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Western Australia.*

August 2019

Metropolitan Region Scheme Amendment 1323/41



South Bullsbrook Urban Precinct

Report on Submissions
Submissions

City of Swan

Metropolitan Region Scheme Amendment 1323/41

South Bullsbrook Urban Precinct

Report on Submissions Submissions

City of Swan



August 2019

The Western Australian Planning Commission acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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MRS Amendment 1323/41 Report on Submissions
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Introduction to Metropolitan Region Scheme major amendments

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

The MRS sets out the broad pattern of land use for the whole Perth metropolitan region. The MRS is constantly under review to best reflect regional planning and development needs.

A proposal to change land use reservations and zones in the MRS is regulated by the *Planning and Development Act 2005*. That legislation provides for public submissions to be made on proposed amendments.

For a substantial amendment, often referred to as a major amendment (made under section 41 of the Act), the WAPC considers all the submissions lodged, and publishes its recommendations in a report on submissions. This report is presented to the Minister for Planning and to the Governor for approval. Both Houses of Parliament must then scrutinise the amendment before it can take legal effect.

In the process of making a substantial amendment to the MRS, information is published as a public record under the following titles:

Amendment report

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

Environmental review report

The Environmental Protection Authority must consider the environmental impact of an amendment to the MRS before it can be advertised. Should it require formal assessment, an environmental review is undertaken and made available for information and comment at the same time as the amendment report.

Report on submissions

The planning rationale, determination of submissions and the recommendations of the WAPC for final approval of the amendment, with or without modification, is documented in this report.

Submissions

This document contains a reproduction of all written submissions received by the WAPC on the proposed amendment.

Transcript of hearings

A person who has made a written submission may also choose to appear before a hearings committee to express their views. The hearings proceedings may be recorded and transcribed, and the minutes of all hearings will be published and made available.

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Submissions

Published under separate cover:

Transcript of Hearings

Report on submissions

Metropolitan Region Scheme Amendment 1323/41

South Bullsbrook Urban Precinct

Report on Submissions

1 Introduction

At its April 2017 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 41 of the *Planning and Development Act 2005*.

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 transfer approximately 210.7 ha of Rural zoned land to the Urban Deferred zone in the MRS, as shown on the **Figure – Proposal 1**. The proposed amendment will facilitate future residential development, a neighbourhood centre, areas of public open space, a primary school and associated playing fields and conservation areas.

Requirements to lift the Urban Deferment

The subject land is being zoned Urban Deferred, as the following requirements are to be addressed prior to lifting of Urban Deferment:

- A District Structure Plan (DSP) or the *Bullsbrook Townsite Landuse Masterplan* (BTLUMP) being approved by the WAPC to guide the development of the Bullsbrook townsite.

The DSP or BTLUMP should consider matters such as: a spatial staging plan, district developer contribution plan, MRS reservations (e.g. High Schools, Other or Primary Regional Roads etc), buffers (e.g. landfill and extractive industries etc), environmental constraints, transport modelling and traffic analysis (amongst other matters) in consultation with relevant State Government agencies and the City of Swan;

- Confirmation of water and wastewater infrastructure;
- Confirmation on the location of a High School site;
- Confirmation of road upgrading requirements to support the proposed scale of development;
- Confirmation that the existing landfill operations and associated buffer has ceased; and
- The eastern portion of the site is partly within a 500 metre separation buffer for clay resources. The clay extraction is to be completed, prior to the transfer of this land to the Urban zone.

3 Environmental Protection Authority advice

The proposed amendment was referred to the Environmental Protection Authority (EPA) for advice on whether environmental assessment would be required. The EPA advised that the proposed amendment does not require formal assessment under Part IV of the *Environmental Protection Act*. The EPA provided advice on flora and vegetation, terrestrial fauna, hydrological processes, inland water environmental quality, social surroundings and human health.

The EPA concluded that the amendment can be managed to meet EPA objectives through the requirements identified to lift the Urban Deferment, preparation of future local planning scheme provisions and/or structure planning to management and protect the environmental factors.

A copy of the notice from the EPA was included in the previously published *Amendment Report*.

4 Call for submissions

The amendment was advertised for public submissions from 2 March 2018 to 8 June 2018.

The amendment was made available for public inspection during ordinary business hours at the:

- i) Western Australian Planning Commission, 140 William Street, Perth
- ii) Offices of the Cities of Perth, Fremantle, Swan and Kalamunda
- iii) State Reference Library, Northbridge.

During the public inspection period, notice of the amendment was published in the *West Australian* and the *Sunday Times* newspapers and relevant local newspaper/s circulating in the locality of the amendment.

5 Submissions

Nineteen submissions (includes one late submission) were received comprising one supporting submission, two objecting submissions and 16 submissions containing neutral comments or otherwise not objecting to the amendment.

A summary of each submission with WAPC comments and determinations is at Schedule 2. A complete copy of all written submissions is contained in this report.

6 Hearings

Section 46 of the *Planning and Development Act 2005* provides that each person who makes a submission is to be offered the opportunity of being heard by a Committee formed by the WAPC for that purpose. All persons who made submissions were invited to present their submission to the Hearings Committee.

One request for a hearing occurred on 25 September 2018.

7 Main issues raised in submissions

7.1 Inclusion of Additional Land

Submissions request the inclusion of all and/or the remainder of their land in the amendment as they are no longer located within the Bullsbrook WWTP buffer or abut to the north of the amendment area and are considered a logical extension.

WAPC Response: *In relation to the modification of the amendment to include new land in the Urban Deferred zone, this is considered a major modification requiring re-assessment by the WAPC, EPA and the Minister for Planning's consent to advertise, prior to re-advertising of the amendment for another three months. Essentially, the amendment process would be recommenced from the start.*

Appropriate justification (via technical assessments) would need to be provided to the City of Swan, EPA and WAPC prior to any further consideration of any additional land being zoned for urban purposes in the MRS.

Should additional land be considered suitable for urban purposes this could be included in a future MRS amendment process. Given the timing implications and further justification required to substantiate any additional urban area, such modifications are not within the scope of this amendment.

The submissions are dismissed and no modifications to the amendment proposed in relation to this matter.

8 Modifications

After consideration of submissions the amendment is modified by excluding the road widening associated with Great Northern Highway and Lage Road as required by Main Roads WA (MRWA).

Lifting of Urban Deferment Requirements

The WAPC notes that since the advertising of the amendment the Bullsbrook Townsite DSP has been approved. Therefore the final lifting of Urban Deferment requirements are as follows:

- Confirmation of water and wastewater infrastructure;
- Confirmation on the location of a High School site;
- Confirmation of road upgrading requirements to support the proposed scale of development;
- Confirmation that the existing landfill operations and associated buffer has ceased; and
- The eastern portion of the site is partly within a 500 metre separation buffer for clay resources. The clay extraction is to be completed, prior to the transfer of this land to the Urban zone.

The area of the modified amendment is approximately 210.52 ha. Readvertising of the amendment is not required as the above modifications do not alter the intent of the advertised amendment and are considered minor in nature.

9 Responses and determinations

The responses to submissions are detailed in this report. The submissions of objection are recommended to be dismissed. Minor modification to the amendment has been undertaken as discussed above.

10 Coordination of region and local scheme amendments

Under section 126(3) of the *Planning and Development Act 2005* the WAPC has the option of concurrently rezoning land that is being zoned Urban under the MRS, to an "Urban Development" zone (or similar) in the Local Planning Scheme (LPS). As no land is being zoned Urban in the MRS, section 126(3) is not applicable.

11 Conclusion and recommendation

This report summarises the background to Amendment 1323/41 and examines the various submissions made on it.

The WAPC, after considering the submissions, is satisfied that the amendment as shown generally on the Figure - Proposal 1 in Schedule 4 (as modified) and in detail on the MRS Amendment Plan listed in Appendix 2 (as modified) should be approved and finalised.

Having regard to the above, the WAPC recommends that the Minister for Planning presents the amendment to His Excellency the Governor for his consideration and approval and subsequently commend the amendment to both houses of Parliament.

Schedule 1

Alphabetical listing of submissions

Alphabetical Listing of Submissions

MRS Amendment 1323/41

South Bullsbrook Urban Precinct

Submission Number	Name
2	ATCO Gas Australia
5	Biodiversity, Conservation and Attractions (Parks and Wildlife Service, Rivers and Estuaries Branch), Department of
11	Communities, Department of
6	Education, Department of
13	Element (on behalf of owner Boral Bricks Western Australia Pty Ltd)
18	Fire & Emergency Services, Department of
10	Health, Department of
9	Jobs, Tourism, Science and Innovation, Department of (Infrastructure and Land Planning)
14	Main Roads WA
12	Mines, Industry Regulation and Safety, Department of
1	Primary Industries and Regional Development, Agriculture & Food, Department of
3	Public Transport Authority of WA
16	Rowe Group (on behalf of the majority landholders in the South Bullsbrook Urban Precinct)
15	Sibbel, Anne (Bullsbrook Residents and Ratepayers Association Incorporated)
17	Swan, City of
8	Transport, Department of
7	Water and Environmental Regulation (Swan Avon Region), Department of
4	Water Corporation
Late Submissions	Name
19	Biodiversity, Conservation and Attractions, Department of (Parks & Wildlife Services, Swan Region)

Schedule 2

Summary of submissions and determinations

REFER TO THE SUBMISSIONS SECTION FOR A FULL COPY OF EACH WRITTEN SUBMISSION AND SUPPORTING INFORMATION

Submission: 1

Submitted by: Department of Primary Industries and Regional Development (Agriculture & Food)

Summary of Submission: COMMENT

- *State Planning Policy 2.5: Land Use Planning in Rural Areas* (SPP 2.5) states that the introduction of sensitive or incompatible land uses such as additional housing or accommodation in rural areas can compromise rural land uses and effectively sterilise rural land. There is a need to ensure that existing rural land uses are protected and landholders are able to exercise their operational needs effectively and appropriately;
- Environmental Protection Authority's *Guidance Statement No. 3 - Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Uses* recommends that in the absence of site-specific technical studies, a minimum separation distance of 500 metres; and
- Department of Health's *Guidelines for Separation of Agricultural and Residential Land Uses - Establishment of Buffer Areas* which specify a minimum separation distance of 300 metres or an adequate vegetated buffer.

Planning Comment: The WAPC notes the subject land has been identified as *Urban Expansion* in the *North East Sub-regional Planning Framework* and is considered appropriate for future urban development.

The land is being zoned Urban Deferred (rather than Urban), as range of requirements are to be addressed prior to the transfer of the land to the Urban zone. This includes confirmation regarding the closure of existing infill operations and nearby clay extraction activities, prior to the transfer of the land to the Urban zone. No residential development can occur until the land has been transferred to the Urban zone.

Determination: Submission noted.

Submission: 2, 3, 7, 8, 9, 10, 11, 12, 18

Submitted by: ATCO Gas, Public Transport Authority, Department of Water and Environmental Regulation, Department of Transport, Department of Jobs, Tourism, Science and Innovation, Department of Health, Department of Communities, Department of Mines, Industry Regulation and Safety, 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 that relate to the subsequent more detailed stages of the planning and development process.

Planning Comment: Comments noted.

Determination: Submissions noted.

Submission: 4

Submitted by: Water Corporation

Summary of Submission: COMMENT

The Water Corporation has prepared long-term, conceptual water and wastewater planning to provide for the ultimate urban expansion identified in the BTLUMP. This infrastructure planning is conceptual and may be varied and staged by the developers in consultation with the Corporation. It is likely that this planning will be reviewed several times over the coming years as more detailed land use, population, dwelling yield and timing information becomes available through the preparation of local structure plans for the locality.

The land in the three urban precincts is currently not serviced with water or wastewater and the developers will need to fund the installation of new infrastructure within the land and/or extensions from the existing Bullsbrook townsite networks.

The Corporation's infrastructure planning and timing of capital funding for major headworks infrastructure to support the town's urban expansion (including new water storage tanks, water distribution mains >300 mm diameter, wastewater pumping stations and major gravity sewers >300 mm diameter) is premised on the logical and orderly progression of urban development.

Where unserviced land is remote or physically separated from the development front, or the proponents wish to develop their land ahead of the Corporation's planned capital funding for headworks infrastructure, the developers may be required to fund some headworks infrastructure and/or install temporary water and wastewater infrastructure to service their land, provided that these short-term solutions do not prejudice the Corporation's long-term infrastructure planning for the area.

Planning Comment: Comments noted.

Determination: Submission noted.

Submission: 5

Submitted by: Department of Biodiversity, Conservation and Attractions (Rivers and Estuaries Branch)

Summary of Submission: COMMENT

- There are concerns regarding the appropriate management and development around the watercourses that run through the site and flow as tributaries to the Swan River in particular Ki-it Monger Brook and Nambad Brook. A large portion of amendment areas

1 and 2 are identified as multiple use wetlands. It is recommended that the watercourses and at least 30 metres either side of the waterways be reserved for Parks and Recreation purposes.

- The subject land is located within the Ellen Brook Catchment. The *Swan Canning Water Quality Improvement Plan* identified the Ellen Brook catchment as the largest contributor of total nitrogen and total phosphorous loads to the Swan Canning estuary. It is important to ensure that the transition of this area from principally rural activities to urban activities occurs in a way that minimises the entry of contaminants into the Swan River. This should occur in line with the principles of water sensitive urban design and in particular focus on restoration of the naturally existing waterways. It is also important to ensure that all development within the area is connected to sewer.
- The Department welcomes the opportunity to undertake a more detailed review of the water management plans and the structure plans in the subsequent planning stages.

Planning Comment: The WAPC notes the subject land has been identified as *Urban Expansion* in the *North East Sub-regional Planning Framework*, and is considered appropriate for future urban development. The Department of Water and Environmental Regulation has appropriated a District Water Management Strategy for the site.

The land is being zoned Urban Deferred (rather than Urban), as range of requirements are to be addressed prior to the transfer of the land to the Urban zone. This includes confirmation of reticulated water and wastewater services, clay and landfill buffers etc.

In relation to the reservation of watercourses and associated buffer areas as Parks and Reservation in the MRS. Such requirements are given further detailed consideration at the local structure plan stage, and if considered appropriate these areas are identified for future protection.

The DBCA will be consulted as planning progresses, such as at the subsequent lifting of Urban Deferment, local scheme amendment and local structure plan stages etc.

Determination: Submission noted.

Submission: 6

Submitted by: Department of Education

Summary of Submission: COMMENT

- The Concept Master Plan includes provision for three primary school sites that are identified within the BTLUMP;
- The Central Bullsbrook Urban Precinct there is a pocket of remnant Guildford Complex within Lot 1314 Chittering Road, Bullsbrook. As this vegetation is not to be cleared it would have impinged on the ability of the proposed primary school to share public open space. Further detailed planning on the school site with the developers and the City of Swan has bought about a relocation of the primary school site further west, closer to the Town Centre and onto Lot 1354 Chittering Road, Bullsbrook. It is envisaged that this location would allow shared public open space between the City of Swan and the Department;

- The Department is agreeable to locating shared ovals co-located with these schools wholly on the City of Swan's land in order to preserve the full developable area of school site to accommodate additional permanent classrooms; and
- The Department is working with the City of Swan and the developers on the requirement for a new High School site within the BTLUMP.

Planning Comment: Comments noted.

Determination: Submission noted.

Submission:	13
Submitted by:	Element (on behalf of Boral Bricks WA Pty Ltd)
Summary of Submission:	OBJECTION

The submitter objects to the amendment as any urbanisation and intensification of land use within the surrounding area has potential consequential impacts on the longer term operational and commercial viability of the quarry in accordance with Boral's planning for the site.

It is acknowledged that lifting of the Urban Deferment is subject to further detailed planning being progressed, including the cessation of existing extraction operations amongst other matters.

It is important that future planning of the surrounding area recognises the longer term progressive expansion of the quarry. This is critical given that Perth and Peel's Basic Raw Material supply has been constrained due to a lack of sequential land use planning and the encroachment of urban and industrial land on potential new supplies. Any urbanisation of the surrounding area in the vicinity of the existing quarry would be counterintuitive and inconsistent with the principles of SPP 2.4.

It will be important to ensure appropriate mechanisms and controls (eg. landscape buffer arrangements, notifications on titles) together with specific staging requirements, are clearly identified and implemented through future planning processes to avoid land use conflicts. It will be important to ensure that future road network planning is cognisant of trucks associated with the quarry operation, and the need to avoid potential conflict with residential traffic.

Boral's quarry is one of only a few within the Perth metropolitan region that provides clay for the manufacture of bricks to the construction industry. Accordingly, any limitation on the future output from the quarry would have a significant impact in the supply and cost of materials to the construction industry, and the realisation of future residential and commercial development under the current strategic planning framework.

It is acknowledged the proposed amendment generally reflects the extent of land identified in the approved Bullsbrook Townsite District Structure Plan, as the portion of Lot 202 Great Northern Highway is within the Urban Deferred zone is relatively limited and forms part of the buffer to the current extraction operation, the land is unlikely to ever be developed for urban development. The rationalisation of the boundary of the Urban Deferred zone to reflect the current lot configuration is considered appropriate.

Portion of Lot 201 Great Northern Highway to the north-west (under separate ownership) and within the 500 metre buffer, is proposed to be included within the Urban Deferred zone. The retention of this land within the current Rural zone is considered more appropriate.

Planning Comment: The WAPC notes the subject land has been identified as *Urban Expansion* in the *North East Sub-regional Planning Framework*, and is considered appropriate for future urban development.

The land is being zoned Urban Deferred (rather than Urban), as range of requirements are to be addressed prior to the transfer of the land to the Urban zone. In the advertised *Amendment Report* the WAPC acknowledged that the clay extraction activities are required to be finalised, prior to this land being transferred to the Urban zone. This was also identified in the WAPC endorsed Bullsbrook Townsite DSP.

Therefore the Urban Deferred zone is considered to be an appropriate planning response that allows the clay extraction operations to continue, whilst providing for future sequential development.

Determination: Submission dismissed.

Submission:	14
Submitted by:	Main Roads WA
Summary of Submission:	COMMENT

Main Roads WA (MRWA) requests the area shown as Primary Regional Roads (PRR) reservation depicted on land protection plan 1.1409 be excluded from the amendment.

Advice to Applicant

- The three Bullsbrook amendments will intensify current rural landuses in order to achieve a higher density/intensification and will contribute to increased traffic pressures on the local and PRR networks.
- MRWA expects that the following requirements are addressed prior to the lifting of Urban Deferment:
 - A DSP for the BTLUMP being approved by the WAPC to guide the development of the Bullsbrook townsite.
 - Indicative local structure plans with a supporting strategy for the timing of land releases/staging plan and required local and PRR network upgrades.
 - Transport modelling assessment being undertaken for all three amendment areas addressing all forms of transport modes, including assessment of the broader regional road impacts in accordance with the WAPC's *Transport Impact Assessment Guidelines*.
- MRWA has previously advised that it did not support the rezoning of three amendments due to the increased demands generated and uncertainty surrounding the delivery of supporting local and PRR infrastructure.

- The scale of development is a risk to the local and PRR infrastructure due to demands that will be generated.
- A DCP which addresses the approximate scale of costs for the above local and regional road upgrades, the likely timing of these upgrades, agreement on a delivery strategy etc is required.

MRWA can assist the developer and the City of Swan in formulating such a strategy.

Planning Comment: The area shown as PRR reservation on land requirement plan 1.1409 has been excluded from the amendment.

Determination: Submission noted.

Submission: 15

Submitted by: Anne Sibbel (on behalf of the Bullsbrook Residents and Ratepayers Association Incorporated),

Summary of Submission: SUPPORT

The submission supports the proposed amendment.

Planning Comment: Support noted.

Determination: Submission noted.

Submission: 16

Submitted by: The Rowe Group (on behalf of a number of landowners)

Summary of Submission: OBJECTION

Lifting of Urban Deferment Requirements

The lifting of Urban Deferment requirements be modified as follows:

- Confirmation of water and wastewater infrastructure;
- Confirmation of road upgrading requirements to support the proposed scale of development;
- Confirmation that the existing landfill operations and associated buffer has ceased; and
- The eastern portion of the site is partly within a 500 metre separation buffer for clay resources. The clay extraction is to be completed, prior to the transfer of this land to the Urban zone.

The original lifting of Urban Deferment requirements included a DSP or the BTLUMP being approved by the WAPC, prior to the transfer of the land to the Urban zone. However, the BTLUMP has been approved by the WAPC therefore this requirement can be removed.

