



December 2020

Metropolitan Region Scheme Amendment 1367/57 (Minor Amendment)



Part Lot 5131
Jandakot Road,
Treeby and Surrounds

Report on Submissions
Submissions

City of Cockburn

**Metropolitan Region Scheme
Amendment 1367/57
(minor amendment)**

**Part Lot 5131 Jandakot Road,
Treeby and Surrounds**

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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 1367/57 Report on Submissions
Submissions

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Introduction to Metropolitan Region Scheme minor amendments

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

The Metropolitan Region Scheme (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.

An amendment 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 non-substantial amendment, often referred to as a minor amendment (made under section 57 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 for approval. The amendment takes legal effect with Gazettal of the Minister's approval.

In the process of making a non-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. While formal assessment would be unlikely for a non-substantial amendment, were it required then an environmental review would be 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 WAPC's recommendations 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.

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Submissions

Report on Submissions

Metropolitan Region Scheme Amendment 1367/57
Part Lot 5131 Jandakot Road, Treeby and Surrounds

Report on Submissions

1 Introduction

At its February 2020 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 57 of the *Planning and Development Act 2005*.

The principal differences between the minor and the major MRS amendment processes are that the former includes a 60 day advertising period while the period for the latter is 90 days, the former is not required to be placed before Parliament (for 12 sitting days) while the latter is and there is not requirement for submitters to be offered hearings for minor amendments.

2 The proposed amendment

Purpose

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

The purpose of the amendment is to rezone approximately 31.93 ha of land in the Treeby locality from the Rural-Water Protection zone to the Urban zone under the MRS. Rationalisation of Bush Forever site 390 (addition: 2.39 ha & removal: 9.58 ha) is also proposed.

The amendment will allow for the residential development of the subject land, following a local scheme amendment, structure planning and subdivision approval.

3 Environmental Protection Authority advice

On 5 June 2020, the Environmental Protection Authority (EPA) advised that the proposed amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986*. The EPA advised of the following advice and recommendations:

Flora and Vegetation and Terrestrial Fauna: The amendment area contains a portion of Bush Forever site 390 and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) listed Threatened Ecological Community (TEC) *Banksia Woodlands of the Swan Coastal Plain* and habitat for threatened species of black cockatoo.

The EPA supports the area to be added to Bush Forever site 390 is in “Excellent” condition, given majority of the area to be removed is in “Degraded” and “Completely Degraded” condition. The EPA also supports the proposal to retain the island of remnant vegetation in “Excellent” condition within Public Open Space (POS) through the future stages of planning. The EPA advises that the remainder of Lot 5131 is in “Good” to “Excellent” condition the majority of which is in Bush Forever site 390 and is to be left unmodified.

The EPA notes that the amendment is accompanied by a Negotiated Planning Outcome (NPO) which proposes the protection of “Excellent” and “Very Good” vegetation and the transfer free of cost of realigned Bush Forever site 390 in Lot 5131 Jandakot Road and Lot 750 Armadale Road, Treeby (outside of the amendment area). The EPA supports this inclusion and the potential for this area of Bush Forever site 390 to be ceded to a local or state authority as part of a NPO. The revised Bush Forever site 390 boundary may also increase the ability of the site interface between Bush Forever site 390 and urban development to be managed to mitigate potential impacts.

The EPA recommends management and mitigation of the adjacent Bush Forever site 390 be consistent with *Environmental Protection Bulletin No. 20 - Protection of Naturally Vegetated Areas Through Planning and Development*. This should include use of hard edges (e.g. road layout) to separate Bush Forever site 390 from development and areas of POS. Road layout, fire, noise and drainage management should be managed to protect impact to significant environmental values within Bush Forever site 390.

Occurrences of the threatened flora *Caladenia huegelii* listed as “Critically Endangered” under the *Biodiversity Conservation Act 2016* (BC Act) and “Endangered” under the EPBC Act have been identified within the amendment area and Bush Forever site 390. *Caladenia huegelii* should be retained and protected and indirect impacts to habitat managed to protect the flora. The EPA recommends that the advertised amendment be modified prior to finalisation, to remove proposed Urban zone over the *Caladenia huegelii* occurrences near the southern road extension and include this area in Bush Forever site 390.

The WAPC notes that the amendment has been modified as requested by the EPA by the exclusion of approximately 1,780 m² from the proposed Urban zone (Lot 5131 Jandakot Road) and its inclusion in Bush Forever site 390. This area is to remain in the Rural-Water Protection zone and is to be transferred free of cost (with the remaining areas) and reserved as Parks and Recreation in a future MRS amendment. Refer to the “*Part 7 - Modifications*” section of the Report on Submissions.

The EPA expects that consultation regarding the protection of occurrences of threatened flora within and adjacent to the amendment area will be undertaken with the Department of Biodiversity, Conservation and Attractions (DBCA).

The site contains potential habitat for threatened species of black cockatoo, listed under both the BC Act and EPBC Act. Consideration should be given to retention of black cockatoo habitat through the future stages of planning. The WAPC should ensure that any future structure plans for the site are referred to the DBCA and other relevant authorities for comment as part of the planning process.

Inland Waters: The amendment area is located in a Priority 2 Public Drinking Water Source Area (PDWSA). The EPA notes that the Department of Water and Environmental Regulation (DWER) has approved a District Water Management Strategy (DWMS) which demonstrates that proposed water management measures are appropriate for a Priority 3 PDWSA. Further consultation with DWER and water quality risk mitigation measures will be required at the later stages of the planning process.

The EPA concluded that the amendment can be managed to meet the EPA’s environmental objectives through existing planning controls. The EPA recommends its advice is implemented to mitigate potential impacts to Flora and Vegetation, Terrestrial Fauna and Inland Waters. A copy of the notice from the EPA is in Appendix A of the *Amendment Report*.

Modification of Amendment – Road Connection to Torwood Ave/Solitaire Rd Roundabout

On 10 September 2020, the EPA considered the proposed modification of the amendment to accommodate a local road connection from the existing Torwood Avenue/Solitaire Road roundabout to the amendment area. The EPA decided to not alter its original decision to not assess the amendment. The EPA advised that if no alternative road engineering solution is available then an equivalent area of vegetation from the Urban zone of Lot 5131 Jandakot Road is to be added to Bush Forever site 390.

The WAPC confirms that the planning for the final local road connection from the Torwood Avenue/Solitaire Road roundabout to the proposed amendment area has been completed, and a small portion of the road connection is located outside the proposed Urban zone. Therefore, as requested by the EPA the area removed from Bush Forever site 390 (to be added to the Urban zone) to accommodate the local road connection (1,780 m²), is equivalent to the area excluded from the Urban zone (to be added to Bush Forever site 390) to accommodate the protection of *Caladenia huegelii*.

4 Call for submissions

The amendment was advertised for public submissions from 3 July 2020 to 4 September 2020.

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

- i) Western Australian Planning Commission, 140 William Street Perth
- ii) City of Cockburn
- iii) State Reference Library, Northbridge.

During the public inspection period, notice of the amendment was published in *The West Australian* and relevant local newspapers circulating in the locality of the amendment.

5 Submissions

Twenty-two submissions (includes one late submission) was received on the amendment. An alphabetic index of all the persons and organisations lodging submissions is at Schedule 1.

One submission was of support, six were of objection and 15 were of non-objection / comment.

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 Main issues raised in submissions

6.1 Environmental Issues

Submitters object to the amendment and advise as follows:

- The site is part of Bush Forever site 390 which is part of the Comprehensive, Adequate and Representative (CAR) conservation reserve system for the Perth region. These sites are supposed to be protected. Rezoning to allow urban development is unacceptable.

- The site is part of an underground water protection area which is supposed to be protected. Hydrological impacts will be unavoidable and irreversible.
- Banksia Woodlands of the Swan Coastal Plain are a TEC under the EPBC Act. The area includes this Banksia Woodland TEC and therefore should be protected in the conservation estate and remain in Bush Forever site 390. This must be a conservation priority in the planning process. The approved conservation advice under the EPBC Act states that such areas are to be protected to prevent further loss of extent and condition of the ecological community. This means there should be no clearing and fragmentation with edge effects. The WAPC should respect this status. On these grounds alone, the amendment should be refused.
- Threatened flora species. In a recent search by the Friends of Forrestdale along Torwood Avenue (old Fraser Road) and the junction of Frangipani Road, approximately 20 shrubs of Lamb's Wool *Lachnostachys albicans* were found. This species is listed under the Significant Flora of the Perth Metropolitan Area – *Bush Forever* Vol 2.

These plants are the only specimens that he has personally seen in the Perth metropolitan area. This population is in an area of approximately 80 m², growing under *Banksia attenuata* and *Eucalyptus todtiana* trees. This location should be identified and fenced to protect it from harm. It must be protected.

