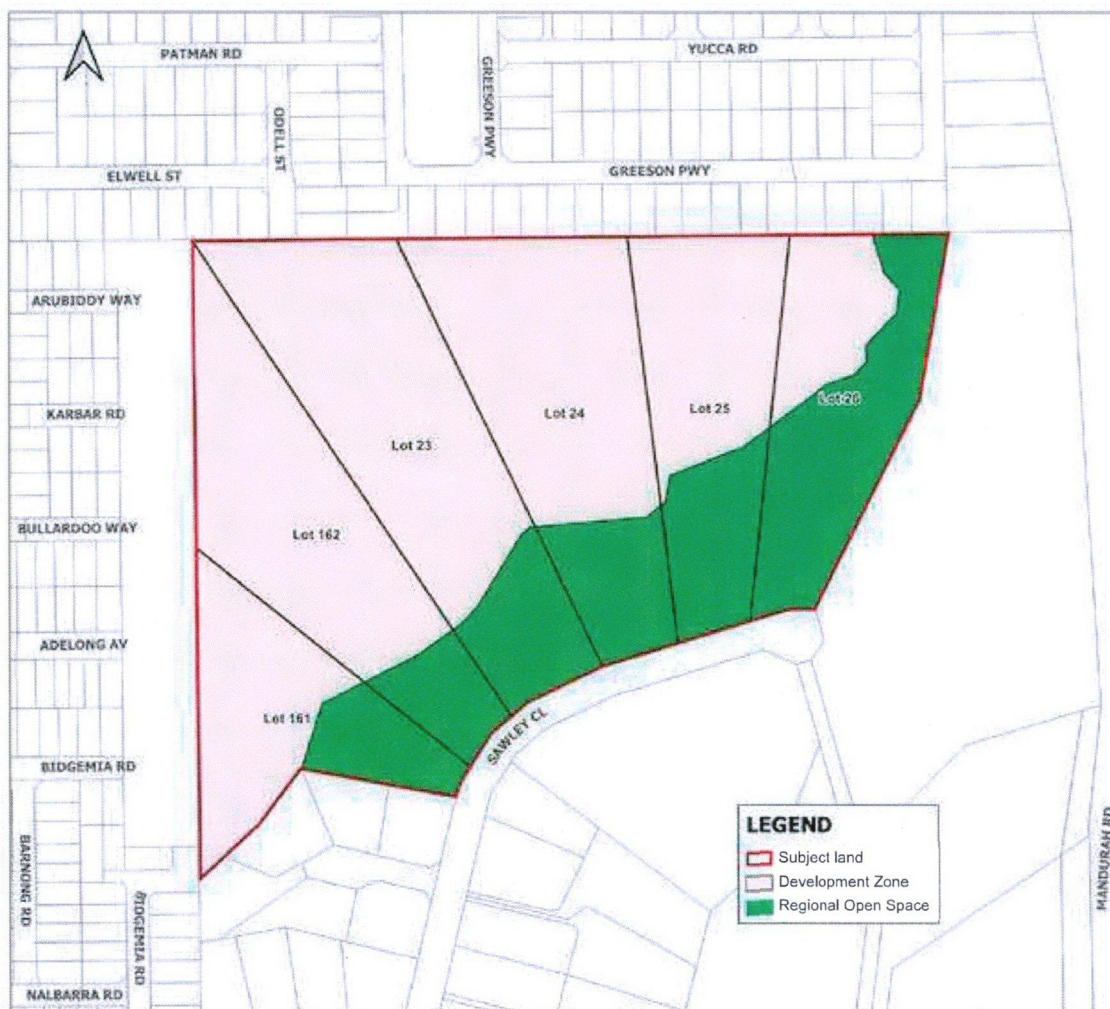
The proposed concurrent Amendment to TPS2 is largely administrative but necessary for facilitating proper and orderly planning of the subject land. It aligns TPS2 with the MRS, supports the assessment of the submitted Structure Plan, and is consistent with Section 126 of the *PD Act 2005*, with no substantive impacts on the TPS2 scheme text.