Modification of Amendment Area

The eastern alignment of the Urban Deferred area be extended to include Pt Lots 1, 2, 101, 201, 202 Great Northern Highway and Lot 302 Lage Road to match the boundary of Structure Plan No. 11. This area comprises an additional 29.4 ha.

This submission was supported by a Hearing where additional information was provided.

Planning Comment: Refer to Part 7.1 – Inclusion of Additional Land.

The WAPC notes that the Bullsbrook Townsite DSP has been endorsed, therefore this requirement has been removed from the final lifting of Urban Deferment requirements.

Determination: Submission partly dismissed/partly upheld.

Submission: 17

Submitted by: City of Swan

Summary of Submission: COMMENT

- The eastern boundary of the amendment to be extended to reflect the western boundary of the Structure Plan No.11 (Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook).
- Should it be found that sufficient water and waste water capacity currently exists, that part of Lot 1354 Great Northern Highway, Bullsbrook that can be serviced is to be included in the Urban zone; and
- MRWA's latest policy position in preference of roundabouts at all intersections should be taken in consideration prior to a final decision on the three MRS amendments. The requirement may result in extended land requirements, and therefore an extension to the Primary Regional Roads reservation at intersections with Great Northern Highway.

Planning Comment: Refer to Part 7.1 – Inclusion of Additional Land.

MRWA has not advised of any further PRR reservation requirements.

Determination: Submission noted.

Submission: 19 (Late Submission)

Submitted by: Department of Biodiversity, Conservation and Attractions (Parks & Wildlife Services, Swan Region)

Summary of Submission: COMMENT

Native Vegetation

Whilst it is acknowledged that the majority of the amendment area is cleared or completely degraded, there are pockets of remnant vegetation and isolated paddock trees which may provide Carnaby's Black Cockatoo habitat. This species is listed as Endangered under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act), and is also

listed as Specially Protected under the *Wildlife Conservation Act 1950*. Accordingly, future proposals which may impact these areas should be discussed with the Department of the Environment and Energy as there may be a requirement to refer the application under the EPBC Act.

Wetland Values

There are several geomorphic wetlands in the amendment area, the majority of which are classified as Multiple Use wetlands. In addition to the mapped wetlands, the portion of the Nambad Brook in the southern portion of the amendment area has not been mapped in the Department's geomorphic wetlands database, however it is recommended that further investigations are undertaken to determine the condition and values within the wetland.

The Department advises that EPA Guidance Statement 33 recommends that wetlands that are to be protected in the planning system are afforded a 50 metre minimum wetland buffer. If a buffer of less than 50 metres is proposed from the wetland boundary to areas of development, a buffer study in accordance with the draft *Guideline for the Determination of Wetland Buffer Requirements* may need to be conducted to accurately determine the buffer required to protect the wetland values. The purpose of a site specific buffer study would be to identify the values, functions and processes of the wetland, the threats posed by the proposed changes, and the buffer required to mitigate these threats.

This buffer study would assist in providing justification to decision makers to demonstrate the reasoning for the buffer distances. It should be noted that Department is not a decision maker in regard to wetland buffers, however the Department can provide advice to decision makers as requested.

Where the wetland buffer/foreshore reserve is part of public open space, its treatment should be appropriate and contribute towards the maintenance of ecological functioning within the wetland. The buffer should be revegetated with appropriate native vegetation species of local provenance. Vegetation of natural structure including groundcovers, mid-storey and over-storey around wetlands is critical for filtering and absorption of nutrients and pollutants, provision of fauna habitat, abating nuisance insect issues and restricting the spread of rubbish into the wetlands. While some passive recreation may be acceptable in defined areas of the wetland buffer, the placement of lawns, playgrounds and other active recreation areas are generally not considered appropriate.

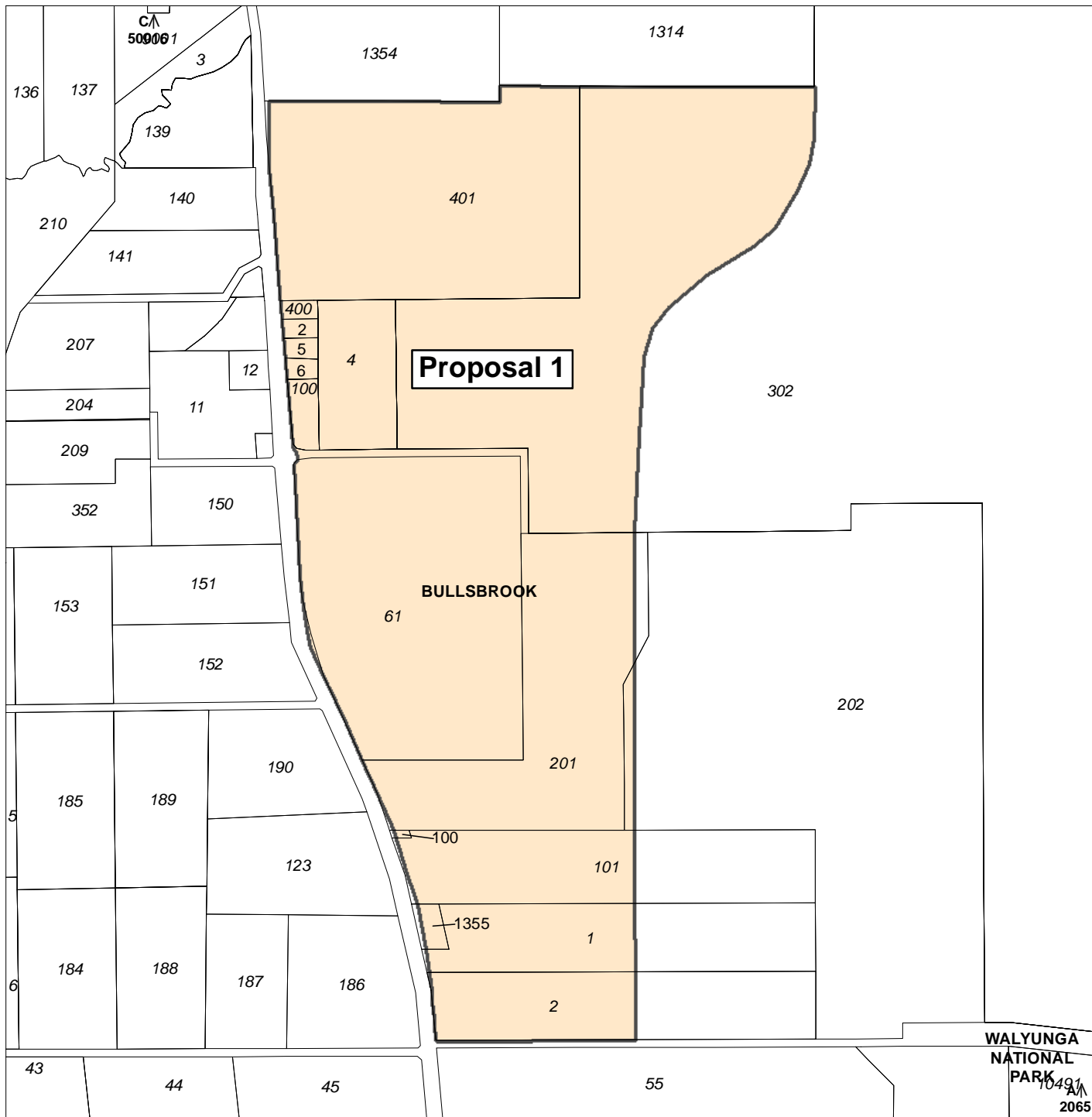
It is recommended that a wetland or foreshore management plan is prepared as part of future structure plan process. It is recommended that the contents and format of the wetland management plan be prepared in accordance with the checklist for preparing a wetland management plan available on Department's website. It is also important to engage with the Department of Water, Environmental Regulation during the preparation of the wetland management plan.

Planning Comment: The proponent has been advised of the above comments which will require further consideration in the subsequent more detailed planning stages.

Determination: Submission noted.

Schedule 3


The amendment figure - proposal 1
as advertised



South Bullsbrook Urban Precinct Proposed major amendment as advertised

27 April 2017

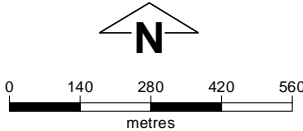
Proposal 1

Proposed Amendment:
 Urban deferred zone

Oracle reference no: 2908
 File number: 809/02/21/0039P V
 Version number: 2

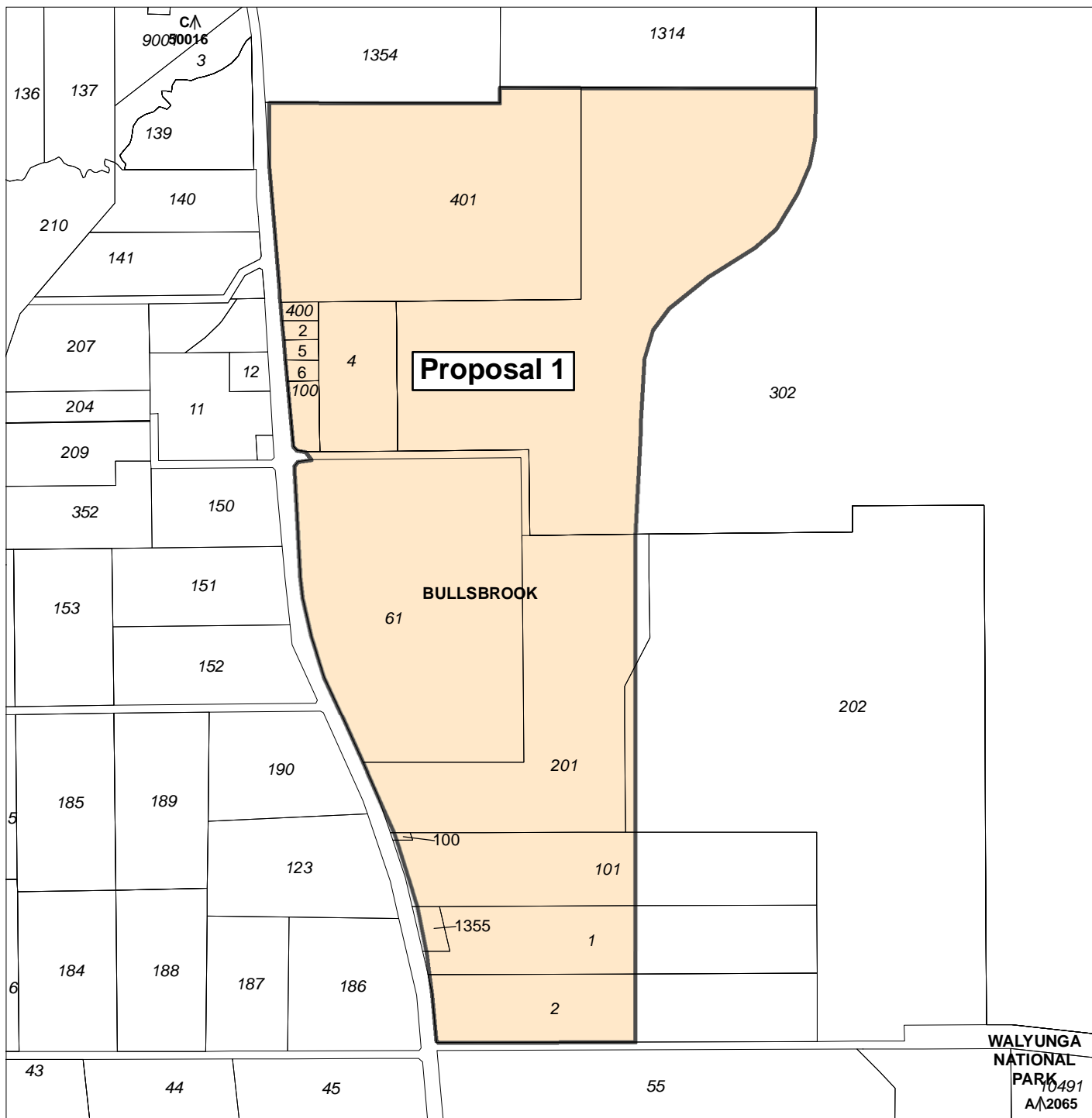


Date: 10/10/2017
 Produced by Geospatial Research and Modelling, Department of Planning, Lands and Heritage, Perth WA
 Base information supplied by Western Australian Land Information Authority LI 862-2016-1



Schedule 4

The amendment figure - proposal 1
as modified




South Bullsbrook Urban Precinct
Proposed major amendment
as modified

21 November 2018

Proposal 1

Proposed Amendment:

 Urban deferred zone

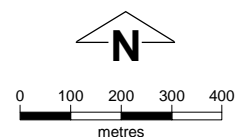
Oracle reference no: 2908

File number: 809/02/21/0039P V

Version number: 3



Date: 23/01/2019
Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA
Base information supplied by Western Australian Land Information Authority SLIP 1096-2018-1



Appendix 1

List of detail plans as advertised

South Bullsbrook Urban Precinct

Proposed Major Amendment

Amendment 1323/41

as advertised

Amending Plan 3.2701

Detail Plans

1.5866 & 1.5870

Appendix 2

List of detail plans as modified

South Bullsbrook Urban Precinct

Proposed Major Amendment

Amendment 1323/41

as modified

Amending Plan 3.2701/1

Detail Plans

1.5866/1 & 1.5870/1

Submissions



Department of
Primary Industries and
Regional Development

Your reference:
809-2-21-39 Pt 1(RLS/0693)
(South)
809-2-21-41 Pt 1(RLS/0694)
(Central)
809-2-21-42 Pt 1(RLS/0692)
(North).
Our reference: LUP 336
Enquiries: Rod Safstrom

Kerrine Blenkinsop
Secretary
Western Australian Planning Commission
Locked Bag 2506 Perth WA 6001
info@dplh.wa.gov.au

Dear Ms Blenkinsop,

Metropolitan Region Scheme Amendment 1323/41 – South Bullsbrook Urban Precinct, 1324/41 – Central Bullsbrook Urban Precinct, 1325/41 – North Bullsbrook Urban Precinct

Thank you for the opportunity to provide comment on the above MRS Amendment.

The Metropolitan Scheme Amendments 1323/41, 1324/41 and 1325/41 are supported as they align with the Draft Perth and Peel @ 3.5 Million and the Draft N.E. Sub-regional Planning Framework provided consideration is given to potential conflicts in land use between the proposed urban land and adjacent land that will remain in the Rural Zone.

The following policy and guidelines need to be considered:

- Western Australian Planning Commission's *State Planning Policy 2.5 (SPP2.5) Land Use Planning in Rural Areas* which states that the introduction of sensitive or incompatible land uses such as additional housing or accommodation in rural areas can compromise rural land uses and effectively sterilise rural land. There is a need to ensure that existing rural land uses are protected and landholders are able to exercise their operational needs effectively and appropriately;
- Environmental Protection Authority's *Guidance Statement No. 3 – Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses* which recommends, in the

Agriculture and Food

3 Baron-Hay Court, South Perth WA 6151
Locked Bag 4, Bentley Delivery Centre WA 6983

Telephone +61 (0)8 9368 xxxx Facsimile +61 (0)8 9474 xxxx enquiries@dpird.wa.gov.au

dpird.wa.gov.au

ABN: 18 951 343 745

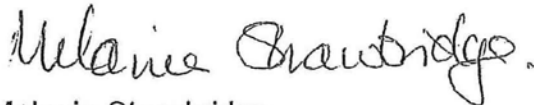
absence of site-specific technical studies, a minimum separation distance of 500 metres; and

- Department of Health's *Guidelines for Separation of Agricultural and Residential Land Uses - Establishment of Buffer Areas* which specify a minimum separation distance of 300 metres or an adequate vegetated buffer.

Adequate separation distances between residential land and Rural Zoned land or alternate mechanisms are required to ensure minimal impact on existing agricultural and uses.

For further information, contact Mr Rod Safstrom on 9368 3169 or rodney.safstrom@dpird.wa.gov.au.

Yours sincerely

A handwritten signature in black ink that reads "Melanie Strawbridge". The signature is written in a cursive, flowing style.

Melanie Strawbridge
DIRECTOR
LAND AND WATER ASSESSMENT

Bubanic, Marija

From: Snellin, Fiona <Fiona.Snellin@atcogas.com.au>
Sent: Wednesday, 7 March 2018 11:29 AM
To: mrs
Subject: FW: LM18045_WAPC Referral - MRS Amendment 809-2-21-39 Pt 1 (RLS-0693) (South)_1323_41_ATCO Gas
Attachments: LM18045_WAPC Referral - MRS Amendment 809-2-21-39 Pt 1 (RLS-0693) (South)_1323_41_ATCO Gas Map.pdf

From: Snellin, Fiona
Sent: Wednesday, 7 March 2018 10:18 AM
To: 'mrs@dplh.wa.gov.au'
Subject: LM18045_WAPC Referral - MRS Amendment 809-2-21-39 Pt 1 (RLS-0693) (South)_1323_41_ATCO Gas

For the Attention of Mr Anthony Muscara

Your Reference: 809-2-21-39 Pt 1 (RLS/0693) (South)
Our Reference: LM18045

Good morning Anthony,

RE: PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1323/41 (South Bullsbrook Urban Precinct)

Thank you for your recent letter of 27 February 2018 regarding the proposed MRS Amendment 1323/41 for the area known as the South Bullsbrook Urban Precinct in the eastern vicinity of Great Northern Highway, within the City of Swan.

ATCO Gas Australia (ATCO Gas) has considered the proposed amendment to the Metropolitan Region Scheme to facilitate the change in use of that land identified, for the purpose of rezoning from Rural zoning to Urban Deferred zoning. Based on the information and plan provided, ATCO Gas has no objections and will not be submitting a completed Form 41 or lodging a submission online.

We wish to advise that ATCO Gas doesn't operate gas mains nor infrastructure within the area of the proposed MRS Amendment 1323/41.

On behalf of ATCO Gas we appreciate the opportunity to provide comment Anthony.

Please accept this email as ATCO Gas's response.

Should you have any queries regarding the information above, please contact us on 6163 5000 or engineering.services@atcogas.com.au

Kind Regards

Fiona Snellin
Land Management and Project Coordinator



ATCO Gas
AUSTRALIA

Connecting WA
to natural gas

www.atcogas.com.au



81 Prinsep Road, Jandakot, Western Australia, 6164

Telephone: (08) 6163 5058 | Mobile: 0476 831 540

Locked Bag 2, Bibra Lake DC, 6965

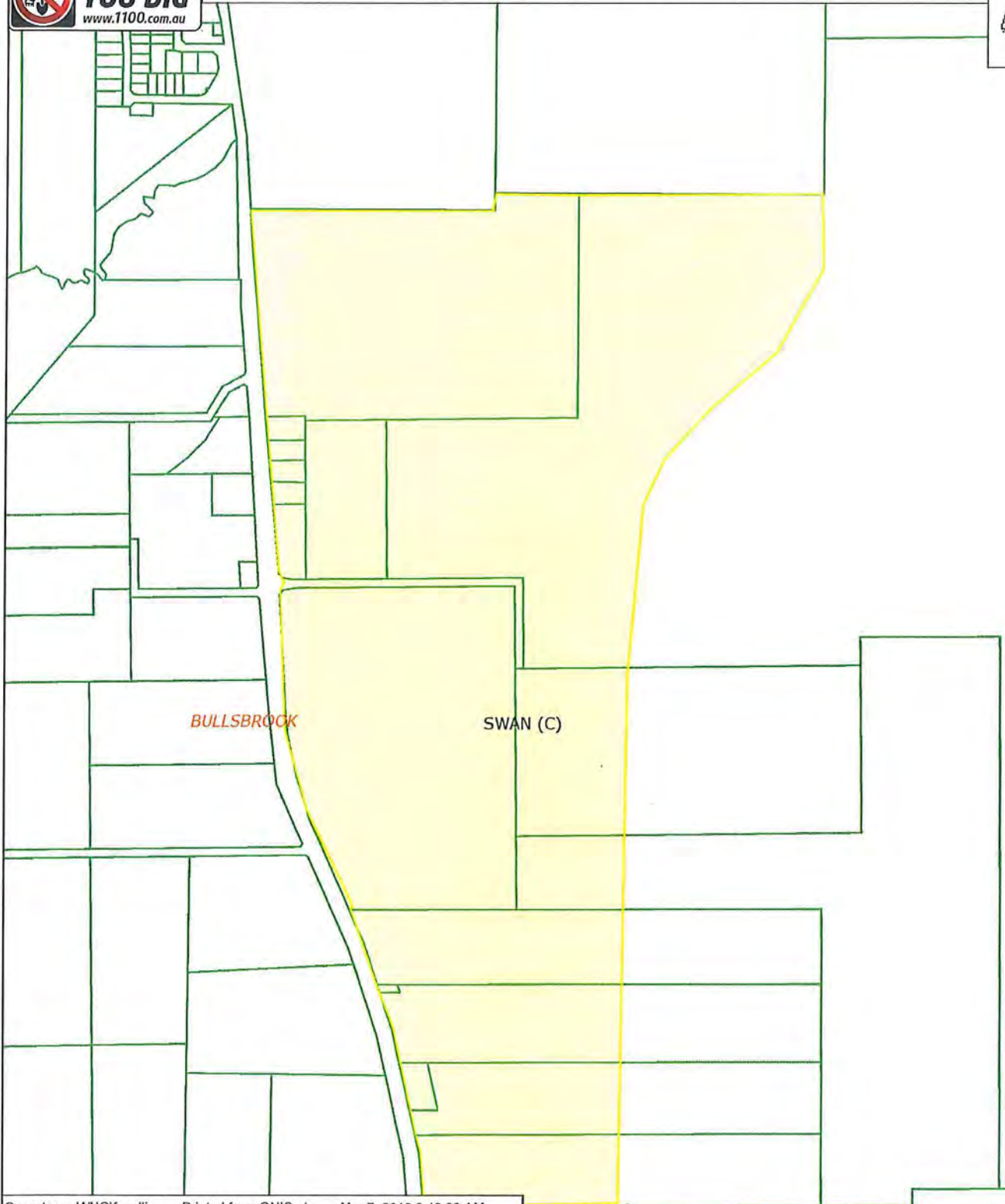
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www.1100.com.au

ATCO Gas Australia_MRS Proposal 1323/41



Operator: WNG\fsnellin Printed from GNIS at: Mar 7, 2018 9:42:38 AM
Scale = 1: 13,505
Map Centre: E: 408,975.966 N: 6,493,753.195 GDA94 MGA Zone 50

WARNING BEWARE

The location of pipes and services are approximate only,
and show an indicative position at time of construction.

