GOVERNMENT OF WESTERN AUSTRALIA

Department of **Planning, Lands and Heritage**

Emu Point Precinct Structure Plan

Rezoning Analysis

Emu Point Precinct Structure Plan – rezoning analysis

The following analysis discusses proposed rezonings for Rural Zoned land within the EPPSP boundary and how the following recommended rezonings have been determined (Figure A):

- Precinct R1 – rezone to Residential
- Precincts RS4 and RS5 – rezone to Rural Smallholding
- Precinct RR6 - rezone to Rural Residential
- Precinct EC7 – rezone to Environmental Conservation
- Precincts PCP10 and PCP11 - rezone to Private and Community Purpose.

Provisions suggested for each precinct have been further considered during the preparation of the document and, where supported, have been transferred into Part 1, Section 3.0 of the EPPSP.

Rural rezoning recommendations

Technical studies have identified the majority of the rural zoned land, as designated within LPS2, is highly constrained due to factors such as flooding, significant vegetation extent, high ground water, bushfire prone, and presence of acid sulphate soils.

The analysis does not consider other existing zones within LPS2. These zones are recommended to be retained (e.g. Residential, Urban Development, Neighbourhood Centre or Tourism zones).

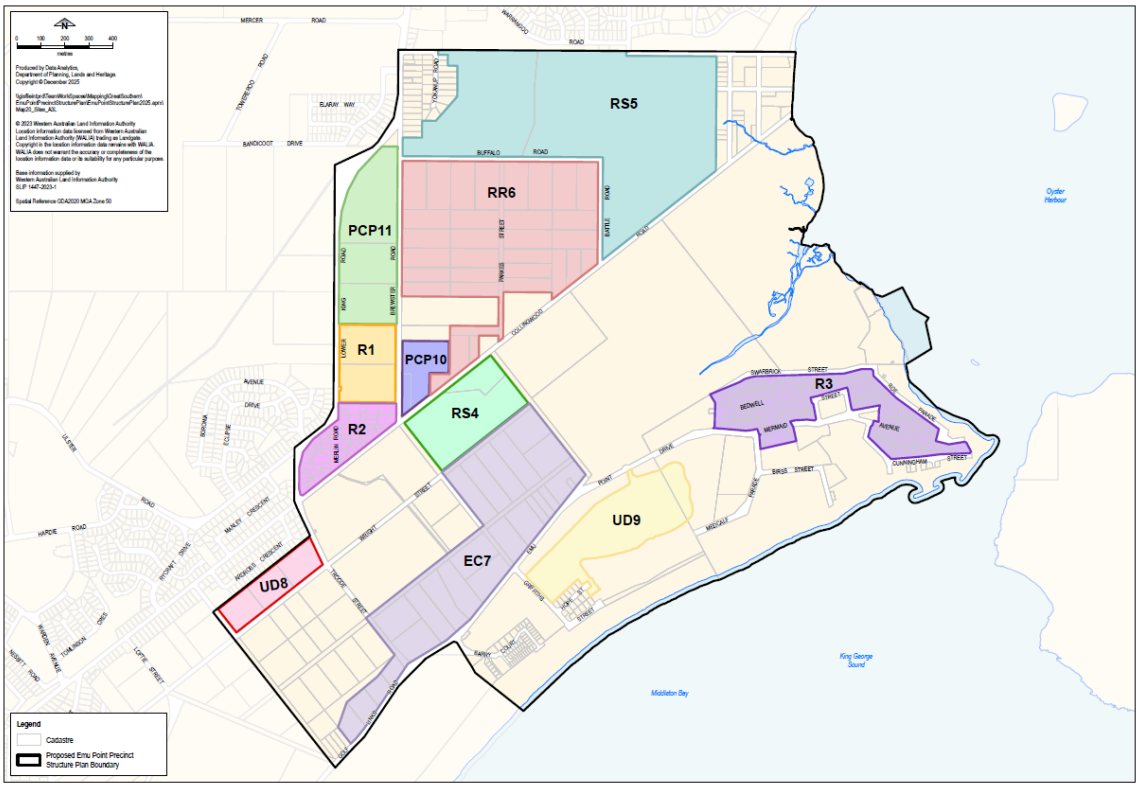


Figure A – Precinct areas

Precinct R1 - Lots 22 and 23 Lower King Road, Collingwood Heights

Lots 22 and 23 Lower King Road, Collingwood Heights have a combined area of eight hectares and is the highest point within the EPPSP (Figure B). Lots are almost fully vegetated, however, there are substantial areas containing declared weed species.