Voting Requirements

Simple Majority

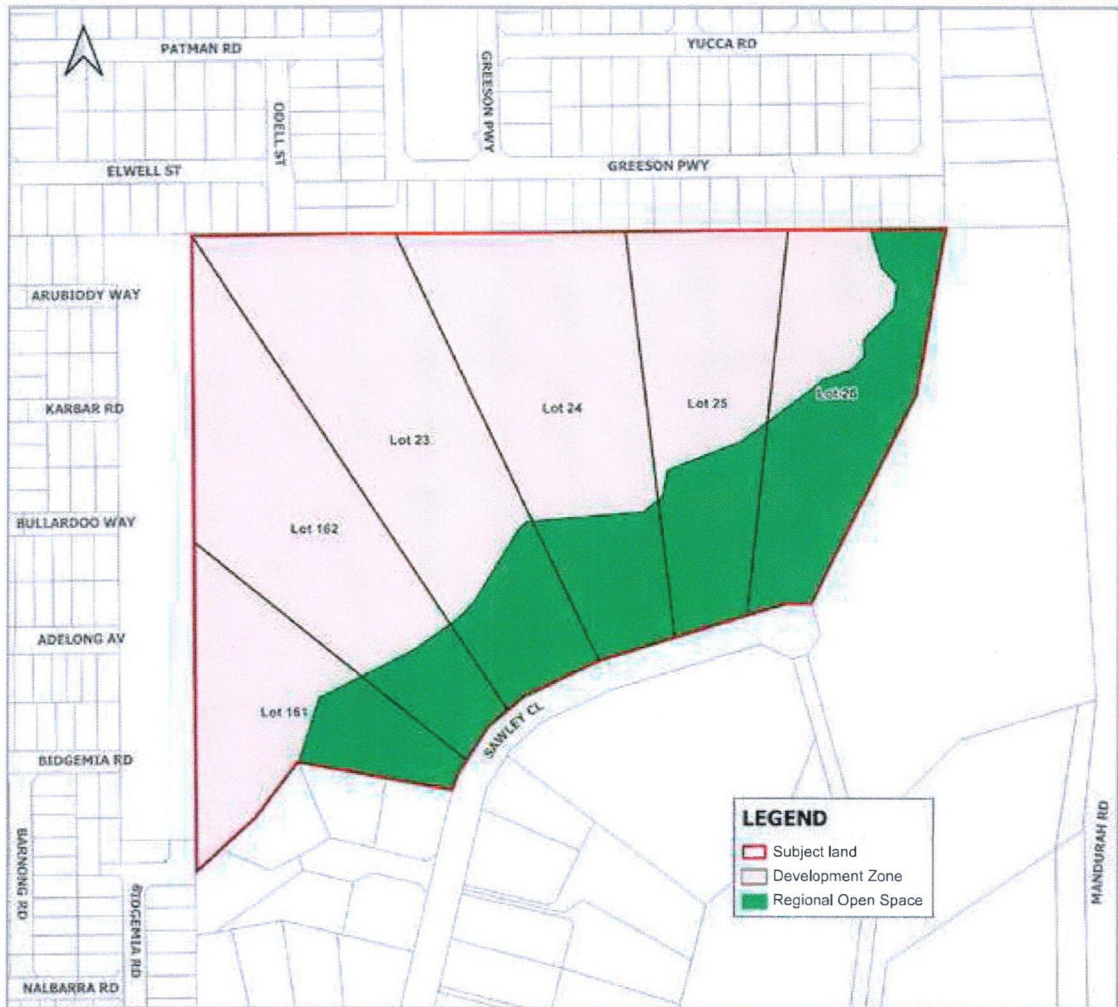
Officer Recommendation

That Council **SUPPORTS** a concurrent amendment to Town Planning Scheme No.2, under Section 126 of the *Planning and Development Act 2005*, to rezone the northern portion of Lots 23-26 and 161-162 Sawley Close, Golden Bay, from 'Special Residential' to 'Development' in accordance with the plan below:



Committee Recommendation

That Council **SUPPORTS** a concurrent amendment to Town Planning Scheme No.2, under Section 126 of the *Planning and Development Act 2005*, to rezone the northern portion of Lots 23-26 and 161-162 Sawley Close, Golden Bay, from 'Special Residential' to 'Development' in accordance with the plan below:



Committee Voting (Carried) - 5/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Rudman
Cr Jecks
Cr Robertson

Council Members voting against the motion:

Nil

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable



Department of **Biodiversity,
Conservation and Attractions**



Your ref: RLS/1137
 Our ref: PRS 52798
 Enquiries: Lyndon Mutter
 Phone: 9442 0342
 Email: lyndon.mutter@dbca.wa.gov.au

Secretary
 Western Australian Planning Commission
 Locked Bag 2506
 PERTH WA 6000

Proposed Metropolitan Scheme Amendment 1438 – Sawley Close Urban Precinct

In reference to your request for comment on the proposed Metropolitan Region Scheme Amendment correspondence dated 14 July 2025, the Parks and Wildlife Service of the Department of Biodiversity, Conservation and Attractions (DBCA) provides the following comments in relation to DBCA's responsibilities under the *Biodiversity Conservation Act 2016* (BC Act) and the *Conservation and Land Management Act 1984* (CALM Act).

The proposed amendment area contains,

- mapped occurrences of the Threatened Ecological Community (TEC) SCP 19 Woodlands over Sedgeland in Holocene dune swales of the southern Swan Coastal Plain, which is listed as Critically Endangered under the BC Act and as Endangered under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act),
- Conservation Category wetland (CCW) areas,
- areas supporting the *Tuart Woodlands and Forests of the Swan Coastal Plain* ecological community, which is listed as Critically Endangered under the EPBC ACT, and as a priority ecological community in Western Australia (WA),
- threatened black cockatoo habitat,
- areas containing vegetation which has been identified in the Strategen Report (2016) as the FCT29 community which is listed as a priority ecological community in WA, and
- it adjoins larger areas of SCP19 TEC and CCW.

Threatened Ecological Community SCP 19

Two occurrences of the Threatened Ecological Community (TEC) SCP 19, as mapped on the DBCA TEC database are located on the southwest portion of the site adjacent to Sawley Close. The amendment area also adjoins a much larger occurrence of the TEC.

The EAR (Pages 5, 6, 8 and 9) outlines that,

- the vegetation mapped by DBCA as SCP 19 TEC occurrences on the subject land will be retained with an associated 50 metre buffer within the proposed Parks and Recreation reserve,
- TEC, CCW wetland, associated buffers and other retained vegetation areas within the Parks and Recreation Reserve will be subject to weed control and targeted revegetation with local native species,
- provision of a hard road edge to retained wetland and vegetation areas to assist with future management,
- access to retained vegetation and wetlands areas will be controlled with dedicated paths and fencing,

- that a conservation area management plan or similar will be prepared for retained vegetation and wetland areas.

The proponent will need to demonstrate that the predevelopment hydrology of the site will be maintained and that the hydrology of the FCT SCP19 TEC occurrences and the conservation category wetland area are not impacted. If this cannot be adequately demonstrated, a section 45 authority to modify an occurrence of a TEC may be required under the *Biodiversity Conservation Act 2016*.

The EAR (page 14) states that previous mapping for DBCA identified the potential occurrence of SCP 19 TEC on the site, however the Ecoscape 2025 Flora and Vegetation Survey did not record the TEC on the site.

DBCA has not been contacted by Ecoscape or the proponents regarding the status of the two FCT19 TEC occurrences mapped within the amendment area. The two FCT19 TEC occurrences (Occ. unique 630 and 4398) remain as current occurrences in the TEC database. If the landholder wishes to dispute the presence of the TEC, there is a formal appeals process as outlined in the attached document. Please email tecsc@dbca.wa.gov.au for further information.

The EAR outlines that a Conservation Area management plan will be prepared and implemented to the satisfaction of the City of Rockingham with DBCA advice. It is DBCA's expectation that the management plan will address the maintenance of ground water levels and water quality, and that it will include a ground water monitoring program within the public open space area containing the TEC and wetland.

Threatened Black Cockatoo habitat

It is noted that the EAR outlines that the site contains 103 Black Cockatoo habitat trees of which were identified as having suitable hollows, 4.15 ha of moderate value foraging habitat, and 12.25 ha of poor value foraging habitat for Black Cockatoos. The EAR states that all the Black Cockatoo habitat trees will be protected in the proposed Parks and Recreation reserve and that all of the Black Cockatoo habitat proposed to be cleared for development within the Urban Development area is of low value or nil foraging value.