No guarantee can be given to the accuracy or completeness
of information due to the age of some pipes and records.

Refer to "Occupational Safety & Health"
and Utility Providers "Code of Practice" for further useful information.

© ATCO Gas Australia Pty Ltd ABN 90 089 531 975

WARNING !

**Refer to Cover Sheet
for further information**

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Bubanic, Marija

From: mrs
Subject: FW: 1323/41 South Bullsbrook, 1324/41 Central Bullsbrook, 1325/41 North Bullsbrook

From: Ricciardi, Janelle [<mailto:Janelle.Ricciardi@pta.wa.gov.au>]
Sent: Friday, 16 March 2018 10:13 AM
To: Muscara, Anthony
Cc: Thomas, Andrew
Subject: 1323/41 South Bullsbrook, 1324/41 Central Bullsbrook, 1325/41 North Bullsbrook

PTA File No. 00378/18

Hi Anthony,

I refer to your letter dated 27 February 2018 seeking comments regarding various MRS Amendments in Bullsbrook (1323/41, 1324/41, 1325/41).

Please be advised that the Public Transport Authority has no comments to make in this regard.

Kind regards,

Janelle Ricciardi
A/Strategic Railway Network Planner | IP&LS
Public Transport Authority of Western Australia
Public Transport Centre, West Parade, Perth, 6000
PO Box 8125, Perth Business Centre, WA, 6849
Tel: (08) 6551 6517
Email: janelle.ricciardi@pta.wa.gov.au | 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.

Development Services 629 Newcastle Street Leederville WA 6007 PO Box 100 Leederville WA 6002 T (08) 9420 2092 F (08) 9420 3193



Your Ref: 809-2-21-39 Pt1 (RLS/0693) (South)
809-2-21-41 Pt1 (RLS/0694) (Central)
809-2-21-42 Pt1 (RLS/0692) (North)
Our Ref: JT1 2007 06075 V01 (MRS352859)
Enquiries: Brett Coombes
Direct Tel: 9420 3165
Fax: 9420 3193

20 March 2018

Secretary
Western Australian Planning Commission
LOCKED BAG 2506
PERTH WA 6001

Attention: Anthony Muscara

Metropolitan Region Scheme Amendments:
1323/41 – South Bullsbrook Urban Precinct
1324/41 – Central Bullsbrook Urban Precinct
1325/41 – North Bullsbrook Urban Precinct

Thank you for your letter of 27 February 2018 inviting comments on the above proposed amendments.

The water and wastewater information contained in each of the amendment reports is a brief summary of the servicing, staging and funding issues that will need to be addressed in each precinct.

The Water Corporation has prepared long-term, conceptual water and wastewater planning to provide for the ultimate urban expansion identified in the City of Swan *Bullsbrook Townsite Expansion Strategy*, which includes the three amendment sites. This infrastructure planning is conceptual and may be varied and staged by the land developers consulting engineers in consultation with the Corporation. It is likely that this planning will be reviewed several times over the coming years as more detailed land use, population, dwelling yield and timing information becomes available through the preparation of local structure plans for the various urban precincts.

The land in these urban precincts is currently not serviced with water or wastewater and the developers will therefore need to fund the installation of new infrastructure within the land and/or extensions from the existing Bullsbrook townsite networks.

The Water Corporation's infrastructure planning and timing of capital funding for major headworks infrastructure to support the town's urban expansion (including new water storage tanks, water distribution mains >300mm diameter, wastewater pumping stations and major gravity sewers >300mm diameter) is premised on the logical and orderly progression of urban development.

Where unserviced land is remote or physically separated from the development front, or the proponents wish to develop their land ahead of the Corporation's planned capital funding for headworks infrastructure, the developers may be required to fund some headworks infrastructure and/or install temporary water and wastewater infrastructure to service their land, provided that these short-term solutions do not prejudice the Corporation's long-term infrastructure planning for the area.

If you have any queries or require further clarification on any of the above issues, please contact me on Tel. 9420-3165.

A handwritten signature in black ink, appearing to read "B. Coombes". The signature is stylized with a large, looped initial "B" and a trailing flourish.

Brett Coombes
Senior Planner
Development Services



Department of Biodiversity,
Conservation and Attractions



**PARKS AND
WILDLIFE
SERVICE**

Your ref: 809-2-21-39
809-2-21-41
809-2-21-42
Our ref: 2018/1689
Enquiries: Greg Comiskey
Phone: 9278 1922
Email: greg.comiskey@dbca.wa.gov.au

Ms Kerrine Blenkinsop
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Attention: Anthony Muscara

Dear Ms Blenkinsop

METROPOLITAN REGION SCHEME AMENDMENTS 1323/41, 1324/41, 1325/41 – THE BULLSBROOK URBAN PRECINCT (SOUTH, CENTRAL, NORTH)

Thank you for providing the Department of Biodiversity, Conservation and Attractions (the department) with the opportunity to comment on the above mentioned Metropolitan Region Scheme amendments.

I note that the amendments are to rezone land from the Rural zone to the Urban Deferred zone to facilitate further planning and development of the area for residential and related purposes. The City of Swan has previously referred the draft structure plan for area 2 to the department and the department generally supports the development of the Bullsbrook area.

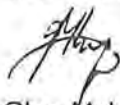
The department has assessed the proposed amendments and while there is no objection, there are concerns regarding the appropriate management and development around the watercourses that run through the site and flow as tributaries to the Swan River in particular Ki-it Monger Brook and Nambad Brook. In addition, a large portion of amendment areas 1 and 2 are identified as multiple use wetlands. It is recommended that the watercourses and at least 30m either side of the waterways be reserved for Parks and Recreation purposes.

As you are aware the subject land is located within the Ellen Brook Catchment. The *Swan Canning Water Quality Improvement Plan* (2009) identified the Ellen Brook catchment as the largest contributor of total nitrogen and total phosphorous loads to the Swan Canning estuary. It is important to ensure that the transition of this area from principally rural activities to urban activities occurs in a way that minimises the entry of contaminants into the Swan River. This should occur in line with the principles of water sensitive urban design and in particular focus on restoration of the naturally existing waterways. It is also important to ensure that all development within the area is connected to sewer.

The department welcomes the opportunity to undertake a more detailed review of the water management plans and the structure plans that will be required in the next phases of planning for this locality.

If you have any queries regarding this matter, please contact the above officer. In all correspondence please quote the above reference number.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Glen McLeod-Thorpe', written in a cursive style.

Glen McLeod-Thorpe
Manager, Statutory Assessments

29 March 2018



Government of Western Australia
Department of Education

Submission 6

Your ref : 809-02-21-39 Pt 1
Our ref : 809-02-21-41 Pt 1
Enquiries : 809-02-21-42 Pt 1
D18/0148940

Ms Kerrine Blenkinsop
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6000

Department of Planning, Lands and Heritage Received	
Scanned	16 APR 2018
Attachments	A 9649828
Scan QA	
Doc No.	RLS/0728
File No.	RLS/0729
	RLS/0730

Dear Ms Blenkinsop

Metropolitan Region Scheme Proposed Amendments:

1323/41 - South Bullsbrook Urban Precinct
1324/41 - Central Bullsbrook Urban Precinct
1325/41 - North Bullsbrook Urban Precinct

Thank you for your letter dated 27 February 2018 regarding the proposed MRS Amendment for the South, Central and North Bullsbrook Urban Precincts.

The Department of Education has reviewed the document and wishes to make the following comments;

- The Concept Master Plans for the three precincts includes a provision for three primary school sites that are identified within the Bullsbrook Townsite Landuse Master Plan (BTLUMP).
- It is noted that within the Central Bullsbrook Urban Precinct there is a pocket of remnant Guildford Complex within Lot 1314 Chittering Road, Bullsbrook. As this vegetation is not to be cleared it would have impinged on the ability of the proposed primary school to share public open space. Further detailed planning on the school site with the developers and the City of Swan has bought about a relocation of the primary school site further west, closer to the Town Centre and onto Lot 1354 Chittering Road, Bullsbrook. It is envisaged that this location would allow shared public open space between the City of Swan and the Department.
- The Department is also agreeable to locating the shared ovals co-located with these schools wholly on the City of Swan's land in order to preserve the full developable area of school site to accommodate additional permanent classrooms.
- The Department of Education is working with the City of Swan and developers on the requirement for a new High School site within the BTLUMP.

The Department has no objection to the proposed MRS Amendments.

Yours sincerely

ANNA BROWN
DIRECTOR
ASSET PLANNING and SERVICES

11 April 2018



Government of Western Australia
Department of Water and Environmental Regulation

Your ref: 809-2-21-39

File ref: DWERT950

PA ref: 19208

Enquiries: Bree Lyons

Tel: 6250 8035

Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

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

Attention: Anthony Muscara

Dear Sir/Madam,

Re: Metropolitan Region Scheme Proposed Amendments – South Bullsbrook Urban Precinct – Central Bullsbrook Urban Precinct – North Bullsbrook Urban Precinct

Thank you for the above referral dated 21 February 2018. The Department of Water and Environmental Regulation (DWER) has assessed the referral and has the following advice to provide:

The DWER has assessed the District Water Management Strategies (DWMS) associated with the proposed Metropolitan Region Scheme Amendments and is generally satisfied with the documents. As such the DWER supports the amendment to the Urban Deferred zone for South Bullsbrook Urban Precinct (1323/41), Central Bullsbrook Urban Precinct (1324/41) and North Bullsbrook Urban Precinct (1325/41).

Water Resource Advice Only

The Department of Water has recently merged with the Department of Environment Regulation and Office of the Environmental Protection Authority to create the new agency Department of Water and Environmental Regulation. The former agencies are in the process of amalgamating their functions. Until this fully occurs, please note that the advice in this correspondence pertains only to water resource matters previously dealt with by the Department of Water.

If you wish to discuss the matter further, please contact Bree Lyons on 6250 8035 or email bree.lyons@dwer.wa.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Carlie Slodecki'.

Carlie Slodecki
Senior Natural Resource Management Officer
Land Use Planning - Swan Avon Region

20 April 2018

Swan Avon Region
7 Ellam Street Victoria Park WA 6100
Telephone: 08 6250 8000 Facsimile: 08 6250 8050
www.dwer.wa.gov.au

Bubanic, Marija

From: Martin, Jacob
Sent: Monday, 23 April 2018 4:31 PM
To: Bubanic, Marija
Subject: MRS Amendments: 1323/41 - South Bullsbrook Urban Precinct, 1324/41 - Central Bullsbrook Urban Precinct, 1325/41 - North Bullsbrook Urban Precinct

Your ref: 1323/41, 1324/41 & 1325/41
Our ref: DT/15/05074

APPLICATION 1323/41 - SOUTH BULLSBROOK URBAN PRECINCT, 1324/41 - CENTRAL BULLSBROOK URBAN PRECINCT, 1325/41 - NORTH BULLSBROOK URBAN PRECINCT - MRS AMENDMENT REQUEST FOR COMMENT

I refer to your letter dated 27 February 2018 regarding the above application for MRS amendment from 'Rural' to 'Urban Deferred'.

The Department of Transport (DoT) has no objection to the proposal on the condition that any transport or access issues identified are resolved to the satisfaction of Main Roads.

Thank you for the opportunity to comment on the proposal.

Regards,

Jacob Martin
Senior Transport Planner/Engineer | Policy Planning and Investment | Department of Transport
140 William Street, Perth WA 6000
Tel: (08) 6551 6326 Fax: (08) 6551 6942
Email: Jacob.Martin@transport.wa.gov.au | Web: www.transport.wa.gov.au



Department of
Transport

Clear Direction • Fresh Thinking • Excellent Service • Great People



Government of Western Australia
Department of Jobs, Tourism, Science and Innovation

Your ref: 809-2-21-39 Pt 1(RLS/0693) (South), 809-2-21-41 Pt 1 (RLS/0694) (Central), 809-2-21-42 Pt 1(RLS/0692) (North)
Our ref: J0820/201701
Enquiries: simone.soliman@jtsi.wa.gov.au
Phone: 9222 0476

Kerrine Blenkinsop
Secretary
Western Australian Planning Commission
140 William Street
PERTH WA 6000


Attention: Anthony Muscara

I refer to your letter dated 27 February 2018, inviting the Department of Jobs, Tourism, Science and Innovation to provide comment on Metropolitan Region Scheme proposed amendments 1323/41 - South Bullsbrook Urban Precinct, 1324/41 - Central Bullsbrook Urban Precinct and 1325/41 - North Bullsbrook Urban Precinct.

The Department has reviewed the proposed amendments and does not have any comment to provide.

For all enquiries, please contact Simone Soliman, Project Officer on 9222 0476.

Yours sincerely



Christine Gimbey
EXECUTIVE DIRECTOR
Infrastructure and Land Planning

1 May 2018



Your Ref: 809-2-21-39 Pt1 (RLS/0693/1) South
809-2-21-41 Pt1 (RLS/0694/1) Central
809-2-21-42 Pt1 (RLS/0692/1) North
Our Ref: F-AA-00808/21 EHB18/138
Enquiries: Vic Andrich 9388 4999

Ms Kerrine Blenkinsop
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6000

Attention: Simon Luscombe, Principal Planning Officer

Dear Ms Blenkinsop

Department of Planning, Lands and Heritage Received	
Scanned	21 MAY 2018 <input checked="" type="checkbox"/>
Attachments	A 9690341 <input type="checkbox"/>
Scan QA	<input type="checkbox"/>
Doc No.	RLS/0728
File No.	RLS/0729 RLS/0730

**METROPOLITAN REGION SCHEME PROPOSED AMENDMENTS: REZONING
LAND FROM 'RURAL' TO 'URBAN DEFERRED'**

- 1323/41 – SOUTH BULLSBROOK URBAN PRECINCT
- 1324/41 – CENTRAL BULLSBROOK URBAN PRECINCT
- 1325/41 – NORTH BULLSBROOK URBAN PRECINC

Thank you for your letter of 27 February 2018 requesting comment from the Department of Health (DOH) on the above proposal.

The DOH has no objection to the proposed amendments.

Should you have queries or require further information please contact
Vic Andrich on 9388 4999 or ehinfo@health.wa.gov.au

Yours sincerely

Stan Goodchild
**A/EXECUTIVE DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE**

16 May 2018



Your ref: 809-2-21-39 Pt 1 (RLS/0693 (South))
809-2-21-41 Pt 1 (RLS/0693 (Central))
809-2-21-42 Pt 1 (RLS/0693 (North))
Our info: 2018/4876

Ms Kerrine Blenkinsop
The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6000

Department of Planning, Lands and Heritage Received	
Scanned	28 MAY 2018
Attachments	A 9699 868
Scan QA	
Doc No...	RLS/0728
File No...	RLS/0729

RLS/0730

Dear Ms Blenkinsop

Subject: Metropolitan Region Scheme Proposed Amendments –

- 1323/41 – South Bullsbrook Urban Precinct
- 1324/41 – Central Bullsbrook Urban Precinct
- 1325/41 – North Bullsbrook Urban Precinct

Thank you for your letter regarding the Metropolitan Region Scheme proposed amendments 1323/41, 1324/41 and 1325/41 at South, Central and North Bullsbrook.

The Department of Communities supports the proposed amendments transferring the subject land from the Rural to the Urban Deferred designation zone. The transferral to Urban Deferred is in line with Directions 2031 and the draft Bullsbrook Townsite Land Use Master Plan, which will coordinate development over the next 15-20 years.

The requirement for potential noise attenuation due to the Great Northern Highway at later stages of development is noted.

If you have any further enquiries please contact Mr David McLoughlin, Manager Urban Planning, Design and Approvals at the Department of Communities on 9222 4822 or by email at david.mcloughlin@communities.wa.gov.au.

Yours sincerely

Paul Whyte
**Assistant Director General
Corporate Operations**

22/5/2018



Government of Western Australia
Department of Mines, Industry Regulation and Safety

Submission 12

Your ref 809-2-21-39 Pt 1 (RLS/0693) (South)
809-2-21-41 Pt 1 (RLS/0694) (Central)
809-2-21-42 Pt 1 (RLS/0692) (North)

Our ref A0751/201801

Enquiries David Hamdorf
92223533

David.Hamdorf@dmirs.wa.gov.au

Kerrine Blenkinsop
Secretary
Western Australia Planning Commission
Locked Bag 2506
PERTH WA

Department of Planning, Lands and Heritage Received	
Scanned	07 JUN 2018 <input checked="" type="checkbox"/>
Attachments	A of 710543 <input type="checkbox"/>
Scan QA	<input type="checkbox"/>
Doc No.	RLS/0728
File No.	RLS/0729 RLS/0730

Dear Ms Blenkinsop

METROPOLITAN REGION SCHEME AMENDMENTS 1323/41, 1324/41, 1325/41 - SOUTH BULLSBROOK, CENTRAL BULLSBROOK & NORTH BULLSBROOK URBAN PRECINCTS


Thank you for your letter dated 27 February 2018 inviting comment on the above proposed Metropolitan Region Scheme amendments for the rezoning of Rural zoned land to Urban Deferred zone.

The Department of Mines, Industry Regulation and Safety (DMIRS) has assessed this proposal with respect to mineral and petroleum resources, geothermal energy and basic raw materials.

For the North Bullsbrook and Central Bullsbrook Urban Precincts, DMIRS has no significant concerns.

For the South Bullsbrook Urban Precinct, DMIRS notes that the eastern portion of the site is partly within the 500 m separation buffer for clay resources. We support the amendment requirement for clay extraction to be completed prior to the transfer of this land to the Urban zone.