Figure B - R1 Area

Technical studies identified the following:

- Vegetation in the eastern half of the site is completely degraded, with the western half containing very good condition vegetation (Appendix 1)
- The lot is not subject to flooding, coastal processes, or intersected by wetlands or waterways (Appendix 2)
- A new road connecting along the north of Lot 23 from Lower King Rd to Brewster St is anticipated (Appendix 3)
- Development in the degraded portion of the lots can be developed to BAL29 or lower (Appendix 4)
- Services can be extended from existing connections to the south, however, the northern half will require a new wastewater pump station in the north west corner (Appendix 5)
- The site was previously used as rubbish disposal and gravel extraction by the City of Albany and is listed as a Contaminated Site – Awaiting Classification under the Contaminated Sites Act 2003. The geotechnical report (Appendix 6) found minimal contamination. Ground water was encountered at 700mm at the lowest point with the majority of pits remaining dry at 1m.

Zoning option

Concepts have been prepared to demonstrate indicative density, lot layout and yield for a residential zone (Appendix 8).

Benefits of transition:

- Strategic planning: Supported by objectives of the Local Planning Strategy.
- Infrastructure ready: Full servicing is available, and reticulated sewer can be extended to the southern half without additional headworks.
- Environmental compatibility: No threatened flora/fauna; not within SCA's, vegetation in eastern half is completely degraded.
- Community benefit: Supports housing delivery; located near public transport routes, a district distributor road, public open space including a district park, and within 1.5 km of a neighbourhood centre; adjoins an existing residential zone.
- Reduced risk: Removes rural and industrial uses.

Challenges of transition:

- Infrastructure upgrades: The northern half slopes away from the existing gravity sewer, requiring a pump station in the northwestern corner of Lot 23.
- Contamination: Further assessment and management under the *Contaminated Sites Act 2003* will be required.

Recommendation

Lots 22 and 23 be included within Precinct 2 – Collingwood Heights and rezoned to Residential R80 to enable investigation of a mix of housing types, including medium and higher-density options to meet growing housing needs in Collingwood Heights and surrounding areas.

While some initial investigations have been completed, additional technical studies will be required prior to rezoning, subdivision or development.

Appendix 8 notes a small-scale café/shop component may be considered within the precinct. Justification of local need and an assessment of impact to surrounding activity centre network will be required prior to submittal of such a proposal.

Precinct RS4 and RS5 – Collingwood Road-Wrights Street and Harbour Road

The subject land includes the following lots:

- Collingwood Park: Lots 504 and 505 on Collingwood Road and Wright Street (Figure C).
- Bayonet Head: Lots 100 and 102 on Harbour Road (Figure D).

Lot 504 is approximately two hectares, and Lot 505 is 10.2 hectares, with about 50 per cent of Lot 505 located within Special Control Area 14 (SCA14) – the Lake Seppings Inundation Area. Lot 100 is 17.5 hectares, and Lot 102 is 44.2 hectares, with approximately 75 per cent of Lot 102 located within Special Control Area 13 (SCA13) – the Yakamia Creek Inundation Area.

Lots contain a mix of existing land uses:

- Lots 100, 102, and 504 are primarily used for rural living and agricultural practices.
- Lot 505 is used for equestrian activities.