DBCA recommends that the future planning for the site makes every effort to retain black cockatoo habitat. The cumulative impacts associated with the loss of black cockatoo habitat is reducing the amount of habitat and reducing the number of birds that can be supported in the region. In the respective black cockatoo recovery plans, they note that reversal of threats (including loss of habitat) is required before significant increases in the cockatoo populations can occur. The Recovery Plan's identify the need to protect and manage as much habitat as possible to minimise the impacts of habitat loss. Therefore, all remaining resources are significantly important to black cockatoos.

Threatened Flora

It is noted that the flora and vegetation surveys did not record any threatened flora species listed under the BC Act or under the Commonwealth Environment Protection and Biodiversity Conservation act (EPBC Act).

Vegetation

The EAR mapped three floristic communities, FCT 17, FCTs 29a and FCT 29b over the site with much of it being in good to very good condition. FCT 29a and FCT29b are listed as a Priority Ecological Community (PEC) in WA.

The EAR outlines that approximately 12% of FCT 29a, 74% of FCT29b, and 100% of FCT 17 will be retained in the Parks and Recreation Reserve

Mosquito Risk

Section 7.2 of the previously referred MRS Amendment report states that the site is near saltmarsh and wetlands with high mosquito breeding potential, and that the impact of breeding from Paganoni and Anstey Swamps on the site is unclear, but historic data suggests it could be significant. The report suggests that implementing key mitigation measures could potentially reduce all identified risk scores to a moderate range by reducing productive mosquito breeding habitats and promoting changes in the built environment and lifestyle.

DBCA provides the following advice as the land manager of the adjacent Rockingham Lakes Regional Park which includes Paganoni and Anstey Swamps.

Mosquito management within the regional park would only be considered by DBCA if there is a proven risk to human health through mosquito borne illness, following recommendations and direction from the Department of Health.

Anstey and Paganoni Swamp are both managed by DBCA's Regional Parks Unit in accordance with the *Rockingham Lakes Regional Park Management Plan* (Department of Environment and Conservation, 2010) (RLRPMP) [Rockingham Lakes Regional Park | Department of Biodiversity, Conservation and Attractions \(dbca.wa.gov.au\)](https://www.dbca.wa.gov.au/rockingham-lakes-regional-park) The two areas are within the Conservation and Protection management zone (refer to Figure 4). Table 1 of the management plan describes the management emphasis of this zone which is to protect and where possible enhance the conservation values (biota and heritage) as well as the landscape qualities of the park. Priority will be given to restoring and maintaining the natural state of conservation and protection areas. Visible evidence of management will be minimal (refer to Table 1, page 13). Proposed mosquito monitoring and treatment within these wetlands should align with the objectives of the RLRPMP. It should be acknowledged that some forms of control and mitigation may not align with the purpose of the reserves and may therefore be deemed unsuitable/ unacceptable by the department.

The objectives of the EPA guidance and policy in relation to wetlands may conflict with the effective management of mosquitoes (e.g. larviciding, drainage). DBCA would not support vegetation/ hydrological modifications within the Anstey and Paganoni wetlands to either facilitate treatment or mitigate mosquito risks.

Two areas of DBCA managed regional park are currently subject to mosquito management and mitigation. DBCA has facilitated this on the basis that any management program is fully resourced and implemented by the relevant local government authority. As outlined above, DBCA would only consider such management on DBCA managed estate following a direction from the Department of Health.

As noted in the Mosquito and Midge Management Plan for the nearby Karnup Station precinct RAMP and acknowledged by the Department of Health, no control measures will eradicate all mosquitos in this area, with a level of risk remaining.

The use of a Development Contribution Plan as a funding source for mosquito management will only provide resources over a finite period, during development stages. The long-term allocation of funding and resources should be identified and committed to by the City of Rockingham and/or other relevant agencies to ensure management of the issue in perpetuity.

Wetlands

The mapped boundaries of a large Conservation Category wetland (UFI 15528) extend onto the eastern and southern portions of the proposed amendment area.

The EAR outlines that

- the CCW will be retained with an associated 50 metre buffer within the proposed Parks and Recreation reserve,

- the wetland, associated buffer and other retained vegetation areas within the Parks and Recreation Reserve will be subject to weed control and targeted revegetation with local native species,
- provision of a hard road edge to retained wetland and vegetation areas to assist with future management,
- access to retained vegetation and wetlands areas will be controlled with dedicated paths and fencing,
- that a conservation area management plan or similar will be prepared for retained vegetation and wetland areas.