Yours sincerely

per 
Jeffrey HAWORTH
Executive Director Geoscience and Resource Strategy
Geoscience and Resource Strategy

1 June 2018

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

Submission

Metropolitan Region Scheme Amendment 1323/41

South Bullsbrook Urban Precinct

Submission 13

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

RLS/0728

Title (*Mr, Mrs, Miss, Ms*) Mr First Name Leigh
Surname Caddy (element on behalf of Boral Bricks Western Australia Pty Ltd) (PLEASE PRINT CLEARLY)
Address PO Box 7375, Cloisters Square, Perth Postcode 6850
Contact phone number 9289 8300 Email address leigh.caddy@elementwa.com.au

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

Please refer to attached correspondence for the detail of our submission.

turn over to complete your submission

Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

Please choose one of the following:

☒ **No**, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

☐ **Yes**, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

☐ Myself – My telephone number (business hours):

or

☐ A spokesperson

Name of spokesperson:

Contact telephone number (business hours):

Postal address:

I would prefer my hearing to be conducted in:

☐ Public (members from the general public may attend your presentation)

OR

☐ Private (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- Hearings may be recorded and transcribed. The minutes of all hearings, along with all written submissions, are tabled in Parliament and published as public records should the Governor approve the proposed amendment. The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

To be signed by person(s) making the submission

Signature  Date 8 June 2018

Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 8 JUNE 2018. Late submissions will NOT be considered.

Your ref: MRS 1323/41
Our Ref: 18-266

7 June 2018

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

Dear Sir/Madam

SUBMISSION – METROPOLITAN REGION SCHEME AMENDMENT 1323/41 – LOT 202 (No. 2138) GREAT NORTHERN HIGHWAY, BULLSBROOK

On behalf of Boral Bricks Western Australia Pty Ltd as owner (Boral), **element** is pleased to provide this submission to the proposed Metropolitan Region Scheme Amendment 1323/41 as it relates to Boral's Bullsbrook Clay Quarry situated at 2138 Great Northern Highway, Bullsbrook (the 'site').

Boral takes significant interest in any draft State or local planning framework that has the potential to impact on its landholdings and the commercial quarry operation located thereon.

The Bullsbrook quarry has been operating for over 50 years, following its establishment by Swan Quarries in 1962. Boral purchased the site from Swan Quarries in 1982 and have been undertaking extraction operations since this time, providing clay for brick manufacturing purposes.

The operation is a significant clay quarry, being one of two owned by Boral within the metropolitan area providing material to Boral's brick manufacturing facility at Middle Swan. Boral currently has a substantial amount of capital expenditure commitment tied up in the Bullsbrook quarry operation.

The quarry is envisaged to continue operating for another 30+ years.

Site Description and Operations

The following table summarises the legal particulars of the land that comprise the site.

Lot	Plan / Diagram	Volume / Folio	Area	Registered Proprietor
202	P403408	2880 / 162	133.4142 hectares	Boral Bricks WA Pty Ltd

The site currently comprises two (2) land parcels, situated either side of the Stock Road reserve totalling approximately 133 hectares. The site maintains frontage of approximately 18 metres to Great Northern Highway.

The site comprises a clay extraction operation wholly operated by Boral. The footprint of the operation is currently contained to northern portion of Lot 202 (north of Stock Road). Current planning by Boral for the future of the operation identifies a staged expansion towards the south of the current footprint (refer to Attachment A).

A 500 metre buffer is associated with the operation. Blasting associated with the operation occurs at several times throughout the year.

Access to the site and the current quarry operation is provided from Great Northern Highway (approximately 950 metres to the south of the Stock Road / Great Northern Highway intersection).

This access point, which has been approved by Main Roads WA, includes associated deceleration/turning lanes on Great Northern Highway, and will continue to provide access for trucks associated with the quarry over the longer term.

Current Approvals

The site is subject to a number of current approvals issued by relevant State agencies and the City of Swan. The following table summarises the current approvals for the site, discussed in detail below

Approval	Legislation	Issuing Body	Date of Issue	Nature of approval	Date of Expiry
Extractive Industry Licence	Metropolitan Region Scheme	Western Australian Planning Commission	2 September 2014	Clay schist excavation	2 September 2024
	City of Swan Local Planning Scheme No. 17	City of Swan	30 July 2014	Clay schist excavation	30 July 2024

Current and Future Land Use

Under the *City of Swan Local Planning Scheme No. 17* (TPS17), the northern land parcel is zoned 'General Rural', whilst the southern portion is zoned 'Landscape'. Amendment 1323/41 affects the western extent of the northern land parcel, zoned 'General Rural'.

The site's importance as a significant basic raw material resource is recognised under several State and local documents.

The site is also identified as a 'Priority Resource Location' for clay under the Western Australian Planning Commission's *State Planning Policy No 2.4* (SPP2.4), which seeks to protect the use and development of land for the extraction of basic raw materials. Additionally, the Department of Mines and Petroleum (DMP) identifies the site within an area containing regionally significant basic raw materials, specifically clay.

Submission

Amendment 1323/41 identifies a portion of the western extents of the site within the proposed Urban Deferred zone. It is noted that the Amendment includes portions of land adjacent to Lot 202, within the 500 metre buffer associated with the quarry footprint.

Any urbanisation and intensification of land use within the surrounding area has potential consequential impacts on the longer term operational and commercial viability of the quarry in line with Boral's current planning for the site.

It is acknowledged that lifting of the urban deferred zone in the future is subject to further detailed planning being progressed, including the cessation of existing extraction operations amongst other matters (as identified in the WAPC's Amendment Report).

In this regard, it is important that the future planning of the surrounding area recognises the longer term progressive expansion of the quarry. This is critical given that Perth and Peel's Basic Raw Material supply has been significantly constrained due to a lack of sequential land use planning and the encroachment of urban and industrial land on potential new supplies. Any urbanisation of the surrounding area in the vicinity of the existing quarry would be counter-intuitive and inconsistent with the principles of SPP2.4.

It will be important to ensure appropriate mechanisms and controls (eg. landscape buffer arrangements, notifications on titles), together with specific staging requirements, are clearly identified and implemented through future planning processes to avoid land use conflicts. Additionally, it will be important to ensure that future road network planning is cognisant of trucks associated with the quarry operation, and the need to avoid potential conflict with residential traffic.

Boral's quarry is one of only a few within the Perth metropolitan region that provide clay for the manufacture of bricks to the construction industry. Accordingly any limitation on the future output from the quarry would have a significant impact in the supply and cost of materials to the construction industry, and the realisation of future residential and commercial development envisaged under current strategic planning framework.

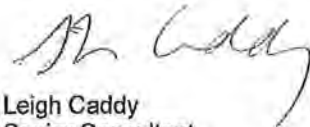
Acknowledging the proposed Amendment generally reflects the extent of land identified under the recently approved *Bullsbrook Townsite District Structure Plan*, as the portion of Lot 202 identified within the Urban Deferred zone is relatively limited, and given it forms part of the buffer to the current extraction operation, the land is unlikely to ever be developed for urban development. The rationalisation of the boundary of the Urban Deferred zone to reflect the current lot configuration is therefore considered appropriate.

Accordingly, we respectfully request **the western extent of Lot 202 be excluded from the proposed Urban Deferred zone, and retained within the Rural zone** as identified on the enclosed plan (Attachment A).

Further, it is noted that a portion of Lot 201 to the north-west (under separate ownership) within the 500 metre buffer, is proposed to be included within the Urban Deferred zone. The retention of this land within the current Rural zone (consistent with the balance of that lot) is considered more appropriate for the reasons outlined above.

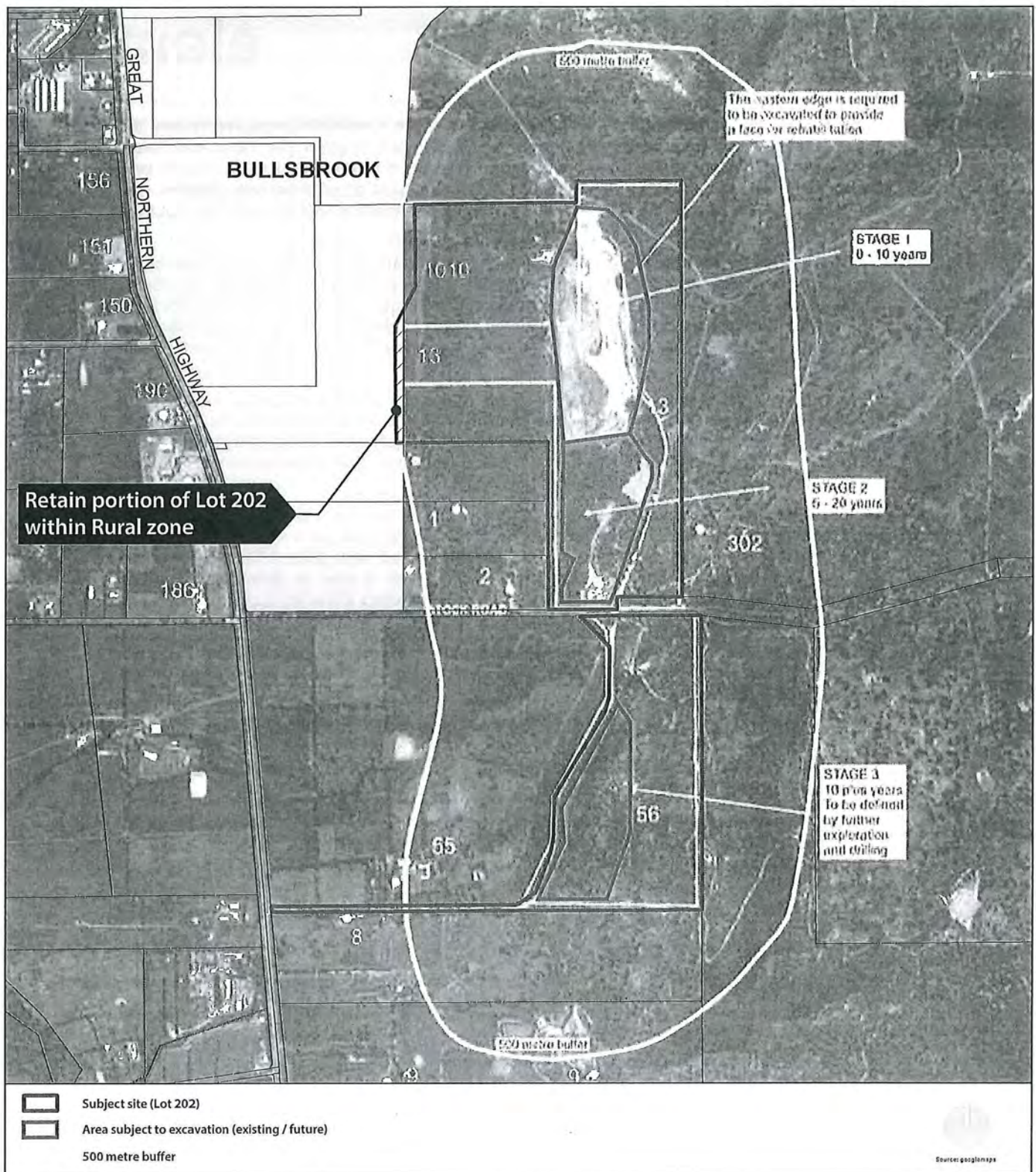
We trust that our comments will be considered favourably when making recommendation on the Amendment to the Minister for Planning. Should you have any queries or require clarification on any matters please do not hesitate to contact the undersigned on 9289 8300.

Yours sincerely
element



Leigh Caddy
Senior Consultant

cc Anthony Watson, Boral Property Group



ATTACHMENT A

Lot 202 Great Northern Highway, Bullsbrook

Date: 7 JUNE 2018 Scale: NTS @ A4 Staff: TP/LC Checked: TP File: 19-266 PL1A.dwg

element.

The drawing does not constitute an invitation, agreement or contract (or any part thereof) of any kind whatsoever. All parties associated with the proposed property development disclaim all responsibility for any errors or omissions. The right is reserved to change the plan at any time. Liability is expressly disclaimed by Element Advisory WA Pty Ltd for any loss or damage which may be sustained by any person acting on any visual impression gained from this drawing. © element

Level 18, 191 St Georges Terrace, Perth Western Australia 6000
PO Box 7375 Cloisters Square, Perth Western Australia 6850
T: +61 8 9289 8300 | E: hello@elementwa.com.au elementwa.com.au

Bubanic, Marija

From: Leigh Caddy <leigh.caddy@elementwa.com.au>
Sent: Friday, 8 June 2018 2:20 PM
To: mrs
Cc: Watson, Anthony; Tony Paduano
Subject: MRS Amendment 1323/41 – South Bullsbrook Urban Precinct – Submission on behalf of Boral Bricks WA P/L
Attachments: Bullsbrook Submission 2018-06-07.pdf

Good afternoon,

On behalf of Boral Bricks WA P/L, pleased find attached a submission on the above MRS amendment. We trust the attached is of interest, and look forward to the favourable consideration of our comments. Should you have any queries or wish to discuss any aspect of our submission, please do not hesitate to contact the undersigned.

Kind regards,



Leigh Caddy
Senior Consultant – Planning

T. (08) 9289 8300
Level 18, 191 St Georges Tce
Perth WA 6000

element.



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Enquiries: Ms Assunta Dinardo on 9323 4163
Our Ref: 15/9443 (D18#486045), 16/7100 (D18#486261) & 15/5328 (D18#486709)
Your Ref: 809-2-21-39; 809-2-21-41 & 809-2-21-42

7 June 2018

Western Australian Planning Commission
Via Email

ATTENTION: ANTHONY MUSCARA

Dear Anthony

MRS AMENDMENT 1323/41 – SOUTH BULLSBROOK URBAN PRECINCT
MRS AMENDMENT 1324/41 – CENTRAL BULLSBROOK URBAN PRECINCT
MRS AMENDMENT 1325/41 – NORTH BULLSBROOK URBAN PRECINCT

I refer to your correspondence dated 27 February 2018 requesting Main Roads comments on the above proposals.

Main Roads has now completed its assessment and advises that it provides its support to the above MRS Amendments to rezone the subject lands from the "Rural" zone to the "Urban Deferred" zone.

However, Main Roads does not support the rezoning to the "Urban Deferred" zone for the future land requirement identified as future Primary Regional Road as depicted on the attached Land Protection Plan 1.1409. This future land requirement must remain as per the current zoning of "Rural".

Advice to the Applicant

It is acknowledged that ultimately these three precincts with the intensification of land use from what is currently rural pursuits to achieving a higher density/intensification of land use will be one of the major contributors of increased traffic pressures to the local and primary regional networks.

Therefore it is Main Roads expectation that the following requirements must be addressed in detail prior to an application to the WAPC for the lifting of Urban Deferment:

- A detailed District Structure Plan (DSP) for the Bullsbrook Townsite Land Use Masterplan (BTLUMP) being approved by the WAPC to guide the development of the Bullsbrook townsite.
- Indicative Local Structure Plans with a supporting strategy for the timing of land releases/staging plan and required local and primary regional road network upgrades.



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- A robust transport modelling assessment including addressing all forms of transport modes for these three precincts including assessment of the broader regional road impacts in accordance with the requirements of the WAPC's Transport Impact Assessment guidelines.

In this regard, on many previous occasions Main Roads has advised the WAPC that it did not support the rezoning of the subject lands to the "Urban" zone. This was primarily due to the significant and increased demands generated from the land use intensification of these precincts and the uncertainty surrounding the delivery of supporting local and primary regional road infrastructure.

All key stakeholders (that is the developer(s), transport modelling consultant, the WAPC and the City of Swan) need to appreciate that the scale of development envisaged represents a significant risk to the local and Primary Regional Road infrastructure requirements due to the demands that will impact these networks.

- A robust developer contribution plan which addresses such requirements such as the approximate scale of costs for the above mentioned local and regional network upgrades, the likely timing of these upgrades and an agreement on a strategy to deliver these outcomes.

In this regard, Main Roads is willing to offer its assistance to the developer and the City of Swan in formulating such a strategy.

For background information, I attach Main Roads previous correspondence for the South and Central Bullsbrook Precincts (14 January 2016, 31 August & 25 October 2016 respectively) which raised previous concerns when the applicant requested that the lands be rezoned to "Urban".

North Bullsbrook Urban Precinct

As this area signifies a much smaller precinct (63 hectares) for redevelopment, Main Roads provided previous support to the "Urban" zone as per the attached correspondence dated 23 September 2015.

It is recognised that this northern precinct represents a logical extension and progression of development for the existing Bullsbrook townsite.

However, to progress the "Urban" zone for this precinct the applicant is required to provide details as per the above mentioned requirements and a robust revised traffic impact assessment report, addressing Main Roads comments as highlighted in correspondence dated 23 September 2015.

The developer should note that Main Roads is currently developing a roundabout treatment for Great Northern Highway and Rutland Road with provision for high wide loads (10 metres x 10 metres).

Please forward a copy of the Commission's final determination on these proposed MRS Amendments 1323/41, 1324/41 & 1325/41 quoting file references 15/9443 (D18#486045), 16/7100 (D18#486261) & 15/5328 (D18#486709) respectively.



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If you require any further information please contact Ms Assunta Dinardo
on (08) 9323 4163 or email assunta.dinardo@mainroads.wa.gov.au

Yours faithfully

Lindsay Broadhurst
DIRECTOR ROAD PLANNING & DEVELOPMENT

Encl: Main Roads correspondence dated 14 January 2016 (South Bullsbrook Urban Precinct)
Main Roads correspondence dated 31 August & 25 October 2016 (Central Bullsbrook Urban Precinct)
Main Roads correspondence dated 23 September 2015 (North Bullsbrook Urban Precinct)
Land Protection Plan 1.1409



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Enquiries: Lynne Wrigglesworth on 9323 4544
Our Ref: 15/9443 (D16#23367)
Your Ref: 809/02/21/0039 (RLS/0590/1)

14 January 2016

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6000

Proposal 1

ATTENTION: ANTHONY MUSCARA

Dear Anthony

**PROPOSED MRS AMENDMENT – CITY OF SWAN – SOUTH BULLSBROOK
URBAN PRECINCT – REZONE FROM RURAL TO URBAN**

Thank you for your letter of 1 December 2015 inviting Main Roads comments on the above proposed amendment.

Main Roads provides the following comments and request these to be addressed before finalising the proposed MRS amendment.

- There is an existing future land requirement for Great Northern Highway at the north western end of Lot 401. This land requirement is currently included within the existing MRS, however the proposed amendment appears to attempt to rezone this land requirement to Urban – a copy of plan 1.1409 highlighting this portion is attached for your reference.
- The proposed concept master plan for this eastern portion of Great Northern Highway needs to align with the master plan and various structure plans already in place for the western side of the highway.
- The concept master plan shows a Neighbourhood Centre at the intersection of Great Northern Highway and Lage Road. As no direct vehicle access will be given to Great Northern Highway, this neighbourhood centre should be relocated eastwards to the proposed north/south neighbourhood connector road.
- The City of Swan, Department of Planning, Department of Transport and Main Roads collaboratively prepared and endorsed an Access Strategy for Great Northern Highway - a copy of which is attached for your ease of reference. Also attached is a further plan from CLE showing further detail of the preferred treatment for the Dewar Road/Lage Road intersection potentially being relocated and realigned south of its existing location.

Having reviewed the current MRS plan there is a large area abutting the existing townsite which has already been zoned as urban deferred that appears to remain undeveloped. Should this rezoning amendment proceed, this would leave a portion of rural land between the two parcels.

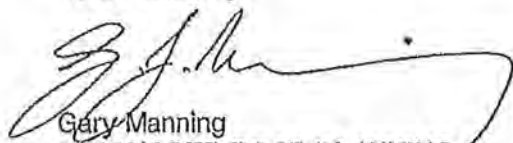


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It is Main Roads view that before rezoning any of this land, proper planning should be reviewed/considered from the existing Bullsbrook Town Centre outwards and then progressively rezoned accordingly rather than from the south towards the existing town centre. This will ensure that proper holistic planning occurs rather than piece meal isolated development.

Should you require any further information, please contact either A/Urban Road Planning Manager (North) Ashis Parajuli on 9323 4286 or A/Planning Information Manager Lynne Wigglesworth on 9323 4544.

Yours sincerely



Gary Manning
A/MANAGER ROAD PLANNING

Enc.



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Enquiries: Lynne Wrigglesworth on 9323 4544
Our Ref: 16/7100 (D16#678944)
Your Ref: 809-2-21-41 (RLS/0629/1)

25 October 2016

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

Proposal 2

ATTENTION: ANTHONY MUSCARA

Dear Anthony

BULLSBROOK CENTRAL URBAN PRECINCT

Thank you for your letter of 29 September 2016 inviting Main Roads comments on the proposed rezoning of the above precinct from Rural to Urban.

Whilst it is acknowledged that the Perth Darwin National Highway – now the NorthLink WA project – will attract and divert some freight traffic away from Great Northern Highway, Great Northern Highway will remain a major freight route and distributor road from these precincts.