Figure C – RS4

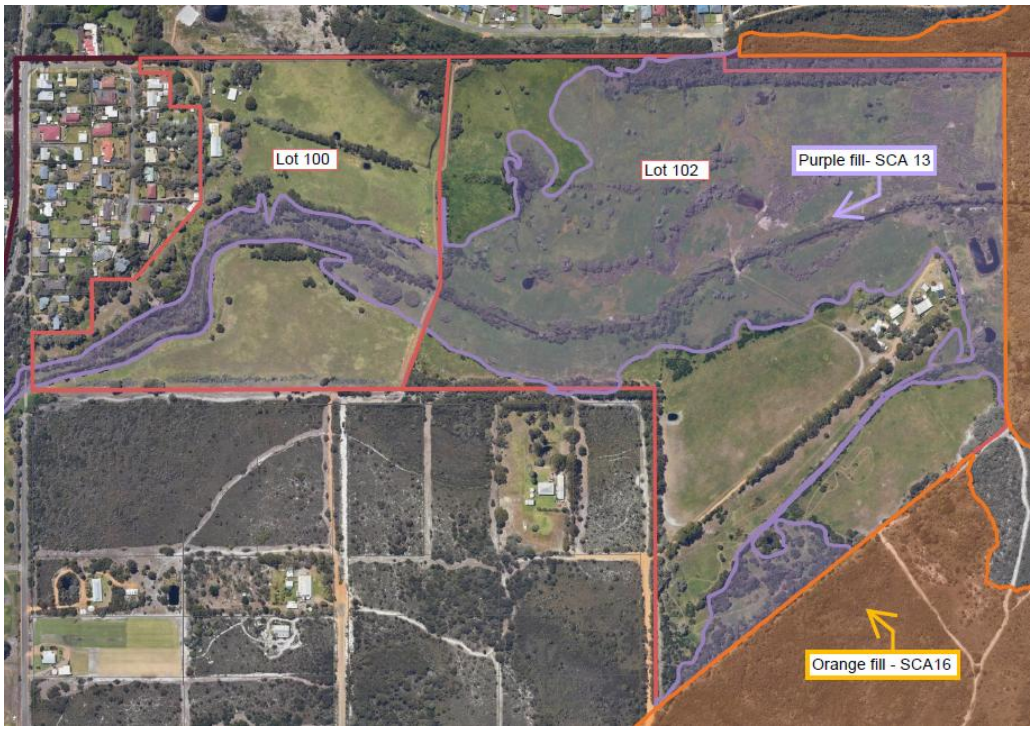


Figure D – RS5

Technical studies found:

- Lots are low-lying and impacted by development controls associated with existing Special Control Areas SCA13, SCA14, SCA16 within LPS2 (Appendix 1 and 2).
- Lots contain areas of wetland and are either intersected by Yakamia Creek and its floodway, and/or the Lake Seppings Drainage Corridor (Appendix 1 and 2).
- Yakamia Creek, is an Aboriginal heritage site and works in the area may require prior preparation of and Aboriginal Heritage Survey (Section 2.1.3, Part 2).
- Development in low lying areas is recommended to be limited or excluded, and that prior to any additional subdivision or development, catchment wide flood modelling is required to understand longer term hydrological characteristics (Appendix 1 and 2).
- Revegetation of degraded riparian areas is recommended (Appendix 1 and 2).
- Lots are bushfire prone (Appendix 4).
- Urban standard of services cannot be extended to the precinct (Appendix 5).

Three potential rezoning options are:

- Rural Residential;
- Environmental Conservation; and
- Rural Smallholding.

Zoning option

1. Rural Smallholdings Zone – conditionally suitable

This zone allows lots between four and 40 hectares and supports a range of rural land uses. While similar to the current Rural Zone, these uses may conflict with environmental constraints over time. Environmental protection measures in this zone are limited.

Most lots meet the minimum size of four hectares, except Lot 504. Due to environmental constraints, variations to lot size and additional controls are recommended, including:

- Restricted Use overlay;
- identify where development is to be excluded (i.e. beyond existing Special Control Areas (SCAs);
- revegetation requirements; and
- defined building envelopes.

Lot-specific considerations:

- Lot 100: Least constrained; may allow limited subdivision along the northern boundary.
- Lot 505: Existing battleaxe access may allow one additional lot, subject to land capability assessment.
- Lot 102: Apply a minimum lot size of 20 hectares to enable limited subdivision outside SCA13.

2. Rural Residential Zone – conditionally suitable

This zone allows lots of one to four hectares and supports limited rural pursuits while protecting landscape attributes. Lot 504 (two hectares) is most compatible. Larger lots are less suitable,

and rezoning could imply subdivision potential, which is not recommended due to environmental constraints.

Similar controls as Rural Smallholdings Zoning would be required. Existing rural practices, including equestrian operations, could remain but would become non-conforming uses. An Additional Use layer is not recommended due to SCAs.

3. Environmental Conservation Zone – least suitable

This zone is not recommended because the lots are largely cleared and do not meet conservation zoning objectives.

Recommendation

Primary Zoning: Rural Smallholdings Zone with a variation to the minimum lot size and controlling provisions.
Alternative Zoning: Rural Residential Zone with similar variations and controls.
Not Supported: Environmental Conservation Zone.

Suggested provisions:

- To support sustainable development and allow limited infill.
- Apply a Restricted Use overlay to protect environmental values.
- Require minimum lot sizes (four hectares for most lots; 20 hectares for Lot 102).
- Identify building envelopes and foreshore management / building exclusion areas.
- Encourage revegetation and environmental management measures.