- A formal Environmental Assessment should be undertaken or flora survey by a suitably experienced botanist should be done as other species of threatened and rare plants are likely to be present. The Grand Spider Orchid *Caladenia huegelii* has been identified on Lot 820, the southern adjacent block. It will almost certainly occur on Lot 5131.
- Endangered Black Cockatoo Habitat. All existing Banksia and Hakea trees provide a food source for endangered black cockatoos. The Carnaby's Cockatoo population is declining due to continuing cumulative loss of habitat and this must be stopped. All the patches of Banksia woodland are vital for the Cockatoos' continued existence. Loss of habitat patch by patch must be stopped. Clearing results in a net loss, offsets are not justified. On these grounds alone, the amendment should be refused.
- Banksia woodlands of Lot 5131 Jandakot Road should be transferred to the conservation estate as an A-Class reserve and managed as part of Jandakot Regional Park. This is a public environmental asset of the biodiverse eastern side of the Swan Coastal Plain.

WAPC Comments: The amendment proposes a logical rationalisation of Bush Forever site 390 as it reflects the existing location of good-quality manageable remnant vegetation. This is in accordance with the intent of the Perth and Peel @ 3.5 Million / South Metropolitan Peel Sub-regional Planning Framework which identifies this site as Urban Investigation and Open Space with a Short-Medium Term (2015-2031) timeframe. The EPA also determined that the amendment should not be assessed and concluded that it can be managed to meet the EPA's environmental objectives through existing planning controls.

The WAPC notes that the majority of the Bush Forever area within Lot 5131 Jandakot Road and Lot 705 Armadale Road is not affected by this amendment, and is proposed to be transferred free of cost for conservation purposes. The amendment also provides for more

than 2.49 ha of good-quality bushland to be added to the Bush Forever estate. This is provided for as part of a Bush Forever NPO and is supported by a Deed of Agreement between the WAPC and the landowner. In relation to the rationalised Bush Forever area being included in an A-Class reserve this is outside the scope of the MRS amendment process and is a matter for the DBCA.

Overall approximately 46.24 ha of privately-owned land containing good-quality bushland is being transferred to the State free of cost for conservation purposes. A future MRS amendment will reserve this area as Parks and Recreation once it is in public ownership. The WAPC considers that this will ensure the protection of Banksia woodland in perpetuity which is a positive environmental outcome.

The amendment was accompanied by an Environmental Assessment Report which noted that there are several Caladenia huegelii specimens within Lot 5131 Jandakot Road and Lot 705 Armadale Road, all of which are located outside the proposed Urban zone and are within Bush Forever site 390 which is to be conserved.

In relation to the presence of Lachnostachys albicans, the Western Australian Herbarium 'Flora Base - the Western Australian Flora' describes Lachnostachys albicans as Not Threatened, and as occurring as far north as the Geraldton Sandplains and as far south as Bunbury on the Swan Coastal Plain. It has also been recorded within the City of Cockburn.

The Environmental Assessment Report was supported by a flora and vegetation survey which was provided to the EPA (including the City of Cockburn, DWER and DBCA) who determined to not assess the proposal under Part IV of the Environmental Protection Act 1986. A DWMS has been approved by the DWER and once implemented it will ensure that natural groundwater levels and quality are maintained.

The WAPC notes that a separate Local Planning Scheme (LPS) amendment is proposed for this site which will be subject to separate public consultation and consideration by the EPA and other relevant State and Local Government authorities. The LPS amendment may also require specific provisions in order to guide the subsequent local structure plan, subdivision and development approval stages.

Submissions dismissed

6.2 Water Corporation

The Water Corporation advises that it is a major licensed abstractor of groundwater as part of a multi-source approach to drinking water supply across the metropolitan integrated water supply system. The Corporation is opposed to any loss of groundwater resources due to the increased groundwater contamination risks posed by this type of development activity. The Corporation owns and operates several nearby groundwater abstraction bores within Priority 1 and 2 areas.

It is noted that approved water and wastewater planning for the area has not been undertaken and reticulated water and wastewater services are not immediately available.

WAPC Comments: *SPP 2.3 states that there is a general presumption against new residential, special residential, industrial or commercial zones within the Jandakot Underground Water Protection Control Area. These are all uses that are permissible on land zoned Urban under the MRS. However, SPP 2.3 states that proposals which satisfy the following criteria may be supported:*

- Large landholdings that were previously cleared and disturbed
- Land directly adjacent to already-developed areas
- Land identified as being appropriate for more intensive development through strategic planning instruments such as a regional or sub-regional structure plan.

The subject land is approximately 31.92 ha and was a former sand mine which has been cleared of vegetation in parts. The proposed amendment abuts an existing Urban zoned area to the south and west, and is identified in the South Metropolitan Peel Sub-regional Planning Strategy as Open Space and Urban Investigation with a Short-Medium Term (2015 – 2031) timeframe. The DWER has also approved a DWMS for the subject land. Therefore, the proposed amendment is considered to be consistent with the requirements of SPP 2.3.

The proponent's engineers have prepared a services strategy based on preliminary advice of the Corporation, which outlines how the land can be connected to reticulated water and sewer. The Corporation has commenced conceptual water planning, as an extension of the Thomson Lake Gravity Supply Scheme. This indicates that provision of a DN375 water main extension from the existing DN760 water distribution main crossing Liddelow Road (south of Armadale Road) and the provision of DN500 water main extension from the existing DN760 water distribution main to Armadale Road, becoming a DN375 water main. This leads to the construction of a network of DN100 to DN250 water mains throughout the internal road network of the amendment area.

The disposal of wastewater is to be achieved via a network of gravity reticulation sewers gravitating to two wastewater pumping stations. One of the wastewater pumping stations has been constructed at the Clementine Boulevard/Ginger Loop intersection. The balance of the site will gravitate to a proposed Type 40 wastewater pumping station within Lot 705 Armadale Road, which will discharge via a section of 100 diameter pressure main and 225 diameter gravity sewer to the existing pump station.

Submission noted

6.3 Jandakot Airport

The proposed amendment may experience noise impacts from aircraft movements from Jandakot Airport.

WAPC Comments: The WAPC notes that State Planning Policy 5.3 - Planning in the Vicinity of Jandakot Airport (SPP 5.3) is the State Government's planning response to Jandakot Airport and applies to land in the vicinity of Jandakot Airport which is or may in the future be affected by aircraft noise associated with the movement of aircraft.

SPP 5.3 includes a "Core Area" which is defined by the 20 ANEF contour and a "Frame Area" which is between the 20 ANEF contour and Roe Highway, Ranford Road, Warton Road, Armadale Road and the Kwinana Freeway.

The amendment area is entirely located within the "Frame Area" of SPP 5.3 where there is no restriction on the zoning or development of the site. The proponent has also advised that notifications on title relating to potential aircraft noise nuisance is proposed for the site. Therefore, the proposed amendment is considered to be consistent with the requirements of SPP 5.3.

Submissions noted

7 Modifications

The amendment has been modified as follows:

- The EPA advised that *Caladenia huegelii* is likely to occur near the proposed southern road extension to Lot 705 Armadale Road. Therefore, the amendment has been modified by the exclusion of approximately 1,780 m² from the Urban zone (Lot 5131 Jandakot Road) and its inclusion in Bush Forever site 390. This area is to remain in the Rural-Water Protection zone and is to be transferred free of cost (with the remaining areas) and reserved as Parks and Recreation in a future MRS amendment.
- The planning for the final local road connection from the Torwood Avenue/Solitaire Road roundabout to the proposed amendment area has been completed. This connection is partially outside the proposed Urban zone. Therefore, the amendment has been modified by the inclusion of this road connection in the Urban zone and exclusion from Bush Forever site 390. The area of the road connection is approximately 1,780 m².

The WAPC notes that the modifications are not considered to change the intent of the advertised amendment, are minor logical rationalisations of the amendment area which are equal in area. The proponent raises no objections to the modifications which have also been considered by the EPA. Therefore, readvertising of the amendment is not considered necessary.

8 Determinations

The responses to all submissions are detailed in Schedule 2 - *Summary of submissions and determinations*. It is recommended that the amendment be adopted for finalisation with the above modifications.

9 Co-ordination 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 a “Development” zone (or similar) in the corresponding LPS.

The City of Cockburn advises that comprehensive “Development Area” provisions will be required to support a “Development” zone for this site. Therefore, the concurrent LPS amendment of the site cannot be undertaken and a separate LPS amendment is required.

10 Conclusion and recommendation

This report summarises the background to minor amendment 1367/57 and examines the various submissions made on it.

The WAPC, after considering the submissions, is satisfied that the amendment as shown generally on Amending 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.

The WAPC recommends that the Minister for Planning approves the modified amendment.

11 Ministers decision

Amendments to the Metropolitan Region Scheme using the provisions of section 57 of the *Planning and Development Act 2005* require the WAPC to provide a report and recommendation to the Minister for Planning for approval. The Minister may approve, approve with modification or decline to approve the proposed amendment.

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

MRS Amendment 1367/57 is now finalised as modified and shown on WAPC Amending Plan 3.2717/1 and has effect in the Metropolitan Region Scheme from the date of notice in the *Government Gazette* on 22 December 2020.