It is likely that Great Northern Highway will need to be upgraded through the Bullsbrook area in order to cater for the proposed increased traffic volumes. Future planning work for this has not yet commenced.

Access to the NorthLink will be via either Stock Road to the south of this precinct or via Rutland Road to Neaves Road to the north. Both of these roads will need to be upgraded to highway standard or possibly four lane dual carriageways.

Therefore, Main Roads is unable to support the rezoning of this land until such time as the surrounding road network is able to support the scale of development proposed by not only the Bullsbrook Central Urban Precinct but also the Bullsbrook East and South Bullsbrook Urban precincts.

Main Roads supports the intent of the Bullsbrook Townsite Land Use Master Plan to develop this area. In order to realise this outcome Main Roads considers it necessary to have some foundation infrastructure in place to support the development. The connection of Stock Road to the Perth Darwin National Highway is considered integral to this situation.

Should you require any further information, please contact either Planning Information Officer Lynne Wrigglesworth on 9323 4544 or myself on 9323 4991.

Yours sincerely

Justin McKirdy
MANAGER STRATEGIC ROAD PLANNING



Enquiries: Ms Assunta Dinardo on (08) 9323 4163
Email: assunta.dinardo@mainroads.wa.gov.au
Our Ref: 15/5328 (D15#563055)
Your Ref: 833-2-21-122 (RLS/0570/1)



ABN: 50 860 676 021

23 September 2015

Western Australian Planning Commission

Via Email

Proposal 3

ATTENTION: ANTHONY MUSCARA

Dear Sir

PROPOSED MRS AMENDMENT – NORTH BULLSBROOK PRECINCT – REQUEST FOR PRELIMINARY COMMENT

Thank you for your letter dated 30 July 2015 requesting Main Roads comments on the above proposal.

The proposed MRS amendment is acceptable to Main Roads.

Advice to Applicant

1. The Transport Impact Assessment (TIA) has identified the road networks and the intersections that will form part of the ultimate road design. This needs to be clearly identified and explained that Over Mass and Over Size Vehicles (OSOM) will continue to utilise the Great Northern Highway (OSOM Vehicles are also known as High Wide Loads).
2. The TIA makes assumptions about the volume of traffic that will come off the Great Northern Highway.

"The PDNH will take most of the heavy vehicle traffic from the GNH, along with most of the regional traffic." This would need to be substantiated – particularly if the MRS develops into a community where there will be a perception on what the "most of" value actually is. The "most of" value needs to be substantiated further.

3. The report has stated that: *MRWA forecasts reveal the GNH is expected to carry between 9,000 and 12,000 vehicles per day (vpd) through Bullsbrook in 2031, slightly less than currently experienced. Heavy vehicle volumes will be significantly lower.*

This is a generic statement and how was this calculated? It is important to note that High Wide Loads/OSOM will continue to use the Great Northern Highway and the TIA should define the dimensions of such High Wide Loads and the expected vehicles dimensions that will utilise the PDNH compared to those that will use the Great Northern Highway.



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- a. Intersection designs will be required to accommodate an appropriate design vehicle which will be informed by the RAV networks.
- b. Once the TIA identifies the High Wide Loads dimensions, these vehicles will also need to be accommodated to utilise the Great Northern Highway.

Information on OSOM can be found on the Main Roads website>Using Roads>Heavy Vehicles>Over Size Over Mass Unit and further information for the High Wide Loads can be found on the Main Roads website>Building Roads>Standards and Technical>Road and Traffic Engineering>Guide to Road Design> Guide to Design and Operation of High Wide Load Corridors

4. The TIA states the northern connection of the MRS amendment will attract heavy vehicle volumes between 10-20% due to the raw material contained within the land to the north of the MRS area. However the report has not stated the type of minerals and the types of heavy vehicles. This will be a consideration for future design and to consider noise and dust issues that are associated with Heavy Vehicles. If these volumes are predicted, the SIDRA modelling will be required to be modelled with the appropriate length and mass of the vehicles.
 - a. The intersection of Great Northern Highway/Rutland Road and the proposed Northern connection will introduce new heavy vehicle noises which previously would not of been present. This is due to Heavy Vehicles coming to a halt than trying to accelerate. Round-a-bouts should be investigated to compare performance of the intersection.
 - b. The Northern Boundary road is anticipated to attract 5000vpd, how was this calculated/determined? Information available to Main Roads WA has indicated this volume could be two to three times higher.
 - c. For the Northern boundary road, it is recommended to undertake an Alignment Selection Study and Alignment Definition Study.
 - d. Volumes anticipated to use the ultimate network are quoted and is the likelihood that new road connections are long term. As a result, what consideration has been given to the capacity of the existing networks to accommodate the demand generated from this area?
 - e. Main Roads WA considers the extension of Kimberley Street to GNH as a minimum requirement to realise the potential of this area. This will be a key outcome/requirement from the local structure plan process.

It is requested that the applicant address the above concerns with a revised TIA for further assessment in this regard. If you require any further information please contact Justin McKirdy Urban Road Planning Manager (North) on (08) 9323 4991 quoting file reference 15/5328 (D15#563055).

Yours faithfully



Lindsay Broadhurst
MANAGER ROAD PLANNING



mainroads
WESTERN AUSTRALIA

Enquiries: Ms Assunta Dinardo on 9323 4163
Our Ref: 16/7100 (D16#548907)
Your Ref: 812-2-21-30

31 August 2016

WAPC
Via Email

Proposal 3

ATTENTION: ANDREW THOMAS

Dear Sir

**PROPOSED LIFTING OF URBAN DEFERMENT – BULLSBROOK EAST –
PORTIONS OF LOTS 3, 1165, 1396, 1354 AND 60**

Thank you for your correspondence dated 5 August 2016 requesting Main Roads comments on the above proposal.

Main Roads has assessed this proposal and cannot support the Lifting of the "Urban Deferment" zoning and transferring the subject lands to the "Urban" zone at this stage until the surrounding road network supports the scale of this development.

The planning report whilst making reference to the Perth-Darwin National Highway (PDNH) (North Link WA project) several kilometres to the west, fails to identify how connectivity from this precinct will be achieved for passenger and heavy vehicles.

Main Roads previously provided comment on the industrial precinct bounded by Railway Road/Stock Road/Great Northern Highway (GNH). It was advised at that time that it was critical that Stock Road (south of the subject lands) be constructed to a highway standard two-lane road between Great Northern Highway to PDNH. This would then create an important strategic east-west transport link. The upgrading of Stock Road from GNH to PDNH is considered critical to connecting these two locations. It should also be noted that this link (Stock Road) may ultimately need to be upgraded to a four-lane dual carriageway.

Similarly, an alternative connection providing an east-west link between this precinct and PDNH is Rutland Road (slightly north of this area) which provides connectivity via the future Neaves Road interchange. However, it is noted that Rutland Road operating in its current form is nearing capacity and may become even more problematic in the future providing this strategic connectivity.

These links will be important in servicing this area and accordingly it is Main Roads view that it is considered imperative that the connection from PDNH to GNH is achieved to support the development of this area. This may need to be in the form of developer contributions for all precincts in the area (including this one). Developers are requesting a higher land use through the rezoning process which ultimately equates to increased traffic on the road networks.



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Without the network connectivity to PDNH, Main Roads is of the view that GNH cannot adequately cater for the demands likely to be generated from this area.

Main Roads advises that if such timely connectivity cannot be achieved then the lifting of "Urban Deferment" of the land should be delayed until such time as this connection is achieved.

If you require any further information please contact Ms Assunta Dinardo on 9323 4163 or email assunta.dinardo@mainroads.wa.gov.au, quoting reference 16/7100 (D16#548907).

Yours faithfully

Justin McKirdy
MANAGER STATUTORY ROAD PLANNING

Response ID ANON-RSMN-TDDN-A

Submitted to MRS Amendments 1323/41, 1324/41 & 1325/41 - Bullsbrook
Submitted on 2018-06-08 08:26:24

Introduction

1 What is your name?

Name:
Anne Sibbel

2 What is your email address?

Email:
secretary.brara@gmail.com

3 What is your address?

address:
PO Box 513 Bullsbrook WA 6084

4 Contact phone number:

phone number:
0418940848

Submission(s)

5 Which amendment(s) would you like to provide feedback on? Please select one from the list below. Note: once you have completed your submission you will be able to return to this page to make a submission on another precinct.

1323/41 – South Bullsbrook Urban Precinct

1323/41 – South Bullsbrook Urban Precinct

6 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Yes

7 Submission text:

submission text:
Bullsbrook Residents and Ratepayers Association Incorporated supports the proposed Amendment.

8 Upload any supporting documentation eg. reports here.

file upload here:
No file was uploaded

9 Would you like to make a submission on another precinct?

No

Hearing of submissions

18 Please choose one of the following:

No, I do not wish to speak at the hearings. (No further information required, please proceed to question 11).

19 If you answered yes, please indicate who you will be represented by:

20 If you are representing yourself, please provide a contact phone number:

hearing contact phone:

21 If you are being represented by a spokesperson, please provide their details

Name of spokesperson:

Contact phone number (business hours):

Postal address:

22 I would prefer my hearing to be conducted in:

Public (members from the general public may attend your presentation).

Additional information

23 You should be aware that:

Response ID ANON-RSMN-TDDS-F

Submitted to MRS Amendments 1323/41, 1324/41 & 1325/41 - Bullsbrook
Submitted on 2018-06-08 11:00:25

Introduction

1 What is your name?

Name:
Rowe Group

2 What is your email address?

Email:
darren.evans@rowegroup.com.au

3 What is your address?

address:
3/369 Newcastle Street, Northbridge WA 6003

4 Contact phone number:

phone number:
92211991

Submission(s)

5 Which amendment(s) would you like to provide feedback on? Please select one from the list below. Note: once you have completed your submission you will be able to return to this page to make a submission on another precinct.

1325/41 – North Bullsbrook Urban Precinct

1323/41 – South Bullsbrook Urban Precinct

6 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Yes

7 Submission text:

submission text:
Please see attached for full submission.

8 Upload any supporting documentation eg. reports here.

file upload here:
4790_18jun01L_de_binder.pdf was uploaded

9 Would you like to make a submission on another precinct?

Yes

1324/41 – Central Bullsbrook Urban Precinct

10 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Yes

11 Submission text:

feedback Central Bullsbrook:
We confirm our Client's support for the Amendment and the on-going coordination of planning in the Bullsbrook area.

12 Upload any supporting documentation eg. reports here.

file upload here:
No file was uploaded

13 Would you like to make a submission on another precinct?

Yes

1325/41 – North Bullsbrook Urban Precinct

14 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Yes

15 Submission text:

submission text:

We confirm our Client's support for the Amendment and the on-going coordination of planning in the Bullsbrook area.

16 Upload any supporting documentation eg. reports here.

file upload here:

No file was uploaded

17 Would you like to make a submission on another precinct?

No

Hearing of submissions

18 Please choose one of the following:

Yes, I wish to speak at the hearings. (Please complete the details below)

19 If you answered yes, please indicate who you will be represented by:

Myself

20 If you are representing yourself, please provide a contact phone number:

hearing contact phone:

92211991

21 If you are being represented by a spokesperson, please provide their details

Name of spokesperson:

Contact phone number (business hours):

Postal address:

22 I would prefer my hearing to be conducted in:

Private (only people nominated by you or the hearings committee will be permitted to attend).

Additional information

23 You should be aware that:

Job Ref: 4790
8 June 2018

Western Australian Planning Commission
Gordon Stephenson House
140 William Street, Perth, WA 6000

Dear Sir/Madam

1323/41 – South Bullsbrook Urban Precinct
Various Lots, Great Northern Highway and Lage Road, Bullsbrook

As the Department of Planning, Lands and Heritage (DPLH) is aware, Rowe Group acts on behalf of the majority landholders in the South Bullsbrook Urban Precinct. For clarity, our Client's landholdings are indicated in the attached Figure 1 and summarised in the below table:

Lot Number / Address	Diagram	Volume / Folio	Proprietor/s
Lot 4 Lage Road, Bullsbrook	D59157	1642 / 965	G and E Park, and McRae Investments Pty Ltd
Lot 61 (No. 2342) Great Northern Highway, Bullsbrook	P42250	2582 / 885	Timevalley Pty Ltd
Lot 100 Great Northern Highway, Bullsbrook	D6254	1634 / 859	G and E Park, and McRae Investments Pty Ltd
Part Lot 101 (No. 2274) Great Northern Highway, Bullsbrook	P27953	1334 / 698	Marlin Property Investment Holdings Pty Ltd
Lot 201 (No. 2306) Great Northern Highway, Bullsbrook	P403408	2880 / 161	Marlin Bullsbrook Property Holdings Pty Ltd
Part Lot 302 (No. 61 Lage Road), Bullsbrook	P29235	2096 / 311 and 2096 / 751	G and E Park, and McRae Investments Pty Ltd

The Western Australian Planning Commission (WAPC) has advertised for public comment Metropolitan Region Scheme (MRS) Amendment 1323/41 – South Bullsbrook Urban Precinct. The purpose of the amendment is to transfer approximately 210.7 ha of Rural zoned land to the Urban Deferred zone in the MRS. As indicated above, our



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369 Newcastle Street
Northbridge 6003
Western Australia

p: 08 9221 1991
f: 08 9221 1919
info@rowegroup.com.au
rowegroup.com.au



Client's landholdings are the subject of this Amendment and our Office initially requested the WAPC initiate the rezoning of the land in our report titled "*Metropolitan Region Scheme Rezoning, Rural to Urban Zone, Marlin Bullsbrook Urban*" (28 October 2015).

Concurrently with MRS Amendment 1323/41, the WAPC has advertised:

- 1324/41 – Central Bullsbrook Urban Precinct, which proposes to rezone approximately 153.17 ha of Rural zoned land to the Urban Deferred zone in the MRS; and
- 1325/41 – North Bullsbrook Urban Precinct, which proposes to rezone approximately 63.75 ha of Rural zoned land to the Urban Deferred zone in the MRS.

On behalf of our Client, we provide the following submission on the above three Amendments. In short, we confirm our Client's support for all three MRS Amendments and the continued planning for the growth of Bullsbrook. We provide the following further detail in relation to MRS Amendment 1323/41 only.

1.0 Requirements to Lift Urban Deferment

The WAPC Amendment report for MRS Amendment 1323/41 – South Bullsbrook Urban Precinct states that the following requirements are to be addressed prior to lifting of Urban Deferment:

- *A District Structure Plan (DSP) or the Bullsbrook Townsite Landuse Masterplan (BTLUMP) being approved by the Western Australian Planning Commission (WAPC) to guide the development of the Bullsbrook townsite.*
- *The DSP or BTLUMP should consider matters such as: a spatial staging plan, district developer contribution plan, MRS reservations (e.g. High Schools, Other or Primary Regional Roads etc), buffers (e.g. landfill and extractive industries etc), environmental constraints, transport modelling and traffic analysis (amongst other matters) in consultation with relevant State Government agencies and the City of Swan;*
- *Confirmation of water and wastewater infrastructure;*
- *Confirmation on the location of a High School site;*
- *Confirmation of road upgrading requirements to support the proposed scale of development;*
- *Confirmation that the existing landfill operations and associated buffer has ceased; and*
- *The eastern portion of the site is partly within a 500 metre separation buffer for clay resources. The clay extraction is to be completed, prior to the transfer of this land to the Urban zone.*

On the 11 April 2018, the Bullsbrook Townsite Land Use Master Plan (BTLUMP) was endorsed by the WAPC as a District Structure Plan for Bullsbrook. The approved District Structure Plan for Bullsbrook



considers such matters as a spatial staging plan, developer contribution plans, high school sites, primary regional roads, buffers, environmental constraints, transport modelling and traffic analysis. The approval of the District Structure Plan therefore addresses the first and third dot points listed in the Amendment reporting as matters to be addressed prior to lifting of Urban Deferment.

With regard to the landfill and clay buffers, we confirm that the cessation of these operations only applies to the lifting of Urban Deferment for the small portions of our Client's landholdings within these buffers. That is to say, the balance of land outside of these buffers is unfettered with regard to these requirements.

On the basis of the above, we request that the MRS Amendment for the South Bullsbrook Urban Precinct be finalised with the following reduced list of requirements to be addressed prior to lifting of Urban Deferment:

- *Confirmation of water and wastewater infrastructure;*
- *Confirmation of road upgrading requirements to support the proposed scale of development;*
- *Confirmation that the existing landfill operations and associated buffer has ceased; and*
- *The eastern portion of the site is partly within a 500 metre separation buffer for clay resources. The clay extraction is to be completed, prior to the transfer of this land to the Urban zone.*

2.0 Eastern Alignment of Urban Deferred Zoning Area on Lot 302 Lage Road, Bullsbrook

It is requested that the eastern alignment of MRS Amendment MRS 1323/41 as it relates to Lot 302 Lage Road, Bullsbrook be amended to reflect the Rural Residential Structure Plan Amendment as depicted in Attachment 1. Detailed justification for this eastern alignment of the Urban Deferred zoning area is as follows:

2.1 Rural Residential Structure Plan Amendment: Rural Residential Local Structure Plan for Lot 301 Stock Road and 302 Lage Road, Bullsbrook ("Rural Residential Structure Plan")

- 2.1.1 On 25 March 2014, the Statutory Planning Committee (SPC) of the WPAC resolved to approve the above Rural Residential Structure Plan. A main feature of the Rural Residential Structure Plan was the Rural Link Road (formerly known as Townsite Link Road) connecting Great Northern Highway to the existing Shady Hills community in the east for bushfire management reasons. Intersecting on the north side of the Rural Link Road was a proposed north-south subdivisional road that ran to the west of the Darling Scarp as it extended north through Lot 302 Lage Road. The alignment of this north-south



road was the eastern extent of our originally proposed MRS rezoning request as it related to Lot 302 Lage Road.

- 2.1.2 Since lodging our original MRS rezoning request and the above Structure Plan approval, the Rural Residential Structure Plan layout has undergone detailed design review to address a number of engineering, design and planning considerations (Refer Attachment 1). Significantly, the design review has resulted in a change to the configuration of the Rural Link Road and has culminated in a request to amend the Structure Plan layout. The Rural Link Road now extends over the Scarp through the northern part of Lot 302 after first connecting with Lage Road in its west and then traversing north along the foot of the Darling Scarp.
- 2.1.3 The reconfiguration of the Rural Link Road ensures that development through the steeper portions of Lot 302 are avoided. The Rural Link Road as it heads north from Lage Road effectively becomes the interface between the Rural Residential development and the future Urban area, with the vast majority of land inclusive and west of this road in the 0 to 10% flatter grade and predominately clear of any vegetation. That is, all land inclusive of and west of the Rural Link Road is characteristically similar and suitable for Urbanisation.
- 2.1.4 The above modification provides for an additional 24.25ha of Urban area on Lot 302 than that provided for by the 3.5m Framework alignment for Lot 302 Lage Road as depicted in Figure 2. This change increases the anticipated yield for Lot 302 by circa 365 dwellings.
- 2.1.5 The eastern side of the Rural Link Road should therefore logically form the eastern boundary alignment of the Urban Deferred area, supported by the fact that this land area is sufficiently flat, devoid of rock outcrops and natural vegetation, is sufficiently removed from bushfire prone areas and has no visual amenity impact.
- 2.1.6 The amendment to the Rural Residential Structure Plan was advertised by the City of Swan from 13 April 2018 to 16 May 2018. The Structure Plan amendment is due to be determined by the City in July 2018 and the WAPC in September 2018. With the MRS Amendment programed for final consideration by the WAPC at its meeting in September 2018, it is anticipated that the Amendment to the Rural Residential Structure Plan will be finalised and endorsed by the time the WAPC finalises the MRS Amendment for the land.
- 2.1.7 The City of Swan at its ordinary meeting of Council on 6 June 2018 supported the adjustment of the eastern extent of the Urban Deferred area to be consistent with the Rural Residential Structure Plan Amendment (Refer Attachment 2). Please note, the City's



recommendation is that the western side of the Rural Link Road be the eastern boundary of the Urban Deferred area, whilst it is our request that the eastern side of the Rural Link be the eastern side of the urban area for the reasons explained above. From our discussions with the City's Planning Staff, we understand the City has no objection to the eastern side of the Rural Link Road being the eastern side of the Urban Deferred area.