Precinct RR6 – Bayonet Head and Collingwood Heights Rural Zone

Precinct RR6 as outlined in red within Figure D includes Lots 4, 7 and 300 Collingwood Road; Lots 22, 25 and 26 Brewster Road; Lots 31, 32, 34, 35, 38 and 39 Parkes Street; and Lots 44 and 46 Buffalo Road within Collingwood Heights.



Figure E -RR6 Area

Similar to RS4 and RS5, technical studies found:

- Lots are low-lying and contain areas of wetland (Appendix 1 and 2).
- Most lots contain areas of significant vegetation, contribute to ecological functions and landscape connectivity (Appendix 1 and 2).
- Some of the lots are within the flood way of the Yakamia Creek (Appendix 1 and 2).
- Yakamia Creek, is an Aboriginal heritage site and works in the area may require prior preparation of and Aboriginal Heritage Survey (Section 2.1.3, Part 2).
- Revegetation of degraded wetland riparian areas is recommended (Appendix 1 and 2).
- Lots are bushfire prone (Appendix 4).
- Urban standard of services cannot be extended to the precinct (Appendix 5).

Three potential rezoning options are:

- Rural Residential;
- Environmental Conservation; and
- Rural Smallholding.

Zoning option

1. Rural Residential zone– most suitable

Rural Residential Zone objectives provide for:

- lot sizes of one to four hectares;
- opportunity for a range of limited rural and related ancillary pursuits, and
- retention of amenity and protection of conservation and landscape attributes.

Existing RR1 lot sizes range from 4,000 m^2 to just over two hectares, consistent with the objectives of the Rural Residential Zone. Rezoning may imply subdivision potential for lots of two hectares or more, however, given environmental values and constraints, subdivision is not recommended.

Most lots appear to be used for rural living purposes, which is consistent with the permissible land uses of the current zone. Rezoning would shift land use permissibility away from agricultural, commercial, and industrial activities towards a stronger focus on residential development and short-stay accommodation.

2. Environmental Conservation Zone – conditionally suitable

This zone is appropriate for areas of high ecological value.

Zone objectives provide for:

- residential uses on land that adjoins significant environmentally sensitive areas;
- focus is for ongoing protection of the environment; and
- no prescribed minimum lot size.

The change in land use permissibilities between the Rural and Environmental Conservation Zones represent the most significant of the proposed rezonings, resulting in a major transition in land use following rezoning.

3. Rural Smallholdings Zone – least suitable

Zone objectives provide for:

- lots ranging between four to 40 hectares; and
- range of discretionary rural land uses.

Land use permissibilities in this zone are similar to the Rural Zone which, over the long term, is considered incompatible with the identified environmental values and constraints.

Minimum lot sizes of this zone would ensure no further breakdown of lots could be considered.

Recommendation

Primary Zoning: Subject to a two hectare minimum lot size, the Rural Residential Zone is considered the most appropriate designation.
Alternative Zoning: The Environmental Conservation zoning may be more suitable for areas with high ecological sensitivity, particularly those within Special Control Areas.
Avoidance: The Rural Smallholdings Zone is not supported due to the incompatibility of land uses alongside environmental values and constraints.

Suggested provisions

To support sustainable development and provide greater flexibility, the following provisions are recommended:

- Additional Uses: Low impact hospitality, eco-tourism, environmental education, and nature-based businesses may be considered as Advertised (A) Uses.
- Apply two-hectare minimum lot size.
- Defined building envelope with restrictive covenant.

Precinct EC7 – Wright Street and Emu Point Drive lots

The subject land includes the following lots:

- Collingwood Heights: Lots 50, 51, 345–347, 350, and 351 on Emu Point Drive and Troode Street (Figure F).
- Collingwood Park: Lots 5, 6, 340–343 on Wright Street and Emu Point Drive (Figure G), and
- Lots 332–335 on Golf Links Road (Figure H).