Schedule 1

Alphabetical listing of submissions

Alphabetical Listing of Submissions

MRS Amendment 1367/57

Part Lot 5131 Jandakot Road, Treeby and Surrounds

Submission Number	Name
5	ATCO Gas
21	Biodiversity Conservation and Attractions (Swan Region), Department of
15	CLE Town Planning + Design (on behalf of Perron Developments Pty Ltd)
12	Cockburn, City of
4	Cranney, Anna
11	Education, Department of
18	Fletcher, Kim
2	Fraser, John (on behalf of Jandakot Airport holdings Pty Ltd)
17	James, David
3	Jennings, Philip
20	Jobs, Tourism, Science and Innovation, Department of
1	<i>Name removed at the request of the submitter</i>
19	Main Roads Western Australia
7	Mines, Industry Regulation and Safety (DMIRS), Department of
10	Primary Industries and Regional Development, Department of
9	Sloss, Viv & Leanne
6	Taylor Burrell Barnett (on behalf of Parcel Property Pty Ltd representing the owner of Lot 130 Jandakot Road Treeby)
8	Transport, Department of
16	Urban Bushland Council WA Inc.
14	Water and Environmental Regulation (Kwinana Peel Region), Department of
13	Water Corporation

Late Submissions	Name
22	Infrastructure, Transport, Regional Development and Communications (Aviation Safeguarding), Department of

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: *Name removed at the request of the submitter* (interested resident)

Summary of Submission: OBJECTION

The submission objects to the amendment.

Planning Comment: Comment noted.

Determination: Submission dismissed.

Submission: 2

Submitted by: John Fraser (on behalf of Jandakot Airport holdings Pty Ltd)

Summary of Submission: COMMENT

Jandakot Airport Holdings (JAH) notes the proposed amendment appears to be compliant with SPP 5.3. JAH understands that the proposal is outside of the ANEF 20 contour, and there are no restrictions like a memorial on title, double-glazed windows etc.

JAH advise that the future residents will still be subjected to a level of aircraft noise - refer to N60 contours. The amendment area appears to be directly below the circuit flight path, and that circuit training hours extend to 10:30 pm on weekdays.

Noting that noise complaints about circuit training are received from residents outside of the ANEF 20 contour, JAH anticipate that a proportion of residents in the amendment area are likely to be adversely impacted by aircraft noise.

Planning Comment: Refer to "*Part 6.3 – Jandakot Airport*" on the Report on Submissions.

Determination: Submission noted.

Submission: 3

Submitted by: Phillip Jennings (interested resident)

Summary of Submission: SUPPORT

The submitter supports the rationalisation of Bush Forever site 390 and the protection of the good quality bushland. The offset sounds reasonable. The EPA's advice should be accepted and incorporated into the conditions of the amendment. The wetland must be conserved, with an appropriate buffer zone. Aboriginal heritage should be carefully assessed, and additional conditions included, if necessary.

Planning Comment: Support noted. The WAPC notes that further detailed consideration will be given to environmental and Aboriginal heritage matters during the preparation of a subsequent LPS amendment and structure plan for the site (subject to separate public consultation), in consultation with the City of Cockburn and relevant State Government agencies. The WAPC notes that no wetlands are located within the proposed amendment area.

Determination: Submission noted.

Submission: 4

Submitted by: Anna Cranney (interested resident)

Summary of Submission: OBJECTION

As a Perth resident and lover of the remaining bushland close to the city, it is extremely disappointing that this Bush Forever site is to be rezoned. The remaining vegetation needs preservation and protection. Given that some parts are classified to be in 'poor' condition, what is needed to rehabilitate it, and surely this can be achieved with the right commitment? Please reconsider rezoning this patch of bush.

Planning Comment: Comments noted. The Bush Forever boundary proposed in this amendment reflects the location of good-quality, manageable remnant vegetation. The majority of the Bush Forever estate within Lot 5131 is not affected by this amendment, and is to remain as Bush Forever.

In addition, approximately 2.49 hectares of good-quality bushland that is currently not classified as Bush Forever is proposed to be added to the Bush Forever estate. Overall, the proponent is providing, free of cost, approximately 46.24 hectares of privately-owned land containing good-quality bushland to the State to be managed for conservation purposes. This will ensure the protection of banksia woodland and the wetland in perpetuity, which is a positive environmental outcome.

Determination: Submission dismissed.

Submission: 5, 7, 8, 10, 19, 20

Submitted by: ATCO Gas, Department of Mines, Industry Regulation and Safety, Department of Transport, Department of Primary Industries and Regional Development, Main Roads WA, Department of Jobs, Tourism, Science and Innovation

Summary of Submission: COMMENTS

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. Where applicable, the proponent has also been made aware of the above comments.

Planning Comment: Comments noted.

Determination: Submissions noted.

Submission: 6

Submitted by: Taylor Burrell Barnett (on behalf of Parcel Property Pty Ltd representing the owner of Lot 130 Jandakot Road Treeby)

Summary of Submission: COMMENT

In December 2017, Taylor Burrell Barnett (TBB) on behalf of Parcel Property Pty Ltd, submitted a MRS amendment request to rezone Lot 130 Jandakot Road, Treeby from the Rural - Water Protection zone to the Urban zone, and to realign the boundary of the Bush Forever site 389 to create a Parks and Recreation reserve.

The submitter supports the proposed amendment, and reiterates their position that Lot 130 Jandakot Road is considered suitable for urban development, consistent with the characteristics of the land the subject of this amendment, and requires comprehensive planning to ensure consolidation of appropriate development in close proximity to the Cockburn Central Activity Centre.

The amendment indicates a need and an opportunity to examine the true potential of Lot 130 Jandakot Road (and land in the general vicinity), and decide on the highest and best use as Urban, as a precursor to the land the subject of this amendment progressing through the Local Planning Scheme and structure planning process in isolation.

TBB has prepared a concept district structure plan, and associated written submission (which can be made available on request) in support of the proposal to consider the broader precinct for the Banjup Urban Precinct as part of Parcel's submission on the draft *Perth and Peel @ 3.5 Million* and the draft *South Metropolitan Peel Sub-Regional Planning Framework* in July 2015.

The previous submission identified the characteristics of the Banjup area that supports the case for urban development and provides detailed conceptual planning for the development of low, medium and high density residential areas, a range of open space areas and school sites and a series of neighbourhood centres.

It is acknowledged that since TBB lodged the submission on the draft *Perth and Peel @ 3.5 Million* and the draft *South Metropolitan Peel Sub-Regional Planning Framework*, the documents have been finalised, however the content of the submission relating the suitability of the precinct for urbanisation is still relevant, and has been included for consideration.

On the basis of the information outlined above, it is considered that there is sufficient rationale and justification for the subject area to be more broadly considered as an area for urban investigation and expansion in conjunction with the land the subject of this amendment. Future planning of this precinct should have regard to the suitability of this entire precinct for urbanisation, due to its strategic location, proximity to services and infrastructure and its relatively unconstrained nature.

Planning Comment: The WAPC notes that the MRS amendment request for Lot 130 Jandakot Road, Treeby is outside the scope of MRS amendment 1367/57. In any case, the amendment request remains in abeyance, pending the finalisation of the Banjup/Treeby Planning Investigation area which forms part of the review of the *Perth and Peel @ 3.5 Million / South Metropolitan Peel Sub-regional Planning Framework*.

Determination: Submission noted.

Submission: 9

Submitted by: Viv & Leanne Sloss (interested residents)

Summary of Submission: COMMENT

The submitters advise that their family moved into the Jandakot Rural area approximately 19 years ago. After years of searching the hills and outlying suburbs, to find a rural retreat so close to the City and an abundance of local infrastructure. The blocks retained a large portion of native bushland with established trees (including nuytsia floribunda Christmas trees).

The area was only a 15-minute drive from the City in off peak times and convenient to hospitals and shopping that existed at that time. While there is no reticulated water, gas or sewerage in the area, the submitters were able to cope with bore and rain water, and septic tanks.

Proximity to Jandakot Airport created some noise downside, but did not impact on their lifestyle to any great degree. The adjoining sandpit on Solomon Road was proposed for eventual redevelopment as more 2 ha Rural Lifestyle blocks.

The submitters worked to maintain the natural ambience of the area by controlling invasive weeds and exotic plants and encouraging the proliferation of native wildlife. The City of Cockburn assisted financially with these efforts.

Over time, the surrounding areas were developed - predominantly with light industrial businesses to the South East (Cockburn South Central) and significant Residential lots to the East (Calleya). This has led to a significant increase in local traffic, including heavy vehicles servicing the industrial areas. The opening of Piara Waters and Mason Green to the East also contributed to significant volumes of commuters, traffic noise and emissions.

Understand that the eastern end of Jandakot Road has been rezoned to residential, with the removal of Bush Forever, as has the land on Warton Road (Nicholson to Armadale Roads). This will result in further traffic loads and Jandakot and Solomon Roads will serve as a short cut for vehicles heading for Roe Highway, especially while works on Armadale Road continue over the next few years. The City of Cockburn has issued taking orders for part of the subject land to increase the capacity of Jandakot Road.

Jandakot Airport Corporation have cleared all the remnant bush from their site, and are now progressing the building of Industrial workshops and warehouses right up to the boundary of the rural lots on the northern side of Jandakot Road. The industrial plant at the western end of Jandakot Road (Brikmakers/Urbanstone) has also been granted additional uses and an expanded area to operate. All of these additional developments evidently have no impact on the underlying Jandakot water mound, but there are concerns that the quality of the water from the submitters bores will deteriorate.