2.2 Relevant planning Framework:

January to March 2018 discussions between Rowe Group and DPLH: "Arbitrary Line":

- 2.2.1 We understand from our recent discussions with Officers of the DPLH, that the eastern alignment of the advertised Urban Deferred MRS Amendment area aligns with the Perth and Peel 3.5m Spatial Plan and the balance of plans shown within the March 2018 North-East Sub-Regional Planning Framework ("the 3.5m Framework"). It was also confirmed to our Office on 23 March 2018 that the eastern alignment of the Urban Expansion area shown in the 3.5m Framework is an "arbitrary line". That is to say, the eastern alignment of the proposed Urban Deferred zoning area under MRS 1323/41 is arbitrary and has no particular planning basis.

January 2018 BTLUMP modification:

- 2.2.2 We further note that the Statutory Planning Committee (SPC) of the WAPC resolved on 30 January 2018 to require the City of Swan to amend the District Structure Plan for Bullsbrook (known as the Bullsbrook Townsite Land Use Master Plan (BTLUMP)) to be modified to align with the 3.5m Framework plans. It is our understanding that the advertised version of the BTLUMP plan was based on the approved Rural Residential Structure Plan. As per the above advice of the DPLH, the effect of the modification required by the SPC is that the eastern alignment of the Urban area in the BTLUMP will no longer have a planning basis, and instead be based around the arbitrary line in the 3.5m Framework.

Efficient and Suitable Use of Potential Urban Land

- 2.2.3 Expanding the eastern alignment of the Urban Deferred so that the land between the Rural Residential Structure Plan and the advertised urban area ensures the efficient use of land and infrastructure in line with the State Planning Policies.



3.0 Eastern Alignment of Urban Deferred Zoning Area on Lots 1, 2 101 and 201 Great Northern Highway and Lot 202 Stock Road, Bullsbrook

It is requested that the eastern alignment of MRS Amendment MRS 1323/41 as it relates to Lots 1, 2, 101, 201 and 202 also be amended to extend further eastwards in order to tie-in seamlessly with eastern alignment of the Urban Deferred area proposed above for Lot 302 Lage Road, Bullsbrook. This tie in point is at the common boundary corner between Lots 201, 202 and Lot 302 and aligns with the Rural Residential Structure Plan Amendment for Lot 302 as detailed in the above section. Please refer to Figure 2 and Attachment 1.

It is logical for the eastern extent of the urban area to tie in seamlessly and extend southwards from Lot 302 to Stock Road in the south.

Similar to the characteristics of Lot 302, this additional area of land on Lots 1, 2, 101, 201 and 202 is sufficiently flat, devoid of rock outcrops and natural vegetation, is sufficiently removed from bushfire prone areas and has no visual amenity impact.

The additional area is also generally consistent with the original advertised version of the BTLUMP and our original zoning request dated 28 October 2015.

The proposed additional urban area on Lots 1, 2, 101, 201 and 202 comprises 5.15ha and is anticipated to yield an additional 80 dwellings. In combination with the additional area on Lot 302, this is a total increase of Urban Deferred land of 29.4ha.

4.0 Conclusion

As justified above, it is requested that MRS Amendment 1323/41 – South Bullsbrook Urban Precinct be finalised in the following manner:

- the requirements for Urban Deferred lifting be only the following:
 - Confirmation of water and wastewater infrastructure;
 - Confirmation of road upgrading requirements to support the proposed scale of development;
 - Confirmation that the existing landfill operations and associated buffer has ceased; and
 - The eastern portion of the site is partly within a 500 metre separation buffer for clay resources. The clay extraction is to be completed, prior to the transfer of this land to the Urban zone; and



- the eastern alignment of the Urban Deferred area be extended on Lots 1, 2, 101, 201, 202 and 302 to match the area indicated as "*Proposed Extent of Urban Deferred Amendment*" on the attached Figure 2, which comprises an additional 29.4ha of Urban Deferred land.

Should you require any further information or clarification in relation to this matter, please contact Darren Evans on 9221 1991.

Yours faithfully,

Darren Evans

Rowe Group



Figures

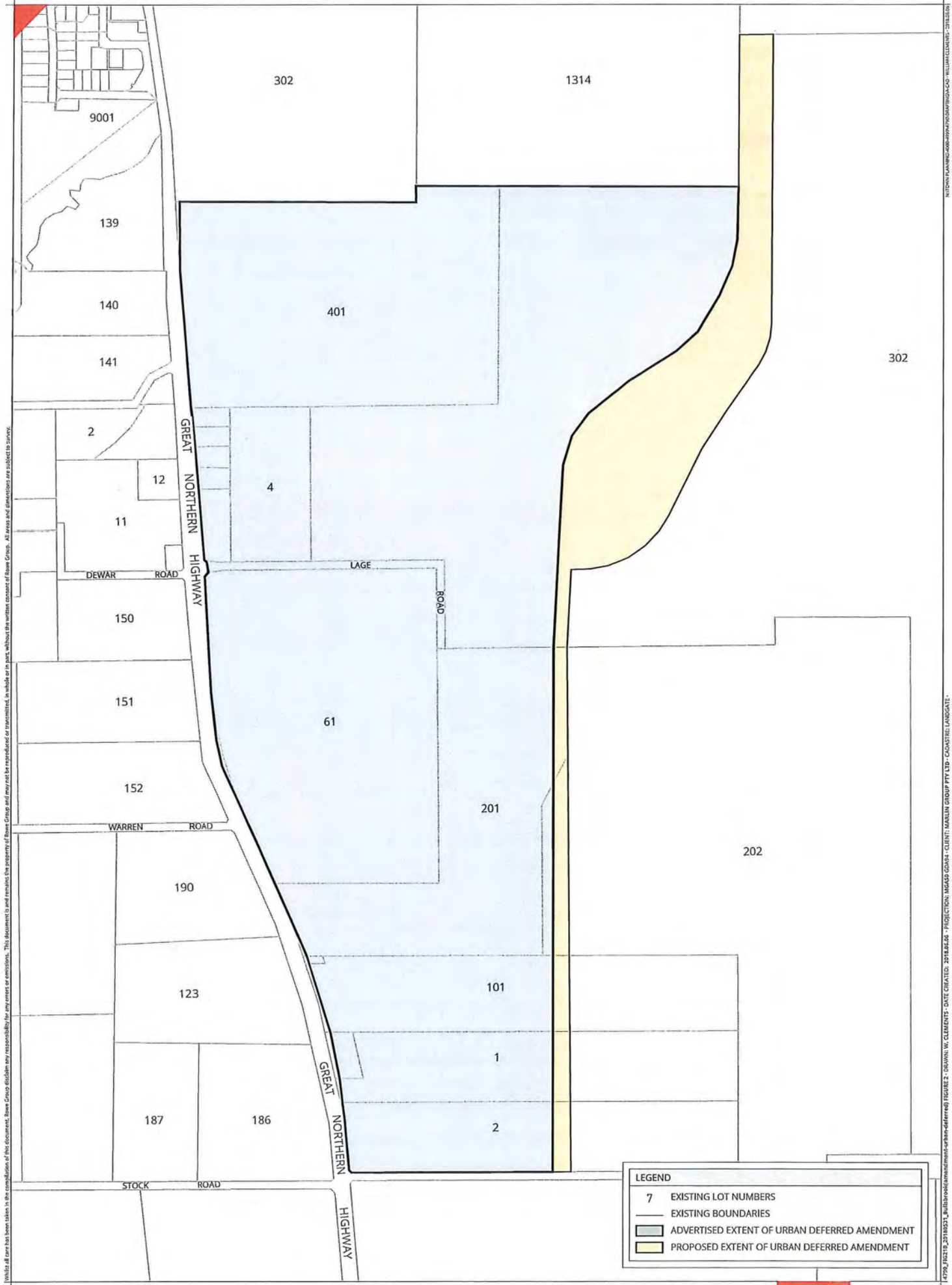


FIGURE 2
 1323/41 SOUTH BULLSBROOK URBAN PRECINCT
 AMENDMENT FIGURE



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4790-FIG-21-B, 20180313, Bullsbrook Urban Precinct - 1323/41 South Bullsbrook Urban Precinct Amendment Figure 2 - 05/01/18, W. CLEMENTS - DATE CREATED: 2018/05/08 - PROJECTION: MGA55 GDA94 - CLIENT: MALIN GROUP PTY LTD - CONSULTANT: ROWE GROUP



Attachment 1 – Rural Residential Structure Plan Amendment



**Attachment 2 –Agenda and Minutes from the
Ordinary Meeting of the Council of the City of Swan
Dated 6 June 2018**

3.1 METROPOLITAN REGION SCHEME AMENDMENTS 1323/41 (SOUTH BULLSBROOK URBAN PRECINCT), 1324/41 (BULLSBROOK CENTRAL URBAN PRECINCT) AND 1325/41 (NORTH BULLSBROOK URBAN PRECINCT) - CITY OF SWAN SUBMISSION

Ward: (Pearce Wards) (Strategic Planning)

Authorised Officer: (Executive Manager Planning and Development)

KEY ISSUES

- The Western Australian Planning Commission (WAPC) has advertised Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 for South Bullsbrook, Bullsbrook Central and North Bullsbrook Urban Precincts for public comment.
- The purpose of the amendments is to rezone all three amendment areas (refer to Attachment 1) from the 'Rural' zone to 'Urban Deferred' zone under the Metropolitan Region Scheme (MRS).
- Under the City's Local Planning Scheme No.17 (LPS17) the three amendment areas are zoned 'General Rural'.
- The North-East Sub-Regional Planning Framework and the City's Draft Local Planning Strategy identify the three amendment areas as land for Urban Expansion.
- Council adopted the Bullsbrook Townsite Land Use Master Plan (BTLUMP) on 6 October 2014. The subject amendment areas are identified as Future Residential in the BTLUMP. A district centre is identified in the Bullsbrook Central amendment area (MRS Amendment 1324/41).
- The BTLUMP has formally been endorsed as a District Structure Plan under the *Planning and Development (Local Planning Schemes) Regulations 2015*, by the WAPC on 11 April 2018.

That the Council resolve to:

- 1) Advise the West Australian Planning Commission that it supports Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 subject to the following modifications/considerations:
 - a. The western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) to be extended to reflect the eastern boundary of the Bullsbrook Wastewater Treatment Plant buffer distance as identified on the endorsed Bullsbrook Townsite District Structure Plan.
 - b. The eastern boundary of the MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) to be extended to reflect the western boundary of the Structure Plan No.11 area (Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook).

- c. Should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included under the 'Urban' zone.
- d. Main Roads WA's latest policy position in preference of roundabouts at all intersections should be taken in consideration prior to a final decision on these MRS proposals by the WAPC. The requirement may result in extended land requirements, and therefore an extension to the 'Primary Regional Roads' reservation at intersections with Great Northern Highway.

BACKGROUND

On 2 March 2018, the Western Australian Planning Commission (WAPC) commenced the public advertising of Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 for South Bullsbrook, Central Bullsbrook and North Bullsbrook Urban Precincts. The purpose of the amendments is to rezone the three precincts from the 'Rural' zone to the 'Urban Deferred' zone under the Metropolitan Region Scheme (MRS). (refer to Attachment 1)

The amendment areas abut existing Urban, Industrial and Rural zoned land and Primary Regional Road Reserve. Ownership in the Bullsbrook North and South Urban Precincts are fragmented, whilst the majority of the Bullsbrook Central Urban Precinct is owned by one developer.

The Amendment Areas have been largely cleared for rural pursuits and primarily large lot rural residential living. It contains scattered areas of remnant vegetation, generally along fence lines, and a number of dwellings and outbuildings. Bush Forever areas are not present within the Amendment Area.

1. Strategic Context

1.1 North-East Sub-Regional Planning Framework (Planning Framework)

The Planning Framework identifies the three amendment areas as **Urban Expansion**, with an urban staging indication of Medium-Long term (2022+). In this regard, the subject MRS amendments are consistent with the Planning Framework, noting that development is anticipated to commence prior to 2022.

1.2 Draft Local Planning Strategy (LPS)

The three amendment areas are consistent with the Urban Expansion areas identified in the draft Local Planning Strategy.

The following is further noted in the Draft LPS relevant to the Bullsbrook Town Centre:

'3. The Strategic Plan

STRATEGIES AND ACTIONS

3.2.1 Support residential development in Greenfield areas

Implement the Bullsbrook Townsite Land Use Master Plan (BTLUMP) through future amendments to the MRS and the local planning scheme.

3.4.5 Support the establishment of a District Centre in Bullsbrook to cater for future population growth

The Bullsbrook Townsite Landuse Master Plan identifies a future district centre for the study area.'

1.3 Bullsbrook Townsite Land Use Master Plan (BTLUMP) –Now known as Bullsbrook Townsite District Structure Plan

Council adopted the BTLUMP on 6 October 2014. It has now formally been endorsed as a District Structure Plan under the *Planning and Development (Local Planning Schemes) Regulations 2015*, by the WAPC on 11 April 2018.

The Bullsbrook Townsite District Structure Plan provides planning guidance for the future urban growth of the Bullsbrook Townsite and relates to the MRS proposals as follows:

- The majority of the South Bullsbrook Urban Precinct is identified for Future Residential including a Neighbourhood Centre, Primary School, Conservation areas and Activity Corridor.
- The Bullsbrook Central Urban Precinct is also identified for Future Residential including a District Centre, Conservation areas, Primary School and an Activity Corridor. Although Lots 131 and 500 Hurd Road, Bullsbrook are also identified as Future Residential under the District Structure Plan, it has been excluded from the proposed Central Bullsbrook Urban Precinct.(MRS Amendment 1324/41). There has been no request from these landowners to be included in any MRS amendment. Any requests for these lots to be included in the MRS will be dealt with as and when received by the WAPC in future.
- The North Bullsbrook Urban Precinct is identified for Future Residential including Playing Fields and a Primary School. The western boundary of this precinct is recommended to be extended to reflect the boundary of the wastewater treatment plant buffer boundary as shown in Plan No. DZ30-1-7 Issue C, approved by the Water Corporation (see Attachment 3). This recommended extension of the western boundary is consistent with the Planning Framework and District Structure Plan. (Refer to 'Water and Wastewater' under '2.4 Environment' of this report for further information regarding the requirement to extend the western boundary of the North Bullsbrook Precinct.)

1.4 Amendment to Structure Plan No.11 (Rural Residential proposal east of the South Bullsbrook Urban Precinct)

On 22 March 2018, a proposed amendment to Structure Plan No.11, Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook, was submitted to reconfigure road and lot layouts and the structure plan boundary. This reconfiguration has resulted in a gap between the western boundary of the structure plan area and the eastern boundary of the proposed South Bullsbrook Urban Precinct (MRS Amendment 1323/41). This gap leaves approximately 17 hectares of land without any designated zoning. (Refer to Attachment 2 – Proposed MRS Amendment vs Proposed Amendment to Structure Plan No.11 Map.)

It is recommended that the eastern boundary of the South Bullsbrook Urban Precinct (Amendment 1323/41) be extended to reflect the western boundary of Structure Plan No.11 area. This will rezone an extra 17 hectares of land from Rural to Urban Deferred under the MRS.

2. Statutory Context

2.1 Metropolitan Region Scheme (MRS)

Under the current MRS the three amendment areas are within the Rural Zone. The purpose of the amendments is to rezone the areas from the Rural zone to the Urban Deferred zone under the Metropolitan Region Scheme (MRS).

2.2 Local Planning Scheme No. 17 (LPS17)

The three amendment areas are currently zoned 'General Rural' under LPS17.

Following the proposed MRS amendment, the 'General Rural' zone under LPS17 will remain until a further MRS amendment to rezone the subject areas from 'Urban Deferred' to 'Urban' is endorsed.

2.3 State Planning Policies (SPP)

A number of State Planning Policies have effect on the future planning of the subject land. In particular the following is noted:

- **SPP 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning**

SPP5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning addresses transport noise from within major transport corridors, including primary freight routes, and its impact on nearby noise-sensitive land uses. It also considers the need to strategically locate freight handling facilities.

Under SPP 5.4, it is identified that the western boundaries of the Bullsbrook Central and South Bullsbrook Urban Precincts adjoin a Primary Freight Road (Great Northern Highway). Therefore, there is the potential for noise attenuation to be required. These studies will need to be addressed in upcoming local structure plans, as well as during the potential MRS rezoning of these two precincts.

- **SPP 2.4 – Basic Raw Materials**

This policy sets out the matters which are to be taken into account and given effect to by the WAPC and local governments in considering zoning, subdivision and development applications for extractive industries (for the extraction of basic raw materials) and zoning, subdivision and development applications in the vicinity of identified basic raw material resource areas.

It is important to note that the Department of Mines, Industry Regulation and Safety has advised the WAPC that the eastern portion of the South Bullsbrook Urban Precinct amendment area is partly located within the 500m separation buffer from clay resources. The clay extraction is required to be completed prior to a potential Urban Deferred Lifting Request.

- **SPP 4.1 – State Industrial Buffer Policy**

The purpose of SPP 4.1 is to provide a consistent State wide approach for the protection and long-term security of industrial zones, transport terminals (including ports) other utilities and special uses. It will also provide for the safety and amenity of surrounding land uses while having regard to the rights of landowners who may be affected by residual emissions and risk.

Prior to the potential rezoning of the 3 amendments areas to the 'Urban' zone under the MRS, further studies will be required to demonstrate appropriate interface between the amendment areas and adjoining zones. In particular, suitable interface considerations will need to be given to 'Industrial' zoned land to the west and land-fill operations to the east of the Central and South Bullsbrook Urban Precincts. There is a transitional land use area required under the District Structure Plan to provide an interface between the Industrial zone and the Residential zone.

- **SPP 3.7 – Planning in Bushfire Prone Areas**

The intent of this policy is to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

In accordance with the State Planning Policy, a Bushfire Management Plan has already been approved for the 3 amendment areas by the Department of Fire and Emergency Services.

2.4 Environment

- **Water and Wastewater**

In February 1999, the Water Corporation approved the Bullsbrook Wastewater Treatment Plant's buffer distance (Plan No. DZ30-1-7, Issue C). The proposed western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) is within close proximity of the buffer zone, however it is not directly abutting it. The current design of the amendment area results in a discrepancy and a loss of approximately 10 hectares of land identified as 'Urban Expansion' under the Planning Framework and 'Future Residential' under the District Structure Plan.

It is recommended that the western border of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) is increased to reflect the boundary of the wastewater treatment plant buffer boundary. This recommended increase of the amendment area is consistent with the Planning Framework and District Structure Plan.

Urban Water Management

A Regional Water Management Strategy (RWMS) was prepared in 2012 to support the Bullsbrook District Structure Plan which encompasses the three MRS amendment areas. It was identified in the Bullsbrook Townsite District Structure Plan that drainage was likely to be a major constraint to development in the area. This issue was required to be further addressed in a District Water Management Strategy (DWMS). A DWMS was prepared for each MRS amendment area and the City considers them to be in line with the principles and objectives of the RWMS.

- o A DWMS for the area covering MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) has been granted a preliminary approval by former Department of Water in April 2016.
- o A DWMS for the area covering MRS Amendment 1324/41 (Bullsbrook Central Urban Precinct) has been approved by former Department of Water in February 2017.
- o A DWMS for the area covering MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) has been granted a preliminary approval by former Department of Water in May 2016.

The Department of Water and Environmental Regulation has advised that they are fully supportive of the District Water Management Strategies for the three MRS Amendment areas.

The anticipated drainage outcomes for the future urban areas will require that where there are fragmented ownership (North and South Bullsbrook Urban Precincts) a future Developer Contribution plan will have to include drainage infrastructure as shared contribution items.

- **Perth and Peel Green Growth Plan for 3.5 million (draft)**

The draft Perth and Peel Green Growth Plan for 3.5 million (Green Growth Plan) delivers a comprehensive environmental program for the protection of both Commonwealth matters of national environmental significance and State environmental values.

According to the Green Growth Plan online mapping service, the 3 amendment areas contain a number of small portions of 'Specific Commitments' and 'Broad Commitments and Values' areas. The City has no objection to the proposed amendment subject to the retention of the above conservation areas consistent with the work undertaken for the draft Green Growth Plan.

- **Environmental Protection Authority Advice**

The proposed amendments were referred to the Environmental Protection Authority (EPA) for advice on whether environmental assessment would be required.

It was advised by the EPA that the proposed amendments do not require formal assessment under Part IV of the *Environmental Protection Act 1986*. However, it has provided advice on the key environmental factors for the amendments. Copies of the notices from the EPA are included in the WAPC's Amendment Report as Appendix A for each amendment.