Figure F– EC7 Area



Figure G - EC7 Area

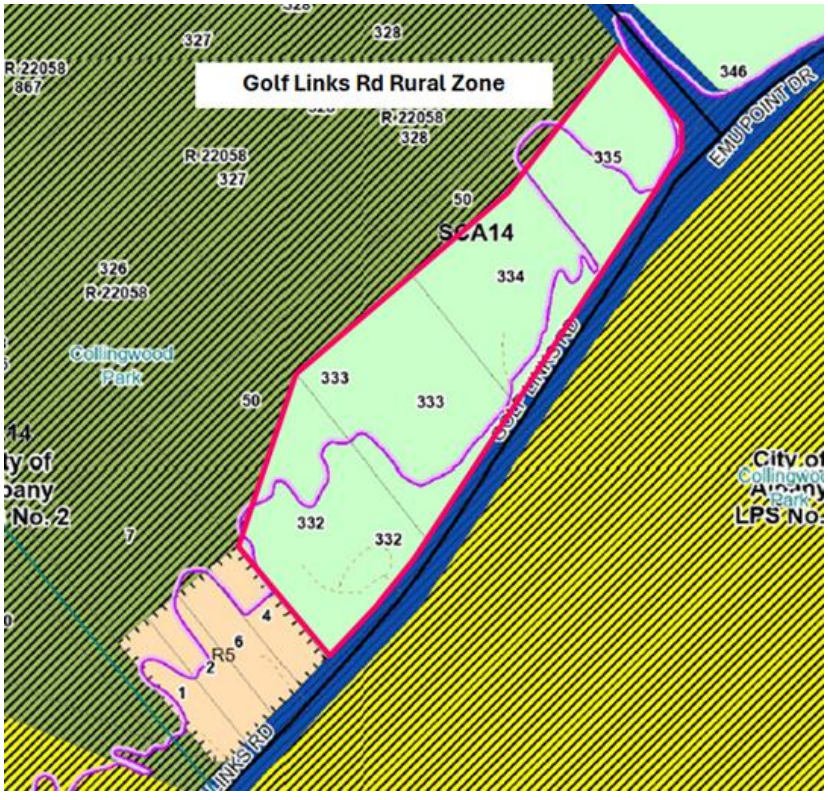


Figure H - EC7 Area

Technical studies found:

- Lots are within the drainage corridor of Lake Seppings, which is an identified local heritage area and linked to Aboriginal mythology (Section 2.1.3, Part 2). Works in the area may require prior preparation of and Aboriginal Heritage Survey.
- Lots are intersected by the Lake Seppings Special Control Area (SCA14) (Appendix 1 and 2).
- The Environmental Assessment confirm the presence of the Western Ringtail Possum, a species listed as Critically Endangered under national and state legislation (Appendix 1).
- The DWMS identifies drainage and flood constraints will require careful planning and that development exclusions are recommended (Appendix 2).
- Lots contain areas of significant vegetation, that contribute to ecological functions and landscape connectivity (Appendix 1 and 2).
- Revegetation of degraded wetland and waterway riparian areas is recommended (Appendix 1 and 2).
- Lots are bushfire prone (Appendix 4).
- Urban standard of services cannot be extended across the precinct and may be limited to one or two lots abutting existing Water Corporation sewerage pump station on Emu Point Drive (Appendix 5).

Zoning options considered

Three potential zoning options were assessed for this land:

- Rural Residential;
- Environmental Conservation; and
- Rural Smallholding.

Zoning option

1. Environmental Conservation Zone – most suitable

This zone is recommended as the most appropriate due to the site's environmental values and constraints (proximity to the Lake Seppings floodway, remnant vegetation occurrence, elevation and history of inundation). The zone would align with environmental conservation objectives of the local planning framework and supporting studies. Its objectives include:

- allowing limited residential uses adjoining sensitive areas;
- prioritizing ongoing environmental protection; and
- No prescribed minimum lot size.

The change in land use permissibilities between the Rural and Environmental Conservation Zones represents the most significant of the proposed rezonings, resulting in a major transition in land use permissibility following rezoning.

Within EC7, there are established businesses that would become non-conforming under the proposed rezoning (e.g., the brewery on Emu Point Drive). For businesses that do not compromise environmental conservation objectives, it is recommended that an Additional Use overlay be applied at the time of rezoning to safeguard business investment long-term. All other businesses can remain as non-conforming uses.

Recommend a provision for a minimum two-hectare lot size to minimise subdivision.

Key considerations:

- Rezoning from Rural to Environmental Conservation represents a major shift in land use.
- Existing businesses (e.g., the brewery on Emu Point Drive) would become non-conforming. To protect low-impact businesses that do not compromise environmental objectives, an Additional Use overlay is recommended.
- A minimum lot size of two hectares should apply to prevent further subdivision.