The submitters, along with their neighbours, find that the rural amenity has been eroded over the last five years, and pending developments will destroy it completely. Many will have lots under 2 ha after the new roadworks, and the vegetation buffers will be removed by the roadworks. Protection of the water mound no longer seems to be an issue with the densification of residences and industry.

Even the runoff from the new roads (with associated contaminants) is to be collected in drainage basins, rather than connected to the sewerage and drainage networks. This may also increase mosquito activity.

In short, the Jandakot area surrounding Jandakot and Solomon Roads is no longer the rural idyll it once was. The review you are conducting under the *Perth and Peel @ 3.5 Million* is an opportunity to have these diminished blocks reclassified to permit alternative uses. This may be of interest to a prospective purchaser, allowing the submitter to relocate.

Planning Comment: The WAPC notes that the Banjup/Treeby Planning Investigation Area forms part of the review of the *Perth and Peel @ 3.5 Million / South Metropolitan Peel Sub-regional Planning Framework*. It is recommended that the submitter await the outcome of this review for further guidance in this locality.

Determination: Submission noted.

Submission: 11

Submitted by: Department of Education

Summary of Submission: COMMENT

The Department of Education (DoE) acknowledges that the proposal is generally consistent with the City of Cockburn's Treeby (Banjup) District Structure Plan (DSP).

The DoE has concerns relating to the number of dwellings being planned for within the DSP area through the local structure planning process. 2,300 dwellings are currently planned for under the provisions of the approved *Banjup Quarry Local Structure Plan*. An additional 1,079 dwellings have been planned for within two draft Local Structure Plans for Lot 703 Ghostgum Avenue and Lots 705 and 707 Armadale Road. Further residential development is expected to be delivered within the following areas:

- Land identified as *Mixed Business and/or Residential* within the south-western corner of the DSP; and
- Land to the east of the MRS amendment site identified as *Potential Future Residential*. This land has been identified within the *South Metropolitan Peel Sub-regional Planning Framework*.

The DoE is concerned that the aggregate number of dwellings to be delivered will exceed the number projected for within the DSP. This is likely to place significant pressure on the two planned school sites within the DSP area which were originally planned to accommodate for a total of 3,500-3,800 dwellings.

It is acknowledged that dwelling yields for the remaining portions of land within the DSP which have not been planned for will be identified through the preparation of local structure plans. As such, the DoE wishes to ensure that it is engaged at the earliest possible stages during the preparation of local structure plans to ensure the educational needs of the future population are adequately provided for.

The DoE notes that based on the current dwelling projections and the location of the future Piara Waters High School (planning name) site, there is currently sufficient provision for public secondary schools within the area. However, if the nearby *Treeby/Jandakot Planning Investigation Area* were to become Urban areas in the future, it is likely that an additional high school site may be required to accommodate for the residential growth of these areas.

Planning Comment: Comments noted. The WAPC notes that further detailed consideration will be given to densities during the preparation of a local structure plan for the site (subject

to separate public consultation), in consultation with the City of Cockburn, DoE and relevant State Government agencies. The proponent has been advised of the DoE's comments.

The WAPC advises that investigations into the Jandakot/Treeby Planning Investigation Area remain ongoing and form part of the review of the *Perth and Peel @ 3.5 Million / South Metropolitan Peel Sub-regional Planning Framework*. This process includes further liaison with the DoE regarding the need for additional school sites.

Determination: Submission noted.

Submission: 12
Submitted by: City of Cockburn
Summary of Submission: COMMENT

The City of Cockburn advises as follows:

- Recommends that the WAPC support the proposed MRS amendment;
- Advise the WAPC that the City does not support a concurrent amendment to LPS 3 under section 126(3) of the *Planning and Development Act 2005*. A subsequent LPS amendment should be initiated by Council to a "Development" zone, comprehensive "Development Area" provisions will be required to support the "Development" zone; and
- Advise the WAPC that the City supports a solution to the geometry and alignment of the Torwood Avenue / Solitaire Road intersection being reflected in the amendment. The City's preference for the geometry and alignment of the Torwood Avenue roundabout is a solution that retains as much of Bush Forever site 390 as possible.

Planning Comment: Comments noted. Refer to "*Part 7 - Modifications*" and "*Part 9 - Co-ordination of Region and Local Scheme Amendments*" sections of the Report on Submissions.

Determination: Submission partly upheld/noted.

Submission: 13
Submitted by: Water Corporation
Summary of Submission: OBJECTION

The Water Corporation does not support the amendment, and advises as follows:

Water

The subject land is located in the Rural – Water Protection zone and within the Priority 2 Jandakot Public Drinking Water Supply Area (PDWSA). The purpose of the Priority 2 classification is to ensure that there is no increased risk of pollution to the groundwater source from surface landuses. Development and landuse within the Jandakot PDWSA is restricted.

The Corporation is a major licensed abstractor of groundwater as part of a multi-source approach to drinking water supply across the metropolitan integrated water supply system, the Corporation is opposed to any loss of groundwater resources due to the increased groundwater contamination risks posed by this type of development activity. The Corporation owns and operates several nearby groundwater abstraction bores within the Priority 1 and 2 areas.

It is noted that approved water planning for the area has not been undertaken and a reticulated potable water supply is not immediately available.

Wastewater

It is noted that approved wastewater planning for the area has not been undertaken and reticulated wastewater is not immediately available.

General Comments

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid. Please provide the above comments to the land owner, developer and / or their representative.

Planning Comment: Refer to “*Part 6.2 – Water Corporation*” section of the Report on Submissions.

Determination: Submission noted.

Submission: 14

Submitted by: Department of Water and Environmental Regulation,
Kwinana Peel Region

Summary of Submission: COMMENT

The DWER raises no objections to the amendment as this site is located within a Priority 2 PDWSA of the Jandakot UWPCA. Land planning decisions are made in accordance with SPP 2.3, and a land use such as urban development is generally considered incompatible due to the risk of contamination to the water source. However, Section 6.3(c) of SPP 2.3 states that proposals which satisfy the following criteria may be supported:

- Large landholdings that were previously cleared and disturbed;
- Land directly adjacent to already developed areas;
- Land identified as being appropriate for more intensive development through strategic planning instruments such as a regional or sub-regional structure plan.

The subject land is a former sand quarry and the proposed urban area is largely cleared of vegetation, adjacent to existing urban development and is identified in the *South Metropolitan Peel sub-regional planning framework* as *Open Space* and *Urban Investigation*.

The proposal is considered to satisfy the aforementioned criteria of SPP 2.3, and as such the DWER does not object to the proposed amendment.

The *Amendment Report* states that the *Treeby (Banjup) - Strategic District Water Management Strategy* has been previously endorsed by the DWER. The report

demonstrates that water management measures are appropriate for a Priority 3 PDWSA, and as such requirements of *State Planning Policy 2.9 - Water Resources* and *Better Urban Water Management* have been satisfied.

Planning Comment: Comments noted.

Determination: Submission noted.

Submission: 15

Submitted by: CLE Town Planning + Design (on behalf of Perron Developments Pty Ltd)

Summary of Submission: COMMENT

Perron supports intent of Amendment

Perron supports the proposed rezoning from Rural-Water Protection to Urban. It facilitates the creation of a development precinct generally in accordance with the *South Metropolitan / Peel Sub-regional Planning Framework* and the Treeby District Structure Plan (DSP) and identifies approximately 34 hectares of good-quality remnant vegetation as Bush Forever. Progression of the Amendment will enable detailed structure planning to proceed and a local scheme amendment request to be lodged with the City of Cockburn.

A road connection into Fraser Road / Torwood Avenue intersection is needed

Whilst supporting the amendment in general, Perron does wish to note that the proposed Bush Forever boundary near the existing Fraser Road / Torwood Avenue roundabout is further north than was envisaged in the Treeby DSP. If approved, this would mean that the connection into the existing roundabout from Lot 5131, which is a critical link, would need to traverse land in the Bush Forever area zoned Rural-Water Protection. We understand from recent discussions with your office that the Rural-Water Protection zone does not pose an issue in this regard, however it is important that the impact on the Bush Forever land is understood.

The proposed Neighbourhood Connector road that connects into the roundabout is the main north-south linkage through the eastern portions of the Treeby urban precinct (Lot 5131 Jandakot Road and Lots 705 and 707 Armadale Road). It originates at the existing Armadale Road / Liddelow Road intersection (a recently-constructed roundabout) and, as shown in the DSP, passes a primary school site and District Open Space before connecting to Fraser Road at Torwood Avenue. Fraser Road provides access to Jandakot Road (a key east-west linkage) and Torwood Avenue provides direct access into the Calleya Neighbourhood Centre. In anticipation of urbanisation proceeding in accordance with the DSP, the roundabout was designed and constructed to accommodate a fourth leg, enabling connection of the Neighbourhood Connector from Lot 5131 Jandakot Road.

Provision of a connection into the roundabout, as envisaged in the DSP, is of critical importance to the function of the proposed road network. Realignment further north (far enough to achieve separation to the existing roundabout) would create another intersection on Fraser Road, diminish road safety and function, and leave an awkward triangle of Urban-zoned land to the south of the road. The Neighbourhood Connector as shown in the DSP provides an ideal hard edge to the Bush Forever site 390 and assists with bushfire hazard management. Its realignment northward would result in those opportunities being lost.