As outlined in the comments on the TEC SCP 19 above the proponent will need to demonstrate that the predevelopment hydrology of the site will be maintained and that the hydrology of the conservation category wetland area and the FCT SCP19a TEC occurrences are not impacted, and that the Conservation POS management plan satisfactorily addresses the maintenance of ground water levels and water quality and includes a ground water monitoring program.

Landscape Masterplan

The Landscape Masterplan provided with the previously referred Amendment Report includes drainage basins and irrigated turf within the public open space area containing the CCW, TEC and Tuart woodland community. While they are located outside a 50-metre buffer to the TEC and CCW, it should be demonstrated that these drainage basins and irrigated turf areas will not impact water levels or water quality within the CCW and TEC.

Kangaroo management

The EAR outlines that kangaroos were regularly sighted on site by Ecoscape on the site, with evidence of their presence commonly observed in the shrubland habitat where there were suitable browse species. The report states that the woodland habitat south of Sawley Close (outside of the amendment area) is considered to also have suitable browse species, and they are likely to use the woodland habitat north of Sawley Close (within the amendment area) for shelter, however less likely for foraging as there is less suitable browse. This indicates that the kangaroo foraging habitat with the amendment area will largely be removed while the woodland habitat providing shelter will be retained.

Therefore, development of this area may result in the displacement of Western Grey kangaroos (*Macropus fuliginosus*), which can become a highly emotive issue with the local community. Displaced kangaroos can create problems for residents, nearby agriculture industries, public open space users, potentially resulting in public safety and animal welfare issues. The relocation of kangaroos if required post-development is very difficult. A Kangaroo Management Plan (KMP) should be undertaken by the proponents to inform the planning for the area. The KMP should include an accurate count of the number of kangaroos in the proposed development area, consideration of options to reduce kangaroo numbers prior to development commencing and clearly articulate how the plan will be implemented. The department can provide advice on the range of options to mitigate the impacts of kangaroo displacement.

Matters of National Environmental Significance

There is potential that threatened species and communities listed under Commonwealth EPBC Act may be impacted. Please be aware that proponent(s) may have notification responsibilities under the EPBC Act and should contact the Commonwealth Department of Climate Change, Energy, the Environment and Water for further information on these responsibilities.

OFFICIAL

Thank you for the opportunity to provide comments. Should you have any queries, please contact Lyndon Mutter on 9442 0342.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Benson Todd', with a stylized, cursive style.

Benson Todd
REGIONAL MANAGER

16 September 2025



Frequently Asked Questions

Western Australia's Threatened Ecological Communities

What is a TEC?

An ecological community is a naturally occurring assemblage of plants, animals or other organisms that occur in a particular habitat. A threatened ecological community (TEC) is an ecological community that is at risk of being destroyed ('collapsing') and has special biodiversity conservation value. Identifying and listing TECs is the first step in conserving and recovering these important parts of Western Australia's world-renowned biodiversity.

New legislation to protect TECs

The *Biodiversity Conservation Act 2016* (BC Act) provides for the listing and protection of threatened ecological communities (TECs) in Western Australia. This Act is administered by the Department of Biodiversity, Conservation and Attractions (DBCA).

Listing under the BC Act has increased the level of protection for TECs, with significant penalties applying for illegal modification of a TEC (up to \$500,000 for individuals and \$2.5 million for bodies corporate).

Is protection of TECs new?

No. In Western Australia, TECs have been protected through other legislation and policy since 2001. Possible impacts to TECs have also been taken into account by State assessment bodies when applications to develop or clear land are evaluated during land use planning and environmental impact assessment processes.

DBCA notifies people that a TEC has been identified on land they own or manage. This helps to ensure the TEC is not accidentally damaged.

How does the department know of a TEC on private property?

Data about TECs is kept in a database maintained by DBCA. It includes information from many sources including regional surveys, reports from environmental consultants, and surveys by DBCA and other government departments, and local government authorities.

If you have questions about the TEC on your land, you can contact the Species and Communities Program by emailing tecsc@dbca.wa.gov.au.

How are TECs managed?