2. Rural Residential Zone – alternative option

This zone allows lot sizes of one to four hectares and limited rural pursuits while protecting landscape attributes. Some lots meet these size requirements, but others do not. Rezoning could imply subdivision potential for lots of more than two hectares. Subdivision is not, however, recommended due to environmental constraints.

Rezoning to Rural Residential would shift land use from agricultural and industrial activities to residential and short-stay accommodation.

3. Rural Smallholdings Zone – least suitable

This zone allows lots of four to 40 hectares and discretionary rural uses such as intensive agriculture and hobby farms. These uses pose risks of fertiliser and manure runoff into waterways, impacting sensitive ecosystems. All subject lots are below the minimum size for this zone, and environmental protection mechanisms are limited.

Recommendation

Preferred Zoning: Environmental Conservation Zone, with Additional Use provisions for existing low-impact businesses.
Alternative Zoning: Rural Residential Zone, subject to a two-hectare minimum lot size and site-specific development controls to protect the Lake Seppings drainage corridor.
Not Supported: Rural Smallholdings Zone, due to incompatibility with environmental values and constraints.

Suggested provisions

- Allow low-impact hospitality, eco-tourism, environmental education, and nature-based businesses as advertised uses.

Special recommendation – Lot 343 Wright Street

Environmental Conservation Reserve:

- The lot lacks constructed road access, limiting its development potential and accessibility.
- The entire site is located within a designated inundation area, presenting significant constraints for built form and infrastructure.
- It is owned by the City of Albany, who support identification for public benefit and environmental stewardship.
- It is well-suited for passive conservation and ecological protection, aligning with broader environmental objectives and the preservation of sensitive habitats.

Precinct PCP10 – Collingwood Road-Brewster Road

The subject land includes Lots 1 and 7377 Brewster Road, Collingwood Heights.

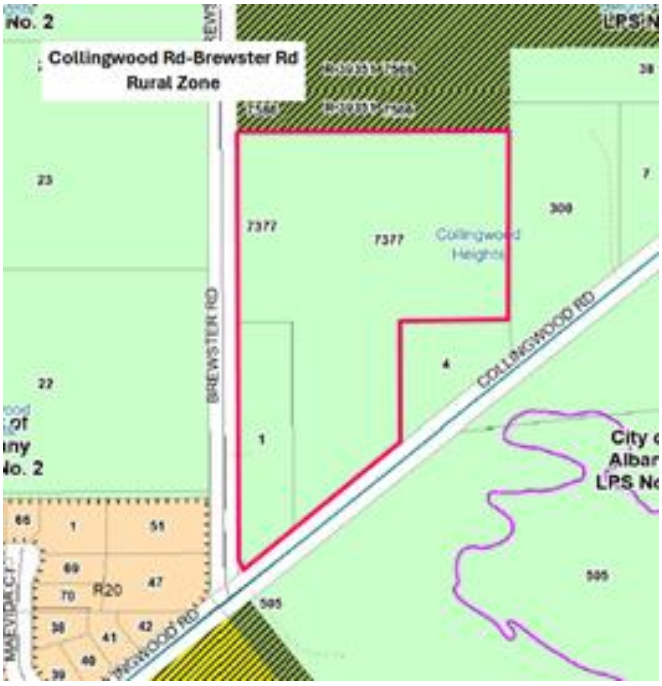


Figure I – PCP10 Area

Technical studies identify lots are bushfire prone (Appendix 4) and are connected to urban services (Appendix 5).

Zoning option

The evaluation considered changing the zoning from Rural to Private Community Purposes to support the development and expansion of existing educational facilities within these lots. This change would allow uses that align with community and educational needs.

An analysis of the land use table for both zones shows that, apart from removing rural type uses, the overall impact of this transition would be minimal. Most existing and proposed activities would remain compatible with the new zoning.

Rezoning summary table

Land Use	Rural Zone	Private Community Purposes	Change
Educational Establishment	A (Advertised)	D (Discretionary)	Improved suitability
Single House	P (Permitted)	X (Not Permitted)	Becomes non-conforming
Club Premises	D	P	More permissive
Art Gallery	A	P	More permissive
Reception Centre	A	P	More permissive
Community Purpose	D	D	Unchanged
Restaurant/Café	A	D	Slightly reduced permissiveness
Rural Pursuit	P	X	Removed
Agriculture – Extensive	P	X	Removed

Benefits of the proposed zoning change

Transitioning the subject lots to the proposed zoning offers several advantages. Lot 7377 is already operating as an educational facility, and Lot 1 currently supports school-related functions such as parking and student drop-off. This ensures the proposed change aligns with existing land use. The area is well-serviced, with Lot 7377 connected to reticulated sewerage and Lot 1 capable of being feasibly connected.