We note that at its 13 August 2020 Ordinary Council Meeting, the City resolved to support the amendment but noted the need for the connection into the roundabout to be provided. Whilst encouraging a road design that minimises the impact on the Bush Forever area, we are advised that the City is committed to the roundabout connection, consistent with previous planning.

We acknowledge that the road connection can be made within the Rural-Water Protection zone that would remain if this amendment is approved in its advertised form. However, it is Perron's preference that the land required for the road connection, which covers approximately 1,780 m², be zoned Urban instead. This could be done through a post-advertising modification and would provide certainty about its purpose. Whilst permission to clear the vegetation within this area would be needed, the Urban zoning would signal that in planning terms, the WAPC is supportive of the connection being made.

Perron Wishes to see Amendment Proceed on Schedule

Perron recognises that the WAPC may consider that a modification of this nature justifies re-advertisement of the amendment. For the following reasons, Perron doesn't believe that this is necessary:

- The connection into the existing roundabout is contemplated in strategic planning for the area.
- A separate post-advertising modification has been agreed to that increases the size of Bush Forever area by approximately 1,425 m² at the southern end of Lot 5131, making the net impact of the roundabout connection only around 0.03 ha in context of a 34 ha conservation estate.

However, if the WAPC disagrees and is of a mind to require re-advertising, Perron would prefer that the amendment proceed without a modification for the roundabout connection, as scheduled. Other opportunities to resolve the matter will be available in future, such as through inclusion in a separate omnibus amendment or through a non-MRS solution. Although important, the road connection is only one aspect of a larger proposal and Perron is very keen to see the Urban zone proceed as scheduled.

Conclusion

Perron is supportive of the amendment, as it facilitates the statutory implementation of several strategic documents and enables detailed planning to progress. Perron wishes to note that arrangements need to be made to accommodate the provision of a road connection into the Fraser Road / Torwood Avenue roundabout, and considers this amendment to be an ideal opportunity. If the WAPC considers that a modification to this effect would warrant readvertising of the amendment, Perron would prefer that the modification is not made and other solutions pursued.

Planning Comment: Comments noted. Refer to "*Part 7 – Modifications*" of the Report on Submissions.

Determination: Submission partly upheld/noted.

Submission:	16
Submitted by:	Urban Bushland Council WA Inc.
Summary of Submission:	OBJECTION

The Urban Bushland Council WA Inc. (UBC) objects to the proposed amendment and advises as follows:

- The site is part of Bush Forever site 390 which is part of the CAR conservation reserve system for the Perth region. These sites are supposed to be protected. Rezoning to allow urban development is unacceptable.
- The site is part of an underground water protection area which is supposed to be protected. Hydrological impacts will be unavoidable and irreversible.
- Banksia Woodlands of the Swan Coastal Plain TEC under *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The area includes this Banksia Woodland TEC and therefore should be protected in the conservation estate and remain in Bush Forever site 390. This must be a conservation priority in the planning process. The approved conservation advice under the EPBC Act states that such areas are to be protected to prevent further loss of extent and condition of the ecological community. This means there should be no clearing and fragmentation with edge effects. The WAPC should respect this status. On these grounds alone, the amendment should be refused.
- Threatened flora species. In a recent search by David James of Friends of Forrestdale along Torwood Avenue (old Fraser Road) and the junction of Frangipani Road, he found approximately 20 shrubs of Lamb's Wool *Lachnostachys albicans*. This species is listed under the Significant Flora of the Perth Metropolitan Area – *Bush Forever* Vol 2, page 54 significant code r-s. r = populations at the northern or southern limit of their known geographic range. s = significant populations (applies to all Declared Rare Flora and Priority taxa).

These plants are the only specimens that he has personally seen in the Perth metropolitan area. This population is in an area of approximately 80 m², growing under Banksia attenuata and Eucalyptus tottiana trees. This location should be identified and fenced to protect it from harm. It must be protected.

- A formal flora survey by a suitably experienced botanist should be done as other species of threatened and rare plants are likely to be present. The Grand Spider Orchid Caladenia huegelii has been identified on Lot 820, the southern adjacent block. It will almost certainly occur on Lot 5131.
- Endangered Black Cockatoo Habitat. All existing Banksia and Hakea trees provide a food source for endangered black cockatoos. The Carnaby's Cockatoo population is declining due to continuing cumulative loss of habitat and this must be stopped. All the patches of Banksia woodland are vital for the Cockatoos' continued existence. Loss of habitat patch by patch must be stopped. Clearing results in a net loss, offsets are not justified. On these grounds alone, the amendment should be refused.
- Banksia woodlands of Lot 5131 Jandakot Road should be transferred to the conservation estate as an A-Class reserve and managed as part of Jandakot Regional Park. This is a public environmental asset of the biodiverse eastern side of the Swan Coastal Plain.

The UBC advises that comments made Mr David James of the Friends of Forrestdale and as a member of the Jandakot Community Advisory Committee are supported and commended.

Planning Comment: Comments noted. Refer to "*Part 6.1 – Environmental Issues*" section of the Report on Submissions.

Determination: Submission dismissed.

Submission: 17

Submitted by: David James (Member, Jandakot Regional Advisory Committee)

Summary of Submission: OBJECTION

The submission objects to the proposed amendment and advises as follows:

- This is part of Bush Forever site 390. This proposed amendment area contains significant banksia woodland. All the banksia woodland on this site should be protected, including the area proposed to be destroyed.
- The Federal Government has listed banksia woodlands on the Swan Coastal Plain (SCP) as a TEC – this should be respected. Protection of Bush Forever sites containing banksia woodland must be a conservation priority. This is probably the last opportunity to save this TEC on the SCP before urbanisation destroys what little is left.
- Threatened Plants. In a recent search along Torwood Avenue (old Fraser Road) and the junction of Frangipani Road, the submitter counted approximately 20 shrubs of Lamb's Wool *Lachnostachys albicans*. This species is listed under the Significant Flora of the Perth Metropolitan Area – Bush Forever Vol 2, page 54 significant code r-s. *r* = populations at the northern or southern limit of their known geographic range. *s* = significant populations (applies to all Declared Rare Flora and Priority taxa). These plants are the only specimens that the submitter has personally seen in the Perth metropolitan area. This population is in an area of approximately 80 m², growing under *Banksia attenuata* and *Eucalyptus todtiana* trees. This location should be identified and fenced to protect it from harm.
- A formal Environment Assessment should be done as other species of threatened plants are likely to be present. Grand Spider Orchid *Caladenia hueglinii* has been identified on Lot 820, the southern adjacent block. It will almost certainly occur on Lot 5131.
- All existing banksia trees provide a food source for threatened black cockatoos. With the loss of banksia woodland from ongoing urbanisation, all remnant patches of mature banksia woodland are vital for the cockatoos' continued existence. Jandakot Airport has destroyed many hectares of banksia woodland for industry. These tragic environmental losses should not continue.
- It takes many years to grow new Banksia trees that will provide sufficient food for black cockatoos (even pine trees of the metropolitan area that provided an alternative food source for cockatoos are disappearing quickly).
- As a long-term member of Jandakot Regional Park (JRP) Advisory Committee, which promotes the protection of banksia woodland and associated biodiversity, the vision is to see the Banksia Woodland of Lot 5131 included within the JRP for its protection and for the benefit and enjoyment of future generations.

Planning Comment: Comments noted. Refer to “Part 6.1 – Environmental Issues” section of the Report on Submissions.

Determination: Submission dismissed.

Submission: 18

Submitted by: Kim Fletcher (interested resident)

Summary of Submission: OBJECTION

The submission objects to the amendment and advises as follows:

- Why is a Bush Forever site allowed to be cleared, to make way for a housing estate? This seems to be another case rather of a "Bush for Now" situation.
- Good Banksia Woodland is being threatened with removal at the cost of the existence of a portion which is deemed degraded i.e. the quarry area. This area should be purposely re-vegetated or left to be recolonised by local species in due course (there is plenty of evidence that this is actually happening now). Note: See page 167, map sheet 59 of volume 1, Bush Forever: Policies, Principles and Processes, which shows that another part of the Bush Forever site 390 was in the process of being rehabilitated. This could be repeated in this current instance.
- The offset proposed is:
 - much less in area to the amount of bushland that is to be lost
 - will not necessarily have the same complex of species as that in the areas cleared.
- A complete and thorough plant survey is required, carried out by accredited botanist(s), to establish the degree of biodiversity and the existence or not, of declared rare flora.
- Development will see the disappearance of a group of Lachnostachys albicans plants, a species very limited to the Perth area. It is possibly the only place where it is found in our Perth bio-diverse hot spot.
- The removal of the bushland which forms a twenty to thirty metre strip along the western and northern boundaries of the site, should be retained for what it is - a natural buffer to traffic noise and fumes, enhancing any built-up area behind it.
- Cleared it would either be:
 - planted with lawn and not necessarily local or native shrubs and trees.
 - replaced with a high, bland uninteresting wall, lacking little in the way of attractiveness.

Planning Comment: Comments noted. Refer to "Part 6.1 – Environmental Issues" section of the Report on Submissions.

Determination: Submission dismissed.