3. Guidance on future consideration on lifting the 'Urban Deferred' zoning

Under the advertised proposal, the subject land is proposed to be zoned Urban Deferred under the MRS, subject to the following requirements being addressed prior to lifting of 'Urban Deferment':

- A District Structure Plan (DSP) or the Bullsbrook Townsite Landuse Masterplan (BTLUMP) being approved by the Western Australian Planning Commission (WAPC) to guide the development of the Bullsbrook townsite.
- Confirmation of water and wastewater infrastructure;
- Confirmation on the location of a High School site;
- Confirmation of road upgrading requirements to support the proposed scale of development;
- Confirmation that the existing landfill operations and associated buffer has ceased;(Bullsbrook Central Urban Precinct) and
- The eastern portion of the site is partly within a 500 metre separation buffer for clay resources. The clay extraction is to be completed, prior to the transfer of this land to the Urban zone.(South Bullsbrook Urban Precinct)

It is noted that the proposed 'Urban Deferred' zoning applicable to the Central Bullsbrook Urban Precinct includes most of Lot 1354, Bullsbrook. This land is however earmarked to accommodate the main access and future District Centre which will not only provide an important amenity function to the new residential estate but will also act as a trigger for development to progress. Considering the above requirements to be addressed to get

the 'Urban Deferred' zoning lifted, the only constraint on this confined area is the need to confirm availability of water and wastewater infrastructure. Not being privy to the latest comments from Watercorp in this regard, the City propose to recommend to the WAPC that should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included directly under the 'Urban' zone. It will lead to an improved, more balanced development.

4. Great Northern Highway (GNH) Intersections:

It is noted that the MRS proposals do not specifically identify the Great Northern Highway Primary Regional Roads reservation and how it may impact these proposals. In this regard, Main Roads WA's latest policy to require roundabouts at all intersections should be taken in consideration prior to a final decision on these MRS proposals by the WAPC. The requirement for roundabouts may result in extended land requirements, and therefore an extension to the Primary Regional Roads reservation at road intersections with Great Northern Highway.

CONCLUSION

The City is supportive of the proposed MRS amendments subject to the following recommended modifications/considerations:

- The western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) to be extended to reflect the eastern boundary of the Bullsbrook Wastewater Treatment Plant buffer distance which is stipulated on the Bullsbrook Townsite District Structure Plan.
- The eastern boundary of the MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) to be extended to reflect the western boundary of Structure Plan No.11 area. (Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook). This is shown on Attachment 2.
- Should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included under the 'Urban' zone. It will lead to an improved, more balanced development.
- Main Roads WA's latest policy to require roundabouts at all intersections should be taken in consideration prior to a final decision on these MRS proposals by the WAPC. The requirement for roundabouts may result in extended land requirements, and therefore an extension to the 'Primary Regional Roads' reservation at intersections with Great Northern Highway.

PUBLIC CONSULTATION

The WAPC has advertised Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 and is seeking public comment. Submissions are to be made to the WAPC on or before Friday 8 June 2018.

Council's resolution on this proposal, together with this report will be forwarded to the WAPC as the City's submission.

ATTACHMENTS

Attachment 1 – Proposed MRS Amendments

Attachment 2 – Proposed MRS Amendment 1323/41 vs Proposed Amendment to Structure Plan No.11 Map.

Attachment 3 - Boundary of waste water treatment plant buffer.

STRATEGIC IMPLICATIONS

The proposed MRS amendment is generally consistent with the City's Local Planning Strategy and the draft North-East Sub-regional Planning Framework.

A developer contributions plan will be required to be prepared for the 3 amendment areas for necessary infrastructure cost sharing.

STATUTORY IMPLICATIONS

Following the proposed MRS amendments, the 'General Rural' zone under LPS17 will remain until a further MRS amendment to lift the subject areas from 'Urban Deferred' to 'Urban'.

FINANCIAL IMPLICATIONS

A developer contributions plan will be required to be prepared for the subject areas for necessary infrastructure cost sharing.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Council resolve to:

- 1) Advise the West Australian Planning Commission that it supports the Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 subject to the following modifications/considerations:
 - a. The western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) to be extended to reflect the eastern boundary of the Bullsbrook Wastewater Treatment Plant buffer distance which as identified on the endorsed Bullsbrook Townsite District Structure Plan (Refer to Attachment 3 of this report).
 - b. The eastern boundary of the MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) to be extended to reflect the western boundary of the Structure Plan No.11 area (Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook) (Refer to Attachment 2 of this report).
 - c. Should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included under the 'Urban' zone.
 - d. Main Roads WA's latest policy position in preference of roundabouts at all intersections should be taken in consideration prior to a final decision on these MRS proposals by the WAPC. The requirement may result in extended land requirements, and therefore an extension to the 'Primary Regional Roads' reservation at intersections with Great Northern Highway.

Submission 17

Your Ref: MRS Amendments North, Central, South Bullsbrook
Enquiries: Tony Naumoski - 9278 9609
E-mail: tony.naumoski@swan.wa.gov.au

12 June 2018

Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Department of Planning, Lands and Heritage Received	
Scanned	14 JUN 2018
Attachments	A9719693
Scan QA	
Doc No.	KL5/0728
File No.	KL5/0729 KL5/0730

Dear Madam/Sir,

Submission on Metropolitan Region Scheme Proposed Amendments:

1323/41 – South Bullsbrook Urban Precinct
1324/41 – Central Bullsbrook Urban Precinct
1325/41 – North Bullsbrook Urban Precinct

This is to advise that Council at its meeting held on 6 June 2018 has resolved to:

- 1) Advise the West Australian Planning Commission that it supports the Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 subject to the following modifications/considerations:
 - a. The western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) to be extended to reflect the eastern boundary of the Bullsbrook Wastewater Treatment Plant buffer distance which as identified on the endorsed Bullsbrook Townsite District Structure Plan (Refer to Attachment 3 of this report).
 - b. The eastern boundary of the MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) to be extended to reflect the western boundary of the Structure Plan No.11 area (Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook) (Refer to Attachment 2 of this report).
 - c. Should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included under the 'Urban' zone.
 - d. Main Roads WA's latest policy position in preference of roundabouts at all intersections should be taken in consideration prior to a final



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decision on these MRS proposals by the WAPC. The requirement may result in extended land requirements, and therefore an extension to the 'Primary Regional Roads' reservation at intersections with Great Northern Highway.

A copy of the Council minutes is enclosed for your information.

Should you have any queries regarding this matter, please do not hesitate to contact Tony Naumoski on 9278 9606

Yours sincerely

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

Steven Tan
EXECUTIVE MANAGER
PLANNING AND DEVELOPMENT

3.1 METROPOLITAN REGION SCHEME AMENDMENTS 1323/41 (SOUTH BULLSBROOK URBAN PRECINCT), 1324/41 (BULLSBROOK CENTRAL URBAN PRECINCT) AND 1325/41 (NORTH BULLSBROOK URBAN PRECINCT) - CITY OF SWAN SUBMISSION

Ward: (Pearce Wards) (Strategic Planning)

Authorised Officer: (Executive Manager Planning and Development)

KEY ISSUES

- The Western Australian Planning Commission (WAPC) has advertised Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 for South Bullsbrook, Bullsbrook Central and North Bullsbrook Urban Precincts for public comment.
- The purpose of the amendments is to rezone all three amendment areas (refer to Attachment 1) from the 'Rural' zone to 'Urban Deferred' zone under the Metropolitan Region Scheme (MRS).
- Under the City's Local Planning Scheme No.17 (LPS17) the three amendment areas are zoned 'General Rural'.
- The North-East Sub-Regional Planning Framework and the City's Draft Local Planning Strategy identify the three amendment areas as land for Urban Expansion.
- Council adopted the Bullsbrook Townsite Land Use Master Plan (BTLUMP) on 6 October 2014. The subject amendment areas are identified as Future Residential in the BTLUMP. A district centre is identified in the Bullsbrook Central amendment area (MRS Amendment 1324/41).
- The BTLUMP has formally been endorsed as a District Structure Plan under the *Planning and Development (Local Planning Schemes) Regulations 2015*, by the WAPC on 11 April 2018.

That the Council resolve to:

- 1) Advise the West Australian Planning Commission that it supports Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 subject to the following modifications/considerations:
 - a. The western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) to be extended to reflect the eastern boundary of the Bullsbrook Wastewater Treatment Plant buffer distance as identified on the endorsed Bullsbrook Townsite District Structure Plan.
 - b. The eastern boundary of the MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) to be extended to reflect the western boundary of the Structure Plan No.11 area (Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook).

- c. Should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included under the 'Urban' zone.
- d. Main Roads WA's latest policy position in preference of roundabouts at all intersections should be taken in consideration prior to a final decision on these MRS proposals by the WAPC. The requirement may result in extended land requirements, and therefore an extension to the 'Primary Regional Roads' reservation at intersections with Great Northern Highway.

BACKGROUND

On 2 March 2018, the Western Australian Planning Commission (WAPC) commenced the public advertising of Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 for South Bullsbrook, Central Bullsbrook and North Bullsbrook Urban Precincts. The purpose of the amendments is to rezone the three precincts from the 'Rural' zone to the 'Urban Deferred' zone under the Metropolitan Region Scheme (MRS). (refer to Attachment 1)

The amendment areas abut existing Urban, Industrial and Rural zoned land and Primary Regional Road Reserve. Ownership in the Bullsbrook North and South Urban Precincts are fragmented, whilst the majority of the Bullsbrook Central Urban Precinct is owned by one developer.

The Amendment Areas have been largely cleared for rural pursuits and primarily large lot rural residential living. It contains scattered areas of remnant vegetation, generally along fence lines, and a number of dwellings and outbuildings. Bush Forever areas are not present within the Amendment Area.

1. Strategic Context

1.1 North-East Sub-Regional Planning Framework (Planning Framework)

The Planning Framework identifies the three amendment areas as **Urban Expansion**, with an urban staging indication of Medium-Long term (2022+). In this regard, the subject MRS amendments are consistent with the Planning Framework, noting that development is anticipated to commence prior to 2022.

1.2 Draft Local Planning Strategy (LPS)

The three amendment areas are consistent with the Urban Expansion areas identified in the draft Local Planning Strategy.

The following is further noted in the Draft LPS relevant to the Bullsbrook Town Centre:

'3. The Strategic Plan

STRATEGIES AND ACTIONS

3.2.1 Support residential development in Greenfield areas

Implement the Bullsbrook Townsite Land Use Master Plan (BTLUMP) through future amendments to the MRS and the local planning scheme.

3.4.5 Support the establishment of a District Centre in Bullsbrook to cater for future population growth

The Bullsbrook Townsite Landuse Master Plan identifies a future district centre for the study area.'

1.3 Bullsbrook Townsite Land Use Master Plan (BTLUMP) –Now known as Bullsbrook Townsite District Structure Plan

Council adopted the BTLUMP on 6 October 2014. It has now formally been endorsed as a District Structure Plan under the *Planning and Development (Local Planning Schemes) Regulations 2015*, by the WAPC on 11 April 2018.

The Bullsbrook Townsite District Structure Plan provides planning guidance for the future urban growth of the Bullsbrook Townsite and relates to the MRS proposals as follows:

- The majority of the South Bullsbrook Urban Precinct is identified for Future Residential including a Neighbourhood Centre, Primary School, Conservation areas and Activity Corridor.
- The Bullsbrook Central Urban Precinct is also identified for Future Residential including a District Centre, Conservation areas, Primary School and an Activity Corridor. Although Lots 131 and 500 Hurd Road, Bullsbrook are also identified as Future Residential under the District Structure Plan, it has been excluded from the proposed Central Bullsbrook Urban Precinct.(MRS Amendment 1324/41). There has been no request from these landowners to be included in any MRS amendment. Any requests for these lots to be included in the MRS will be dealt with as and when received by the WAPC in future.
- The North Bullsbrook Urban Precinct is identified for Future Residential including Playing Fields and a Primary School. The western boundary of this precinct is recommended to be extended to reflect the boundary of the wastewater treatment plant buffer boundary as shown in Plan No. DZ30-1-7 Issue C, approved by the Water Corporation (see Attachment 3). This recommended extension of the western boundary is consistent with the Planning Framework and District Structure Plan. (Refer to 'Water and Wastewater' under '2.4 Environment' of this report for further information regarding the requirement to extend the western boundary of the North Bullsbrook Precinct.)

1.4 Amendment to Structure Plan No.11 (Rural Residential proposal east of the South Bullsbrook Urban Precinct)

On 22 March 2018, a proposed amendment to Structure Plan No.11, Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook, was submitted to reconfigure road and lot layouts and the structure plan boundary. This reconfiguration has resulted in a gap between the western boundary of the structure plan area and the eastern boundary of the proposed South Bullsbrook Urban Precinct (MRS Amendment 1323/41). This gap leaves approximately 17 hectares of land without any designated zoning. (Refer to Attachment 2 – Proposed MRS Amendment vs Proposed Amendment to Structure Plan No.11 Map.)

It is recommended that the eastern boundary of the South Bullsbrook Urban Precinct (Amendment 1323/41) be extended to reflect the western boundary of Structure Plan No.11 area. This will rezone an extra 17 hectares of land from Rural to Urban Deferred under the MRS.

2. Statutory Context

2.1 Metropolitan Region Scheme (MRS)

Under the current MRS the three amendment areas are within the Rural Zone. The purpose of the amendments is to rezone the areas from the Rural zone to the Urban Deferred zone under the Metropolitan Region Scheme (MRS).

2.2 Local Planning Scheme No. 17 (LPS17)

The three amendment areas are currently zoned 'General Rural' under LPS17.

Following the proposed MRS amendment, the 'General Rural' zone under LPS17 will remain until a further MRS amendment to rezone the subject areas from 'Urban Deferred' to 'Urban' is endorsed.

2.3 State Planning Policies (SPP)

A number of State Planning Policies have effect on the future planning of the subject land. In particular the following is noted:

- **SPP 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning**

SPP5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning addresses transport noise from within major transport corridors, including primary freight routes, and its impact on nearby noise-sensitive land uses. It also considers the need to strategically locate freight handling facilities.

Under SPP 5.4, it is identified that the western boundaries of the Bullsbrook Central and South Bullsbrook Urban Precincts adjoin a Primary Freight Road (Great Northern Highway). Therefore, there is the potential for noise attenuation to be required. These studies will need to be addressed in upcoming local structure plans, as well as during the potential MRS rezoning of these two precincts.

- **SPP 2.4 - Basic Raw Materials**

This policy sets out the matters which are to be taken into account and given effect to by the WAPC and local governments in considering zoning, subdivision and development applications for extractive industries (for the extraction of basic raw materials) and zoning, subdivision and development applications in the vicinity of identified basic raw material resource areas.

It is important to note that the Department of Mines, Industry Regulation and Safety has advised the WAPC that the eastern portion of the South Bullsbrook Urban Precinct amendment area is partly located within the 500m separation buffer from clay resources. The clay extraction is required to be completed prior to a potential Urban Deferred Lifting Request.

- **SPP 4.1 - State Industrial Buffer Policy**

The purpose of SPP 4.1 is to provide a consistent State wide approach for the protection and long-term security of industrial zones, transport terminals (including ports) other utilities and special uses. It will also provide for the safety and amenity of surrounding land uses while having regard to the rights of landowners who may be affected by residual emissions and risk.

Prior to the potential rezoning of the 3 amendments areas to the 'Urban' zone under the MRS, further studies will be required to demonstrate appropriate interface between the amendment areas and adjoining zones. In particular, suitable interface considerations will need to be given to 'Industrial' zoned land to the west and land-fill operations to the east of the Central and South Bullsbrook Urban Precincts. There is a transitional land use area required under the District Structure Plan to provide an interface between the Industrial zone and the Residential zone.

- **SPP 3.7 – Planning in Bushfire Prone Areas**

The intent of this policy is to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

In accordance with the State Planning Policy, a Bushfire Management Plan has already been approved for the 3 amendment areas by the Department of Fire and Emergency Services.

2.4 Environment

- **Water and Wastewater**

In February 1999, the Water Corporation approved the Bullsbrook Wastewater Treatment Plant's buffer distance (Plan No. DZ30-1-7, Issue C). The proposed western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) is within close proximity of the buffer zone, however it is not directly abutting it. The current design of the amendment area results in a discrepancy and a loss of approximately 10 hectares of land identified as 'Urban Expansion' under the Planning Framework and 'Future Residential' under the District Structure Plan.

It is recommended that the western border of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) is increased to reflect the boundary of the wastewater treatment plant buffer boundary. This recommended increase of the amendment area is consistent with the Planning Framework and District Structure Plan.

Urban Water Management

A Regional Water Management Strategy (RWMS) was prepared in 2012 to support the Bullsbrook District Structure Plan which encompasses the three MRS amendment areas. It was identified in the Bullsbrook Townsite District Structure Plan that drainage was likely to be a major constraint to development in the area. This issue was required to be further addressed in a District Water Management Strategy (DWMS). A DWMS was prepared for each MRS amendment area and the City considers them to be in line with the principles and objectives of the RWMS.

- A DWMS for the area covering MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) has been granted a preliminary approval by former Department of Water in April 2016.
- A DWMS for the area covering MRS Amendment 1324/41 (Bullsbrook Central Urban Precinct) has been approved by former Department of Water in February 2017.
- A DWMS for the area covering MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) has been granted a preliminary approval by former Department of Water in May 2016.

The Department of Water and Environmental Regulation has advised that they are fully supportive of the District Water Management Strategies for the three MRS Amendment areas.

The anticipated drainage outcomes for the future urban areas will require that where there are fragmented ownership (North and South Bullsbrook Urban Precincts) a future Developer Contribution plan will have to include drainage infrastructure as shared contribution items.

- **Perth and Peel Green Growth Plan for 3.5 million (draft)**

The draft Perth and Peel Green Growth Plan for 3.5 million (Green Growth Plan) delivers a comprehensive environmental program for the protection of both Commonwealth matters of national environmental significance and State environmental values.

According to the Green Growth Plan online mapping service, the 3 amendment areas contain a number of small portions of 'Specific Commitments' and 'Broad Commitments and Values' areas. The City has no objection to the proposed amendment subject to the retention of the above conservation areas consistent with the work undertaken for the draft Green Growth Plan.

- **Environmental Protection Authority Advice**

The proposed amendments were referred to the Environmental Protection Authority (EPA) for advice on whether environmental assessment would be required.

It was advised by the EPA that the proposed amendments do not require formal assessment under Part IV of the *Environmental Protection Act 1986*. However, it has provided advice on the key environmental factors for the amendments. Copies of the notices from the EPA are included in the WAPC's Amendment Report as Appendix A for each amendment.

3. Guidance on future consideration on lifting the 'Urban Deferred' zoning

Under the advertised proposal, the subject land is proposed to be zoned Urban Deferred under the MRS, subject to the following requirements being addressed prior to lifting of 'Urban Deferment':

- A District Structure Plan (DSP) or the Bullsbrook Townsite Landuse Masterplan (BTLUMP) being approved by the Western Australian Planning Commission (WAPC) to guide the development of the Bullsbrook townsite.
- Confirmation of water and wastewater infrastructure;
- Confirmation on the location of a High School site;
- Confirmation of road upgrading requirements to support the proposed scale of development;
- Confirmation that the existing landfill operations and associated buffer has ceased;(Bullsbrook Central Urban Precinct) and
- The eastern portion of the site is partly within a 500 metre separation buffer for clay resources. The clay extraction is to be completed, prior to the transfer of this land to the Urban zone.(South Bullsbrook Urban Precinct)

It is noted that the proposed 'Urban Deferred' zoning applicable to the Central Bullsbrook Urban Precinct includes most of Lot 1354, Bullsbrook. This land is however earmarked to accommodate the main access and future District Centre which will not only provide an important amenity function to the new residential estate but will also act as a trigger for development to progress. Considering the above requirements to be addressed to get

the 'Urban Deferred' zoning lifted, the only constraint on this confined area is the need to confirm availability of water and wastewater infrastructure. Not being privy to the latest comments from Watercorp in this regard, the City propose to recommend to the WAPC that should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included directly under the 'Urban' zone. It will lead to an improved, more balanced development.