From an environmental perspective, the site contains no threatened flora or fauna and is located outside any inundation areas, confirming compatibility with ecological constraints. The proposed change will deliver community benefits by improving access to education and associated infrastructure. Additionally, the transition reduces risk by removing rural and industrial land uses that could conflict with surrounding development.

Recommendation

Rezone from Rural to Private Community Purposes (Educational Establishment). This transition is strategically justified, environmentally sound, and consistent with existing land use and infrastructure. It supports community needs, reduces planning conflicts, and enables sustainable development of educational facilities in Collingwood Heights.

Suggested Provisions

- Additional Uses:

- Caretaker's Dwelling (D)
- Child Care Premises (A)

Precinct PCP 11 – Lots 24, 25 and 26 Lower King Road, Collingwood Heights

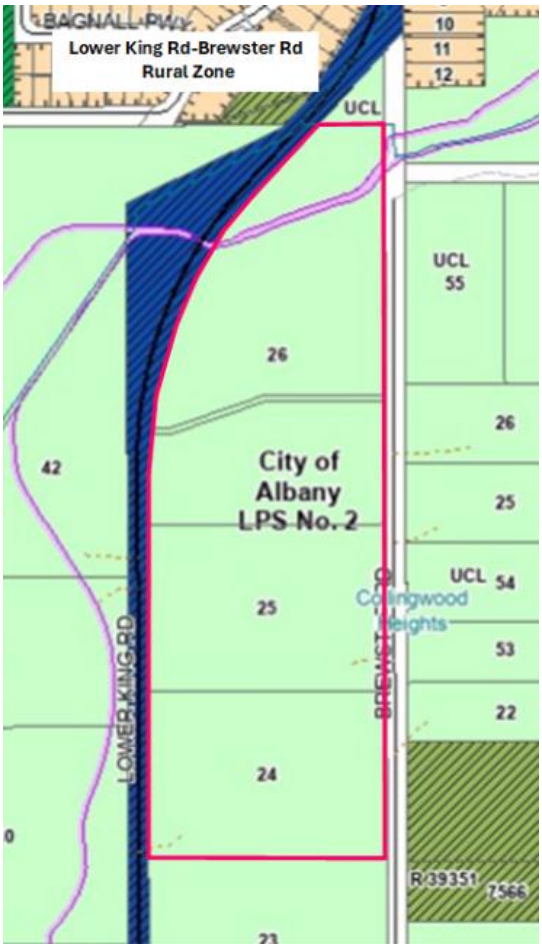


Figure J – PCP11 Area

PCP11 precinct is located between Lower King Road and Brewster Road, Collingwood Heights. It includes Lots 24, 25, and 26 Lower King Road (Figure J).

Lots 24 and 26 contain existing development for places of worship and educational facilities.

Technical studies identified the following:

- Lots are low-lying. Lot 26 is impacted by development controls associated with existing Special Control Areas SCA13 within LPS2 (Appendix 1 and 2).
- Lot 26 is intersected by Yakamia Creek and its floodway. Yakamia Creek, is an Aboriginal heritage site and works in the area may require prior preparation of and Aboriginal Heritage Survey (Section 2.1.3, Part 2).
- Lots 24 and 25 are within the 100-year Average Recurrence Interval (ARI) floodplain, limiting development potential. Substantial fill and drainage works will be needed to meet compliance standards, increasing costs and requiring hydrological assessments to manage flood risk. (Appendix 1 and 2).

- Lots are known to contain acid sulphate soils (Appendix 1 and 2).
- Development in low lying areas is recommended to be limited or excluded, and that prior to any additional subdivision or development, catchment wide flood modelling is required to understand longer term hydrological characteristics (Appendix 1 and 2).
- Revegetation of degraded riparian areas is recommended (Appendix 1 and 2).
- Lots are bushfire prone (Appendix 4).
- The area currently lacks reticulated sewerage and water services. Services are able to be extended, however, major upgrades including a pump station and pressure main, will require significant financial investment by a developer (Appendix 5).

Zoning option

It is proposed that lots are rezoned from Rural to Private Community Purpose Zone to align with existing land uses and provide opportunities for future growth in education and community services.