Submission: 21

Submitted by: Department of Biodiversity, Conservation and Attractions, Swan Region

Summary of Submission: COMMENT

The DBCA advises that the amendment boundaries have been revised since the original referral, however DBCA's previous advice remains relevant to the current amendment.

Threatened Flora

The DBCA reiterates that Bush Forever site 390 (which surrounds the proposed Urban zoned area) is impacted by the proposed southern road extension, which contains populations of *Caladenia huegelii* (Grand spider orchid). This threatened flora species is protected under the BC Act and EPBC Act.

The DBCA's threatened flora records indicate that *Caladenia huegelii* plants occur on Lot 5131 Jandakot Road and Lot 705 Armadale Road, and are within or in close proximity to the proposed southern road extension. Due to the nature of the threatened flora species and the potential variation in the extent of the populations over successive survey efforts, the final road design should be informed by a current targeted flora survey to ensure threatened flora is not impacted during or following development.

There is the potential for direct and/or indirect impacts to threatened flora due to the proximity of the known plants of *Caladenia huegelii* to the proposed residential development and road corridor. To address the proposed or inadvertent taking of threatened flora the proponent should be advised to apply for a Threatened Flora Authorisation under section 40 of the BC Act. Queries regarding this requirement can be directed to DBCA's Species and Communities Program.

Bush Forever site 390

The DBCA notes that a NPO is being undertaken between the proponent and the WAPC proposing the rationalisation, protection and ceding of Bush Forever site 390 with the boundaries reflected in the proposed amendment. As noted in the *Amendment Report*, the draft NPO will be finalised following an agreement which confirms the long-term management of the retained bushland area. The agency responsible for the future management of the portion of Bush Forever site 390 within Lot 5131 has not yet been determined.

Adequate protection and management of the environmental values within Bush Forever site 390, including threatened flora and wetlands, should be addressed in future planning stages. This includes the preparation and implementation of relevant environmental management plans and the ceding and reservation of the Bush Forever area for the purposes of conservation.

Wetlands

An assessment of the values and management category of the wetland in the eastern portion of Lot 5131 Jandakot Road should be undertaken to inform the future planning stages and allow appropriate identification and protection of the site's wetland values. A recent review of the environmental values of the wetland currently mapped in the *Geomorphic Wetlands Swan Coastal Plain* dataset as Resource Enhancement wetland (UFI 13328), indicates the wetland is commensurate with a Conservation Category Wetland. The development should be designed to adequately manage and avoid hydrological impacts to the wetland including the provision of adequate buffers.

Planning Comment: Comments noted. The WAPC notes that as requested by the EPA the amendment has been modified by the expansion of Bush Forever site 390 (and exclusion from the Urban zone) near the southern road extension in order to protect populations of *Caladenia huegelii*.

The proponent has also confirmed that detailed design will be undertaken to inform the southern road alignment, and has been advised of the need to liaise with the DBCA's Species and Communities Program. For all modifications proposed to the amendment refer to "*Part 7 – Modifications*" of the Report on Submissions.

The proponent has also been advised to liaise with the DBCA to further consider wetland values, in order to guide the subsequent planning stages of the planning process.

The WAPC notes that consultation with the City of Cockburn and the DBCA has commenced regarding the long-term management of the realigned Bush Forever area to be transferred to the free of cost, however it is acknowledged that final arrangements would occur if the amendment is granted final approval by the Minister for Planning.

Determination: Submission noted.

Submission: 22 (Late submission)

Submitted by: Department of Infrastructure, Transport, Regional Development and Communications; Aviation Safeguarding

Summary of Submission: COMMENT

The Department of Infrastructure, Transport, Regional Development and Communications has an interest in ensuring that leased Federal airports are not impacted by inappropriate off-airport development. The long-term viability of airports is clearly dependent on land use planning authorities putting in place regimes that achieve an effective balance between the needs of the aviation industry and community expectations for residential and other types of development.

The Department is aware of the circumstances surrounding land use planning in the vicinity of smaller airports, particularly those with high levels of circuit training activity such as Jandakot Airport. The WAPC's initiative in developing a Planning Policy for Jandakot Airport is recognised.

There are concerns that the proposed residential development is on the margins of high aircraft noise contours and that future aircraft traffic may potentially change this. Any new developments in this area should be mindful of potential impacts from the Australian Noise Exposure Forecast (ANEF) profile of the airport, and land uses should remain consistent within those constraints. It is clear that residences built in this area will be subject to frequent overflight, particularly by circuit training operations.

It is important to safeguard both communities and airports from inappropriate off-airport developments that could threaten public safety and the future viability of aviation operations at Australian airports. This view has been acknowledged and endorsed by all levels of Government (including Western Australia) in the National Airports Safeguarding Framework (NASF). This framework provides guidance on planning requirements for developments that have the potential to impact airport operations. The aim of the framework is to ensure safe aviation operations and to improve community amenity by minimising noise impacts.

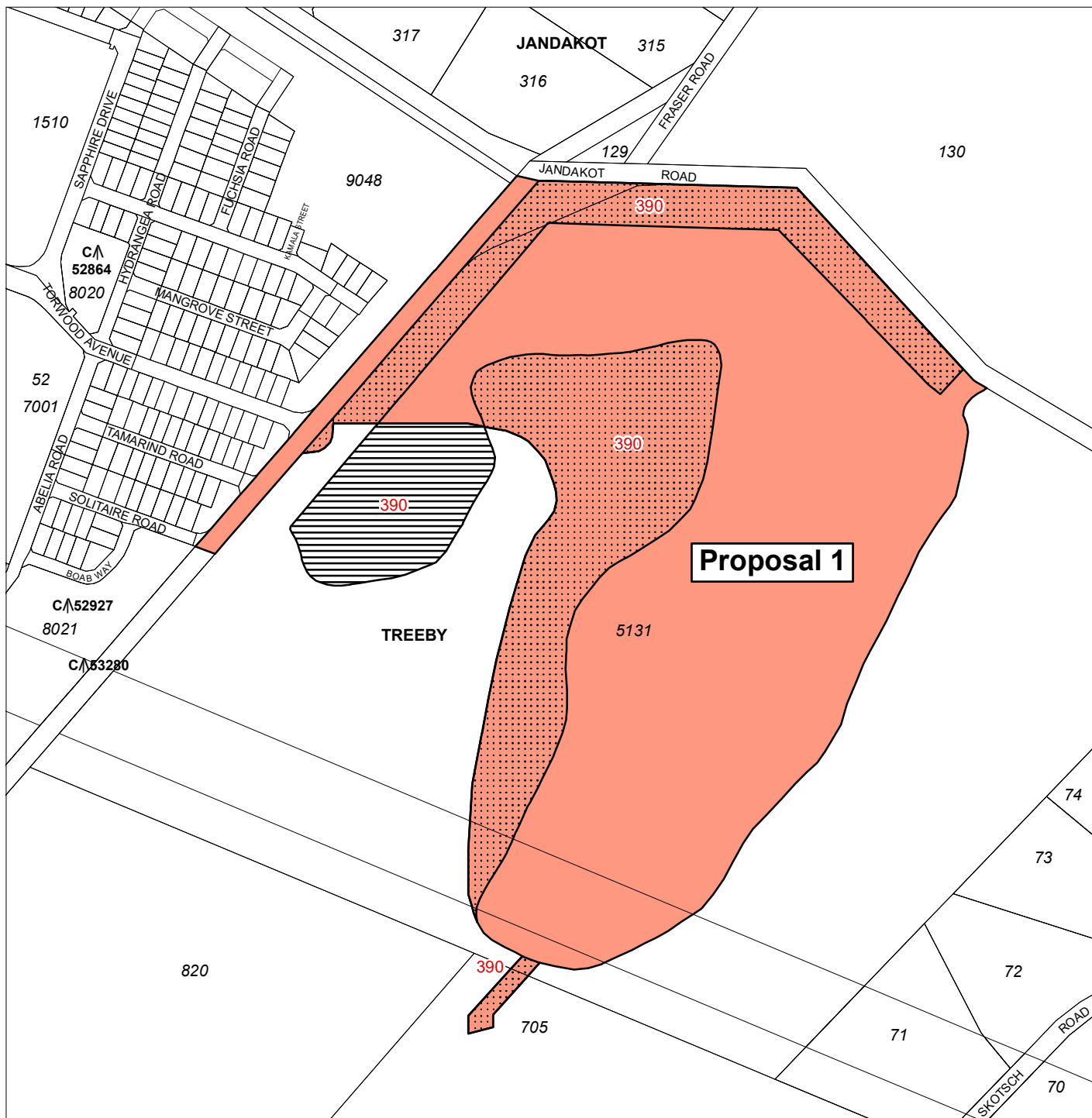
The Department encourages the WAPC and the City of Cockburn to continue to work together with the airport, and make use of the Jandakot Airport Community Aviation Consultation Group to discuss any impacts of the policy on the airport with other stakeholders.

Planning Comment: Refer to "*Part 6.3 - Jandakot Airport*" of the Report on Submissions.

Determination: Submission noted.