In the past, conservation of Western Australia's rich biodiversity was mainly on a species-by-species basis. As an additional important part of our biodiversity, ecological communities, or ecosystems, also need to be conserved, and may require special management. It is important to identify, maintain and manage at-risk ecological communities, their processes and assemblages that comprise them (including the many thousands of species of invertebrates, non-flowering plants, fungi, and micro-organisms they contain). Some TECs may require special management such as weed control, fencing or limits on burning to help maintain or improve their condition.

How is the level of risk to a TEC assessed?

TECs are listed based on their risk of collapse. Prior to 2014, there was no commonly accepted global standard for assessing the level of risk to ecological communities ('ecosystems'). Previously the level of risk to Western Australia's ecological communities was assessed through government policy using criteria developed in the 1990s.

A new global standard was developed in 2014 by the International Union for the Conservation of Nature (IUCN) to assess the level of risk to ecosystems (termed the Red List of Ecosystems criteria (IUCN RLE)).

The implementation of the BC Act for TECs provides an opportunity to apply the IUCN RLE criteria to improve consistency in the way the level of threat to TECs is assessed at national and State scales.

The application of the IUCN RLE has resulted in some changes in the threat rank of TECs due to changes in the level of risk since the original listing in Western Australia and some differences in the way the two ranking systems assess risk.

Why is DBCA using the IUCN RLE?

The original ranking criteria applied to determine the level of risk to Western Australian TECs were developed in Western Australia in the 1990s as there was no global or other commonly accepted system for ranking the level of threat to ecosystems at that time (ecosystems are considered equivalent to ecological communities in this context). Consequently, the original Western Australian criteria for ranking do not align with ranking criteria in use in other Australian states or the Commonwealth.

The IUCN RLE is similar to that applied to ranking threatened species of plants and animals for many years. It differs from the original criteria applied to TECs in Western Australia as it includes more quantitative information, comparable to that used for species. This includes levels of decline in distribution, or restricted distribution, levels of biological decline and environmental degradation over specified time periods, and quantitative analysis of the probability of collapse.

What's happening nationally and in other states?

The Commonwealth does not currently use the IUCN RLE under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Australian Capital Territory applies the IUCN RLE for ranking ecological communities under their legislation, and New South Wales applies criteria that are equivalent to the IUCN RLE to their TECs.

Do I have to look after the TEC on my land?

The new BC Act states that TECs shall not be modified, that is damaged or destroyed, by any person without the authorisation of the Minister for Environment. This obligation applies to the owner/occupier of the land, or any visitors to the land. You and any person you allow on the land should not undertake operations on the land that would modify (damage or destroy) the TEC without an authorisation.

A guidance note is available on the [department's website](#) to assist any person proposing to take an action that may impact a TEC occurrence to decide whether they should submit an application for an authorisation under the BC Act. This document also provides information on the application, assessment and authorisation process.

Please note that an exemption is in place for undertaking a bushfire mitigation activity or bushfire suppression **that has been specified in the *Biodiversity Conservation (Exemptions) Amendment Order 2021 (Amendment Order)***. Further information on planned fire activities can be found on the [department's website](#).

Do I get any financial assistance for having a TEC on my land?

The department can direct you towards, and assist you with, approaches for assistance with future conservation management of the TEC, from both government and non-government programs. For example, support to manage TECs may be available through State Natural Resource Management programs via a local catchment group. Other programs may also offer the possibility of direct financial assistance for conservation plans and action for TECs.

What happens after a TEC has been identified on my property?

Landholders may receive formal notice of the presence of a TEC on land they own or occupy. The notice will include a description and a map of the TEC.

DBCA will continue to provide advice on proposed impacts to TECs to State assessment bodies when applications to develop or clear land are evaluated during land use planning and environmental impact assessment processes.

Under section 45 of the BC Act the Minister may authorise a person to modify an occurrence of a TEC. A guidance note is available on the [department's website](#) to assist any person proposing to take an action that may impact a TEC occurrence to decide whether they should submit an application for an authorisation under the BC Act. This document also provides information on the application, assessment and authorisation process.

What if I do not believe I have a TEC on my property?

If you do not believe there is a TEC on your property, the first step is to contact the Species and Communities Program by emailing tecsc@dbca.wa.gov.au. An appeals process is in place as detailed in the flowchart on the following page.

In cases where DBCA and the landholder cannot reach a consensus, the Threatened Ecological Communities Scientific Committee (TECSC) is the arbiter for resolving TEC disputes.

Process flowchart for TEC appeals