Rezoning summary table

Land Use	Rural Zone	Private Community Purposes	Change
Educational Establishment	A (Advertised)	D (Discretionary)	Improved suitability
Single House	P (Permitted)	X (Not Permitted)	Becomes non-conforming
Club Premises	D	P	More permissive
Art Gallery	A	P	More permissive
Reception Centre	A	P	More permissive
Community Purpose	D	D	Unchanged
Restaurant/Café	A	D	Less permissive
Rural Pursuit	P	X	Removed
Agriculture – Extensive	P	X	Removed

Recommendation

Rezone from Rural to Private and Community Purpose.

Suggested Provisions

To enhance development suitability and reduce environmental and planning risks, the following provisions are recommended:

- Effluent Treatment: Require nutrient-removing effluent treatment systems within sewerage-sensitive areas to protect water quality.

- Building Envelope: Apply a defined building envelope to control the location and extent of development.
- Additional Permitted Uses:
  - Caretaker's Dwelling (D)
  - Childcare Premises (A)
  - Residential Aged Care Facility (A).
- Acid Sulfate Soil Management: Implement acid sulfate soil management plans for all earthworks as part of subdivision approval.
- Local Water Management Strategy: Prepare a comprehensive Local Water Management Strategy to guide sustainable water use and drainage.

Alternative residential rezoning

Lots may be able to be considered for residential rezoning, subject to ability to provide full urban services, level of fill and drain required, support of applicable agencies, and the provision of additional studies (including whole of catchment flood modelling within Yakamia Creek to ascertain level of flood and coastal intrusion).

Until these requirements are met, residential rezoning is not immediately suitable.

South West Native Title Settlement

The EPPSP area includes land parcels identified for potential inclusion in Noongar Land Estate (NLE) under the South West Native Title Settlement and the Wagyl Kaip & Southern Noongar Indigenous Land Use Agreement (ILUA).

The identified land parcels have been selected for inclusion into the NLE as either freehold or reserve with power to lease tenure by the Trustee for the Noongar Boodja Trust (Trustee) and Wagyl Kaip & Southern Noongar Aboriginal Corporation (WKSN). Seventeen of the identified land parcels were offered to the Trustee and WKSN AC prior to March 2025 and are therefore quarantined from all third-party dealings until March 2030.

Under the Settlement, the Trustee will manage freehold land in accordance with standard private landowner responsibilities, including payment of rates, insurance, fire service levies, and other landholding costs. In collaboration with the Noongar Regional Corporations, the Trustee will determine whether land is allocated for cultural or development purposes as follows:

- Cultural Land: Preserved for spiritual and cultural significance. It cannot be sold or commercially developed and must comply with State Government land management requirements.

- Development Land: Managed to generate financial returns for the Noongar Boodja Trust Future Fund, with investment decisions guided by an Investment Committee established by the NBT.

If Reserve with Power to Lease tenure is chosen, the land will be reserved for the purpose of 'Noongar Social, Cultural and/or Economic Benefit' under a Management Order to the Trustee. WKSN AC will then have the option to lease the land from the Trustee. As the Management Body, the Trustee will again be responsible for fire and general environmental management and will need to comply with all Local Government and State planning policies.

Zoning Option

Freehold Land – If the Noongar Boodja Trust considers land for freehold purposes, the Cultural and Natural Resource Zone is recommended as the most suitable zoning option, based on the following:

- Cultural Compatibility: Protects heritage landscapes and supports cultural practices.
- Economic Potential: Enables low-impact tourism and cultural enterprise opportunities, though broader commercial uses are limited.
- Environmental Stewardship: Supports conservation-compatible land uses and promotes high environmental care.

Reserve Land – If land is considered for reserve purposes, the Cultural Facilities Reserve is recommended, as it supports the following Noongar social, cultural, and economic benefits::

- Social benefit: Housing, health services, and community infrastructure.
- Cultural benefit: Cultural events, education, and language programs.
- Economic benefit: Enterprise, tourism, and employment opportunities.

Note - revegetation of degraded areas (including within waterways and wetlands) may have the potential to contribute to required environmental offsets for development works across the Noongar Boodja Trust *land estate*. *Further liaison with EPA services is recommended*.

Recommendation

Rezoning or reservation will be a decision of the Noongar Boodja Trust, and subject to the final land parcel transfer to the Noongar Land Estate.