Schedule 3

**The amendment figure - proposal 1
as advertised**



**Pt Lot 5131 Jandakot Road, Treeby and Surrounds
proposed minor amendment
as advertised**


19 February 2020


Proposal 1

Proposed Amendment:

 Urban zone

Notice of Delegation

 (Site No) Bush Forever area addition

 (Site No) Bush Forever area for removal

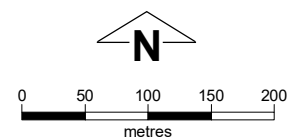
Oracle reference no: 2968

File number: 809/02/23/0069P

Version number: 5

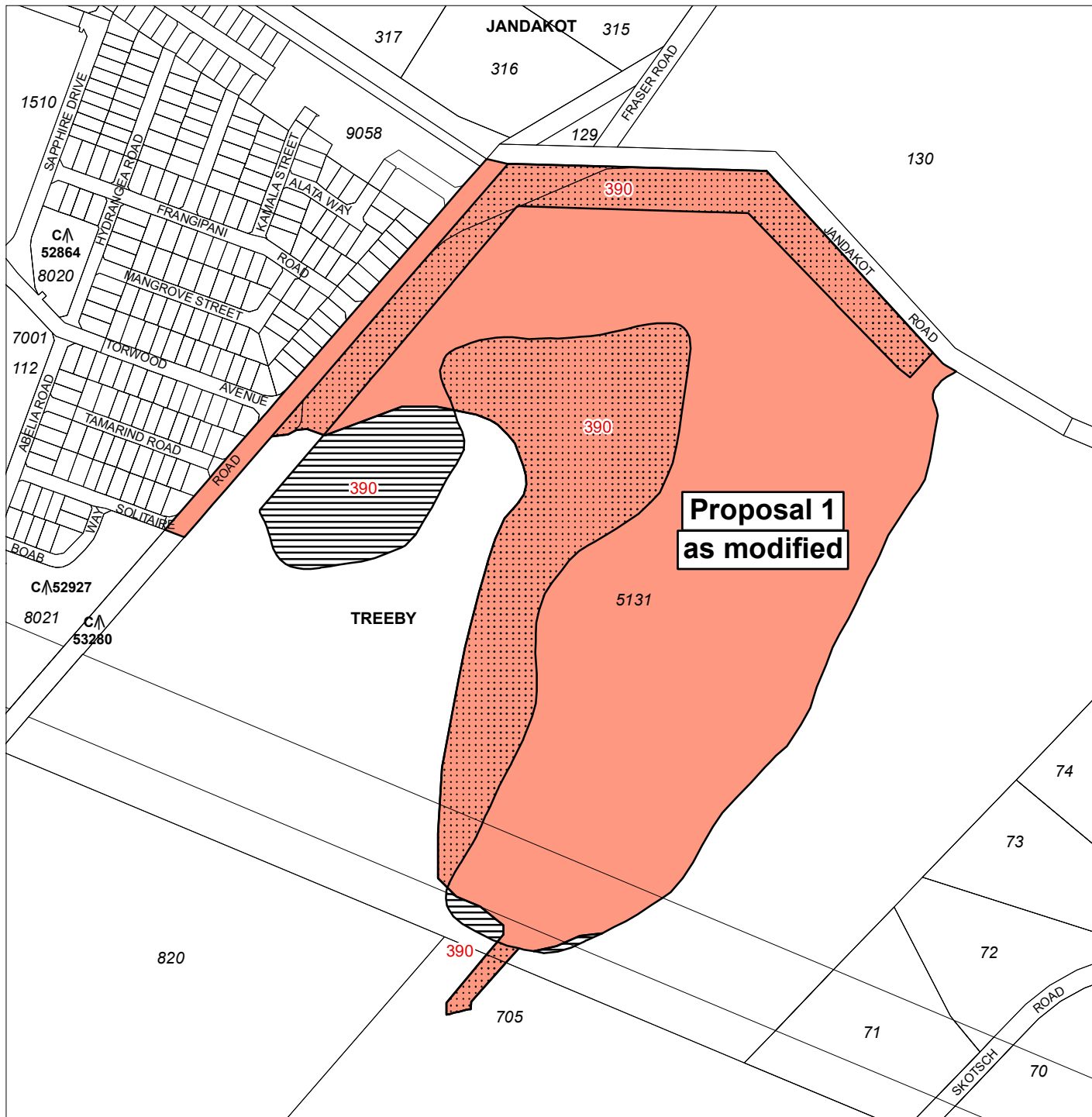


Date: 31/01/2020
Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA
Base information supplied by Western Australian Land Information Authority SLIP 1096-2018-1



Schedule 4

**The amendment figure - proposal 1
as modified**



Pt Lot 5131 Jandakot Road, Treeby and Surrounds proposed minor amendment as modified


28 October 2020


Proposal 1

Proposed Amendment:

 Urban zone

Notice of Delegation

 (Site No) Bush Forever area addition

 (Site No) Bush Forever area for removal

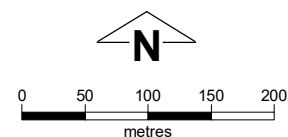
Oracle reference no: 2968

File number: 833/02/23/0069P

Version number: 9



Date: 5/11/2020
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

Proposed Minor Amendment 1367/57

Part Lot 5131 Jandakot Road, Treeby and Surrounds

as advertised

Amending Plan 3.2717

Detail Plans

1.6560, 1.6584

Appendix 2

List of detail plans as modified

Proposed Minor Amendment 1367/57

Part Lot 5131 Jandakot Road, Treeby and Surrounds

as modified

Amending Plan 3.2717/1

Detail Plans

1.6560, 1.6584

Submissions

Submitted to **Metropolitan Region Scheme Minor amendment 1367/57 – Part Lot 5131 Jandakot Road, Treeby and Surrounds**
Submitted on **2020-07-11 10:18:40**

Introduction

1 What is your first name?

First name: *Name removed at the request of the submitter*

2 What is your surname?

surname:

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

Yes

4 What is your email address?

Email:

5 What is your address?

address:

6 Contact phone number:

phone number:

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

Oppose

8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

Submission:

File upload:

No file was uploaded

File upload:

No file was uploaded

File upload:

No file was uploaded

File upload:

No file was uploaded

File upload:

No file was uploaded

Submitted to **Metropolitan Region Scheme Minor amendment 1367/57 – Part Lot 5131 Jandakot Road, Treeby and Surrounds**
Submitted on **2020-07-20 14:31:47**

Introduction

1 What is your first name?

First name:

John

2 What is your surname?

surname:

Fraser

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

No

4 What is your email address?

Email:

jfraser@jandakotairport.com.au

5 What is your address?

address:

Jandakot Airport Holdings Pty Ltd
16 Eagle Drive, Jandakot, WA 6164

6 Contact phone number:

phone number:

0402181814

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

Oppose

8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

Submission:

We note the proposed development relating to the MRS amendment appears to be compliant with SPP 5.3 Land Use in the Vicinity of Jandakot Airport. We understand that the development falls outside of the ANEF 20 contour & will therefore have no restrictions like a memorial on title, double-glazed windows etc. We stress however that the future residents in this area will still be subjected to a level of aircraft noise (refer to N60 contours on our website <http://www.jandakotairport.com.au/community/aircraft-noise.html#Aircraftnoisemodelling>).

The area in question appears to be directly below the circuit flight path and it should be noted that circuit training hours extend to 10:30pm on weekdays. Noting that noise complaints about circuit training are received from residents outside of the ANEF N20 contour, we anticipate that a proportion of residents in this future development are likely to be adversely impacted by aircraft noise.

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Submitted to **Metropolitan Region Scheme Minor amendment 1367/57 – Part Lot 5131 Jandakot Road, Treeby and Surrounds**
Submitted on **2020-07-20 15:38:01**

Introduction

1 What is your first name?

First name:

Philip

2 What is your surname?

surname:

Jennings

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

No

4 What is your email address?

Email:

philipjennings2274@gmail.com

5 What is your address?

address:

33/22 Windelya Road, Murdoch, WA 6150

6 Contact phone number:

phone number:

93122778

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

Support

8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

Submission:

I support the rationalisation of the boundary of BF390 and the protection of the good wuality bushland. The offset sounds reasonable. The EPA's advice should be accepted and incorporate into the conditions of the amendment. The wetland must be conserved, with an appropriate buffer zone. Aboriginal heritage should be carefully assessed and additional conditions included, if necessary.

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Submitted to **Metropolitan Region Scheme Minor amendment 1367/57 – Part Lot 5131 Jandakot Road, Treeby and Surrounds**
Submitted on **2020-07-20 17:25:06**

Introduction

1 What is your first name?

First name:

Anna

2 What is your surname?

surname:

Cranney

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

No

4 What is your email address?

Email:

anna.cranney@uqconnect.edu.au

5 What is your address?

address:

10 Willis street, Mosman Park 6012

6 Contact phone number:

phone number:

0428350661

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

Oppose

8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

Submission:

As a Perth resident and lover of the remaining bush land we have close to the city, it is extremely disappointing that this designated Bush Forever site may be rezoned. The remaining vegetation we are fortunate to have left needs preservation and protection. Given that some parts are classified to be in 'poor' condition, what is needed to rehabilitate it, and surely this can be achieved with the right commitment? Please reconsider rezoning this patch of bush.