4. Great Northern Highway (GNH) Intersections:

It is noted that the MRS proposals do not specifically identify the Great Northern Highway Primary Regional Roads reservation and how it may impact these proposals. In this regard, Main Roads WA's latest policy to require roundabouts at all intersections should be taken in consideration prior to a final decision on these MRS proposals by the WAPC. The requirement for roundabouts may result in extended land requirements, and therefore an extension to the Primary Regional Roads reservation at road intersections with Great Northern Highway.

CONCLUSION

The City is supportive of the proposed MRS amendments subject to the following recommended modifications/considerations:

- The western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) to be extended to reflect the eastern boundary of the Bullsbrook Wastewater Treatment Plant buffer distance which is stipulated on the Bullsbrook Townsite District Structure Plan.
- The eastern boundary of the MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) to be extended to reflect the western boundary of Structure Plan No.11 area. (Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook). This is shown on Attachment 2.
- Should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included under the 'Urban' zone. It will lead to an improved, more balanced development.
- Main Roads WA's latest policy to require roundabouts at all intersections should be taken in consideration prior to a final decision on these MRS proposals by the WAPC. The requirement for roundabouts may result in extended land requirements, and therefore an extension to the 'Primary Regional Roads' reservation at intersections with Great Northern Highway.

PUBLIC CONSULTATION

The WAPC has advertised Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 and is seeking public comment. Submissions are to be made to the WAPC on or before Friday 8 June 2018.

Council's resolution on this proposal, together with this report will be forwarded to the WAPC as the City's submission.

ATTACHMENTS

Attachment 1 – Proposed MRS Amendments

Attachment 2 – Proposed MRS Amendment 1323/41 vs Proposed Amendment to Structure Plan No.11 Map.

Attachment 3 - Boundary of waste water treatment plant buffer.

STRATEGIC IMPLICATIONS

The proposed MRS amendment is generally consistent with the City's Local Planning Strategy and the draft North-East Sub-regional Planning Framework.

A developer contributions plan will be required to be prepared for the 3 amendment areas for necessary infrastructure cost sharing.

STATUTORY IMPLICATIONS

Following the proposed MRS amendments, the 'General Rural' zone under LPS17 will remain until a further MRS amendment to lift the subject areas from 'Urban Deferred' to 'Urban'.

FINANCIAL IMPLICATIONS

A developer contributions plan will be required to be prepared for the subject areas for necessary infrastructure cost sharing.

VOTING REQUIREMENTS

Simple Majority

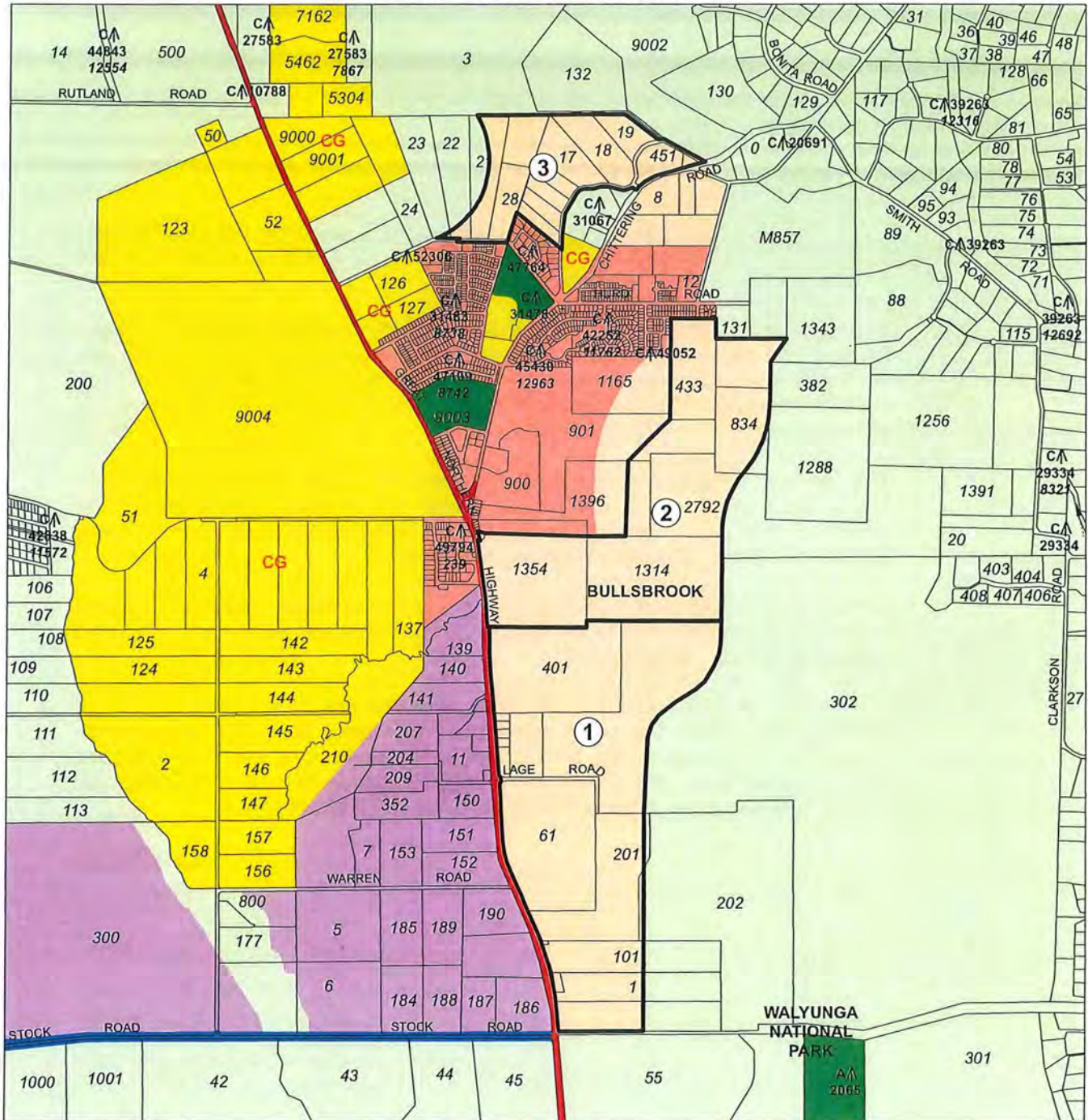
RECOMMENDATION

That the Council resolve to:

- 1) Advise the West Australian Planning Commission that it supports the Metropolitan Region Scheme Amendments 1323/41, 1324/41 and 1325/41 subject to the following modifications/considerations:
 - a. The western boundary of MRS Amendment 1325/41 (North Bullsbrook Urban Precinct) to be extended to reflect the eastern boundary of the Bullsbrook Wastewater Treatment Plant buffer distance which as identified on the endorsed Bullsbrook Townsite District Structure Plan (Refer to Attachment 3 of this report).
 - b. The eastern boundary of the MRS Amendment 1323/41 (South Bullsbrook Urban Precinct) to be extended to reflect the western boundary of the Structure Plan No.11 area (Lot 301 Stock Road and Lot 302 Lage Road, Bullsbrook) (Refer to Attachment 2 of this report).
 - c. Should it be found that sufficient water and waste water capacity currently exist, that part of Lot 1354, Bullsbrook that can be serviced, is to be included under the 'Urban' zone.
 - d. Main Roads WA's latest policy position in preference of roundabouts at all intersections should be taken in consideration prior to a final decision on these MRS proposals by the WAPC. The requirement may result in extended land requirements, and therefore an extension to the 'Primary Regional Roads' reservation at intersections with Great Northern Highway.

CARRIED

Proposed MRS Amendments 1323/41, 1324/41 and 1325/41



Metropolitan Region Scheme

Amendment Nos. 1323/41, 1324/41 & 1325/41

Proposed:

- ① amendment 1323/41
- ② amendment 1324/41
- ③ amendment 1325/41

Metropolitan Region Scheme Legend

Reserved Lands

- Parks and recreation
- Restricted public access
- Railways
- Port installations
- State forests
- Water catchments
- Civic and cultural
- Waterways

Roads:

- Primary regional roads
- Other regional roads

Public purposes - denoted as follows:

- H Hospital
- HS High school
- TS Technical school
- CP Car park
- U University
- CG Commonwealth Government
- SEC State Energy Commission
- SU Special uses
- WSD Water Authority of WA
- P Prison

Zones

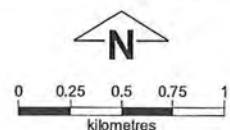
- Urban
- Urban deferred
- Central city area
- Industrial
- Special industrial
- Rural
- Rural - water protection
- Private recreation

- Bush forever area

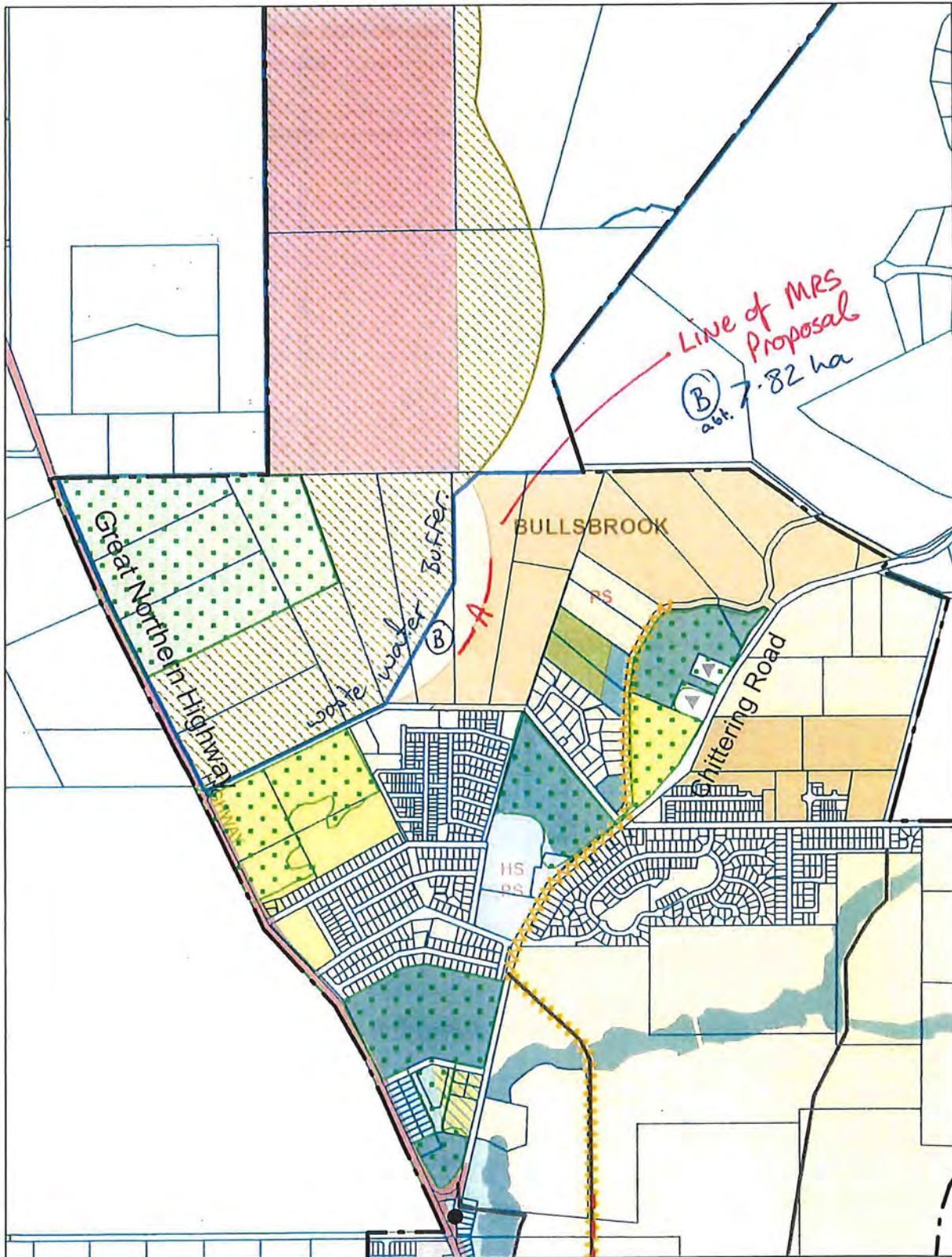


Created on date: Thursday, 27 July 2017
Document Name: MRS_2665_v2_Locality plan
Produced by Geospatial Research and Modelling, Department of Planning, Lands and Heritage, Perth WA
Base information supplied by Western Australian Land Information Authority LI 862-2016-1

Attachment 1







Attachment 3



Government of Western Australia
Department of Fire & Emergency Services



Our Ref: D05129
Your ref: 1323/41;1324/41;1325/41

Anthony Muscara
Western Australian Planning Commission (WAPC)
referrals@planning.wa.gov.au

Dear Mr Muscara

RE: PROPOSED METROPOLITAN REGION SCHEME (MRS) AMENDMENTS - 1323/41 SOUTH BULLSBROOK URBAN PRECINCT; 1324/41 CENTRAL BULLSBROOK URBAN PRECINCT; 1325/41 NORTH BULLSBROOK URBAN PRECINCT

I refer to your letter dated 27 February 2018 regarding the referral of the above MRS Amendments. The Department of Fire and Emergency Services (DFES) advises comments with regard to *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines) has been previously sought and provided to the WAPC in relation to the three precincts:

- **1323/41 South Bullsbrook Urban Precinct** - DFES provided advice on the Bushfire Management Plan (BMP) (Version 4), prepared by FirePlan WA and dated 12 September 2016, on 28 October 2016 (DFES Reference D00937).
- **1324/41 Central Bullsbrook Urban Precinct** - DFES provided advice on the BMP (Revision 1), prepared by Strategen Environmental and dated 17 November 2016, on 7 April 2017 (DFES Reference D00974).
- **1325/41 North Bullsbrook Urban Precinct** - DFES provided advice on the Bushfire Hazard Level Assessment (Version 1.0), prepared by RUIC and dated 12 June 2017, on 16 August 2017 (DFES Reference D02390).

The referral to DFES for these precincts did not include references to any new or revised BMP's, and therefore it appears the previously reviewed BMP's remain current and valid for the three proposed MRS Amendments. Accordingly, DFES provides no further comment.

If you require further information, please contact Land Use Planning Officer, Sherrie Nicholas on 9482 1777.

Yours sincerely

MICHELLE NEIL
DIRECTOR ADVISORY SERVICES

13 June 2016



Our Ref: D00937
Your Ref:

Anthony Muscara
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001
referrals@planning.wa.gov.au

Dear Anthony

SOUTH BULLSBROOK URBAN PRECINCT – UPDATED BUSHFIRE MANAGEMENT PLAN

I refer to your letter dated 16 September 2016 regarding the submission of a revised "Bushfire Management Plan" V4 by FirePlan WA Pty. Ltd. dated 12 September 2016 submitted for the above scheme amendment. The Department of Fire and Emergency Services (DFES) provide the following comments with regard to *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines):

DFES advises that the proponent has adequately identified issues arising from the bushfire hazard level assessment and considered how compliance with the bushfire protection criteria can be achieved within the submitted Bushfire Management Plan.

Should you require further information, please contact me on telephone number 9482 1761.

Yours sincerely

Sandeep Shankar
LAND USE PLANNING OFFICER

28 October 2016



Department of Biodiversity,
Conservation and Attractions



Your ref: 809-2-21-39 Pt 1 RLS/0693
Our ref: PRS 42280
Enquiries: Michael Roberts
Phone: 9303 7755
Email: Michael.Roberts@dbca.wa.gov.au

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



Attention: Anthony Muscara

**MRS AMENDMENTS – 1323/41, 1324/41 & 1235/41- BULLSBROOK URBAN
PRECINCT (SOUTH, CENTRAL AND NORTH)**

I refer to your correspondence of 28 March 2018 requesting comments on the above MRS Amendments application. The Parks and Wildlife Service of the Department of Biodiversity, Conservation and Attractions (the department) provide the following advice.

1323/41 South Bullsbrook Urban Precinct

Native Vegetation

Whilst it is acknowledged that the majority of the amendment area is cleared or completely degraded, there are pockets of remnant vegetation and isolated paddock trees which may provide Carnaby's Black Cockatoo habitat. This species is listed as 'Endangered' under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act), and is also listed as 'Specially Protected' under the Western Australian Wildlife Conservation Act 1950. Accordingly, future proposals which may impact these areas should be discussed with the Federal Department of the Environment and Energy as there may be a requirement to refer the application under the EPBC Act.

Wetland Values

There are several geomorphic wetlands in the amendment area identified in the department's geomorphic wetlands database, the majority of which are classified as multiple use wetlands. In addition to the mapped wetlands, the portion of the Nambad Brook in the southern portion of the amendment area has not been mapped in the department's geomorphic wetlands database, however it is recommended that further investigations are undertaken to determine the condition and values within the wetland.

The department advises that EPA Guidance Statement 33 recommends that wetlands that are to be protected in the planning system are afforded a 50 metre minimum wetland buffer. If a buffer of less than 50 m is proposed from the wetland boundary to areas of development, a buffer study in accordance with the draft Guideline for the Determination of Wetland Buffer Requirements (WAPC, 2005) may need to be conducted to accurately determine the buffer required to protect the wetland values. The purpose of a site specific buffer study would be to identify the values, functions and processes of the wetland, the threats posed by the proposed changes, and the buffer required to mitigate

Swan Region
Cnr Australia II Drive and Hackett Drive, Crawley WA 6009
Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
Phone: (08) 9303 7755 Email: michael.roberts@dbca.wa.gov.au
www.dbca.wa.gov.au

these threats. This buffer study would then be able to assist you in providing justification to decision makers to demonstrate the reasoning for the buffer distances in this case. It should be noted that department is not a decision maker in regard to the implementation of wetland buffers; however, the department can provide advice to decision makers as requested.

Where the wetland buffer/foreshore reserve is part of public open space (POS), its treatment should be appropriate and contribute towards the maintenance of ecological functioning within the wetland; that is the buffer should be revegetated with appropriate native vegetation species of local provenance. Vegetation of natural structure including groundcovers, mid-storey and over-storey around wetlands is critical for filtering and absorption of nutrients and pollutants, provision of fauna habitat, abating nuisance insect issues and restricting the spread of rubbish into the wetlands. Therefore, while some passive recreation may be acceptable in defined areas of the wetland buffer, the placement of lawns, playgrounds and other active recreation areas are generally not considered appropriate.

It is recommended that a wetland or foreshore management plan is prepared as part of future structure plan process. It is recommended that the contents and format of the wetland management plan be prepared in accordance with Guidelines checklist for preparing a wetland management plan (DEC 2008) available on DBCA's website. It is also important to engage with the Department of Water during the preparation of the wetland management plan.

1324/41 Bullsbrook Central Urban Precinct

The department advises that as with the Bullsbrook South amendment area the majority of the amendment area is completely cleared or in a degraded condition with the only areas of remnant vegetation evident along the Ki-it Monger Brook. This wetland has not been mapped in the department's geomorphic wetlands database, however it is recommended that further investigations are undertaken to determine the condition and values within the wetland. The department reiterates that wetlands that are to be protected are afforded a 50 metre minimum wetland buffer. It is recommended that a wetland or foreshore management plan is prepared as part of future structure plan process.

1325/41 Bullsbrook North Urban Precinct

Threatened Ecological Community

The department notes that Lot 17 and 18 Ashton, Road Bullsbrook contains remnant vegetation in 'Very Good' condition and which according to supporting documentation may potentially contain a Threatened Ecological Community (TEC) known as SCP 3c – *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands. The department advises that further targeted surveys are required to adequately determine the presence of this TEC within the subject lots.

The department notes that the Environmental Protection Authority (EPA) advised in its submission of September 2017 that it is the EPA's expectation that flora and vegetation surveys will be undertaken prior to the local scheme amendment being referred to the EPA. In addition, it is the EPA's expectation that the local scheme amendment will provide mechanisms to retain, protect and managed areas of native vegetation which contain threatened flora and vegetation such as areas of TEC. The department supports the EPA's position and recommends that the local scheme amendment for the subject properties are not finalised without first verifying the presence of the TEC. In the event that this TEC is confirmed to be present on site it is the expectation of the department that the TEC is retained and protected in public open space.

Thank you for the opportunity to comment on this proposal. Please contact Michael Roberts at Parks and Wildlife Service's Swan Coastal District on 9303 7755 or by email at michael.roberts@dbca.wa.gov.au if you have any queries regarding this advice.

Yours faithfully

Benson Todd
A/REGIONAL MANAGER

18 June 2018