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Submitted to **Metropolitan Region Scheme Minor amendment 1367/57 – Part Lot 5131 Jandakot Road, Treeby and Surrounds**
Submitted on **2020-07-27 11:11:48**

Introduction

1 What is your first name?

First name:

Fiona

2 What is your surname?

surname:

Snellin

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

No

4 What is your email address?

Email:

fiona.snellin@atco.com

5 What is your address?

address:

81 Prinsep Road Jandakot WA 6164

6 Contact phone number:

phone number:

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

Support

8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

Submission:

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File upload:

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Submitted to **Metropolitan Region Scheme Minor amendment 1367/57 – Part Lot 5131 Jandakot Road, Treeby and Surrounds**
Submitted on **2020-07-30 15:37:32**

Introduction

1 What is your first name?

First name:

Claire

2 What is your surname?

surname:

Boland (Taylor Burrell Barnett), on behalf of Parcel Property Pty Ltd

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

No

4 What is your email address?

Email:

claire@tbbplanning.com.au

5 What is your address?

address:

Level 7/160 St Georges Tce, on behalf of Parcel Property Pty Ltd, who represents the owner of Lot 130 Jandakot Road, Treeby.

6 Contact phone number:

phone number:

9226 4276

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

Support

8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

Submission:

The purpose of this submission is to provide our support for the proposed MRS Amendment, and also reiterate our position that Lot 130 Jandakot Road, is considered suitable for urban development, consistent with the characteristics of the land the subject of this amendment, and requires comprehensive planning to ensure consolidation of appropriate development in close proximity to the Cockburn Central Activity Centre. Please refer to the attached Submission Letter and Concept District Structure Plan for the details of the submission.

File upload:

15~034 LTR Submission MRS Amendment 1367-57 Jandakot Road and Surrounds - 30.07.20.pdf was uploaded

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Our Ref: 15/034 ST:CB

30 July 2020

Town Planning and Design
Level 7/160 St Georges Terrace
PO Box 7130 Cloisters Square
Perth WA 6850

08 9226 4276
admin@tbbplanning.com.au
taylorburrellbarnett.com.au

Attention: Manager – Schemes and Amendments

Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Dear Sir/Madam

METROPOLITAN REGION SCHEME AMENDMENT 1367/57 - PART LOT 5131 JANDAKOT ROAD, TREEBY AND SURROUNDS

Thank you for the opportunity to lodge a submission on the proposed *Metropolitan Region Scheme* (MRS) Amendment 1367/57 in respect of Part Lot 5131 Jandakot Road, Treeby and Surrounds. This submission has been prepared on behalf of Parcel Property Pty Ltd, who represents the owner of Lot 130 (No. 367) Jandakot Road, Treeby, which is located adjacent to the land subject to the MRS Amendment, north of Jandakot Road.

In December 2017, TBB, on behalf of Parcel Property Pty Ltd, submitted a MRS Amendment request to the Western Australian Planning Commission (WAPC) to rezone Lot 130 Jandakot Road, Treeby from 'Rural – Water Protection' to 'Urban', and to realign the boundary of the Bush Forever Site 389 to create a 'Parks and Recreation' reserve.

The purpose of this submission is to provide our support for the proposed MRS Amendment, and also reiterate our position that Lot 130 Jandakot Road, is considered suitable for urban development, consistent with the characteristics of the land the subject of this amendment, and requires comprehensive planning to ensure consolidation of appropriate development in close proximity to the Cockburn Central Activity Centre.

The MRS Amendment indicates a need and an opportunity to examine the true potential of our client's land and land in the general vicinity and decide on the highest and best use as 'Urban', as a precursor to the land the subject of this amendment progressing through the Local Planning Scheme and Structure Planning process in isolation.

TBB prepared the attached Concept District Structure Plan (**Attachment 1**), and associated written submission (which can be made available on request) in support of the proposal to consider the broader precinct for the Banjup Urban Precinct as part of Parcel's submissions on the draft *Perth and Peel @ 3.5 Million* and the draft *South Metropolitan Peel Sub-Regional Planning Framework* in July 2015 (Frameworks).

The previous submission identified the characteristics of the Banjup area that supports the case for urban development and provides detailed conceptual planning for the development of low, medium and high-density residential areas, a range of open space areas and school sites and a series of neighbourhood centres.

It is acknowledged that since TBB lodge the submission on the draft *Perth and Peel @ 3.5 Million* and the draft *South Metropolitan Peel Sub-Regional Planning Framework*, the documents have since been finalised, however the content of the submission relating the suitability of the precinct for urbanisation is still relevant, and so has been included for consideration in this submission.

In support of our submission, the following summary is provided:

District Context	<p>Similar to the land subject to MRS Amendment 1367/57, the subject site is strategically suited to urban development given its ready access to existing road and rail infrastructure in the form of the Kwinana Freeway (Via Armadale Road), Cockburn Central Railway Station, the Cockburn Activity Centre and the Jandakot Airport Specialised Activity Centre.</p>
Consolidating Urban Form	<p>The land subject to MRS Amendment 1367/57 is identified as Urban Investigation and Open Space in the Frameworks, with a Short-Medium Term urban staging timeframe.</p> <p>The subject site is identified as a Planning Investigation Area in the frameworks.</p> <p>It is noted the site is located adjacent Stockland's existing Calleya Estate and to a number of sites acknowledged within the <i>Perth and Peel @ 3.5m</i> for urban investigation, including:</p> <ul style="list-style-type: none"> • Lot 705 Armadale Road (formally Lot 4), Treeby; • Lot 5131 Jandakot Road (formally Lot 131), the subject of this MRS Amendment; • Lot 703 Armadale Road (formally Lot 821); and • Various parcels east of Warton Road. <p>The precinct shares the same physical site characteristics and is relatively unconstrained. In stark contrast to retaining the balance of the precinct as underutilised rural and rural-residential zoned land, development will create a complete precinct in excess of 4,000 dwellings representing a significant infill opportunity and efficient use of the transport networks, public transport system, servicing infrastructure, employment and community services which are all in such close proximity.</p>
Protecting Areas of Environmental Significance	<p>360 Environmental has undertaken an environmental review for the site and found whilst the site has a number of anticipated environmental constraints and opportunities, and these have the potential to influence the form outcomes, they will not preclude urban development, similar to the case for the land subject to MRS Amendment 1367/57.</p>
Maximising the Use of Infrastructure	<p>Similar to the land subject to MRS Amendment 1367/57, the subject site is conveniently located:</p> <ul style="list-style-type: none"> • Within close proximity to the Cockburn Central Railway station; • At the intersection of two major transport routes in the form of Armadale Road and Warton Road; • In proximity to a variety of existing and planned district and regional community facilities in close proximity to the precinct including regional and district sporting facilities at Cockburn Central, Fiona Stanley and St John of God Hospitals (within 8 kms); and

	<ul style="list-style-type: none"> A number of other activity centres in close proximity offering excellent access to retail and commercial services including Cockburn Central and Fremantle City Centre.
Integrating and Maximising Public Transport	Maximising patronage on the existing railway line, given proximity to the Cockburn Central Station.
Increasing the residential population to employment centres	The site is close to a number of existing and emerging employment centres including the Cockburn Activity Centre, Jandakot Specialised Activity Centre and the Canning Vale Industrial precinct.
Effective and Efficient Servicing	<p>The land subject to MRS Amendment 1367/57 is located within the Jandakot UWPCA and is classified as P2, which the Water Corporation advised urban development is not permitted. The MRS Amendment report states that the WAPC will liaise with DWER regarding reclassifying the area from P2 to P3, to enable urban development.</p> <p>The subject site is also classified as P2, with the Frameworks identifying this as a key consideration for the Jandakot / Treeby Planning Investigation Areas. A Servicing Strategy has been considered by the PDC Group for our Clients land, which confirms the site is suitable to reclassified from P2 to P3.</p> <p>The Servicing Strategy has prepared for the precinct by PDC Group also identifies:</p> <ul style="list-style-type: none"> The Banjup North precinct falls within the Jandakot Wastewater Scheme Planning Catchment and has already been accounted for in Water Corporations forward planning for the area; The precinct falls within two separate water servicing catchments; Power infrastructure is located nearby; Gas is available in Armadale Road; and Jandakot Road is planned for a major upgrade to accommodate planned growth to 24,700 vehicles per day.
Land supply and affordability	This site is located in proximity to a number of major landholdings identified for urban development. In a more consolidated form, the issues of significant land fragmentation and assembly which are common constraints elsewhere in the metropolitan area are removed. In contrast, many areas identified for future urbanisation are highly fragmented and cannot be relied upon to deliver the necessary land supply in the foreseeable future.

On the basis of the information outlined above, it is considered that there is sufficient rationale and justification for the subject area to be more broadly considered as an area for urban investigation and expansion in conjunction with the land the subject of this MRS Amendment. Future planning of this precinct should have regard to the suitability of this entire precinct for urbanisation, due to its strategic location, proximity to services and infrastructure and its relatively unconstrained nature.



Should you wish to discuss this matter further or have any questions please do not hesitate to contact the undersigned.

Yours faithfully

TAYLOR BURRELL BARNETT

A handwritten signature in black ink, appearing to be 'S. Thompson', with a long horizontal line extending to the right.

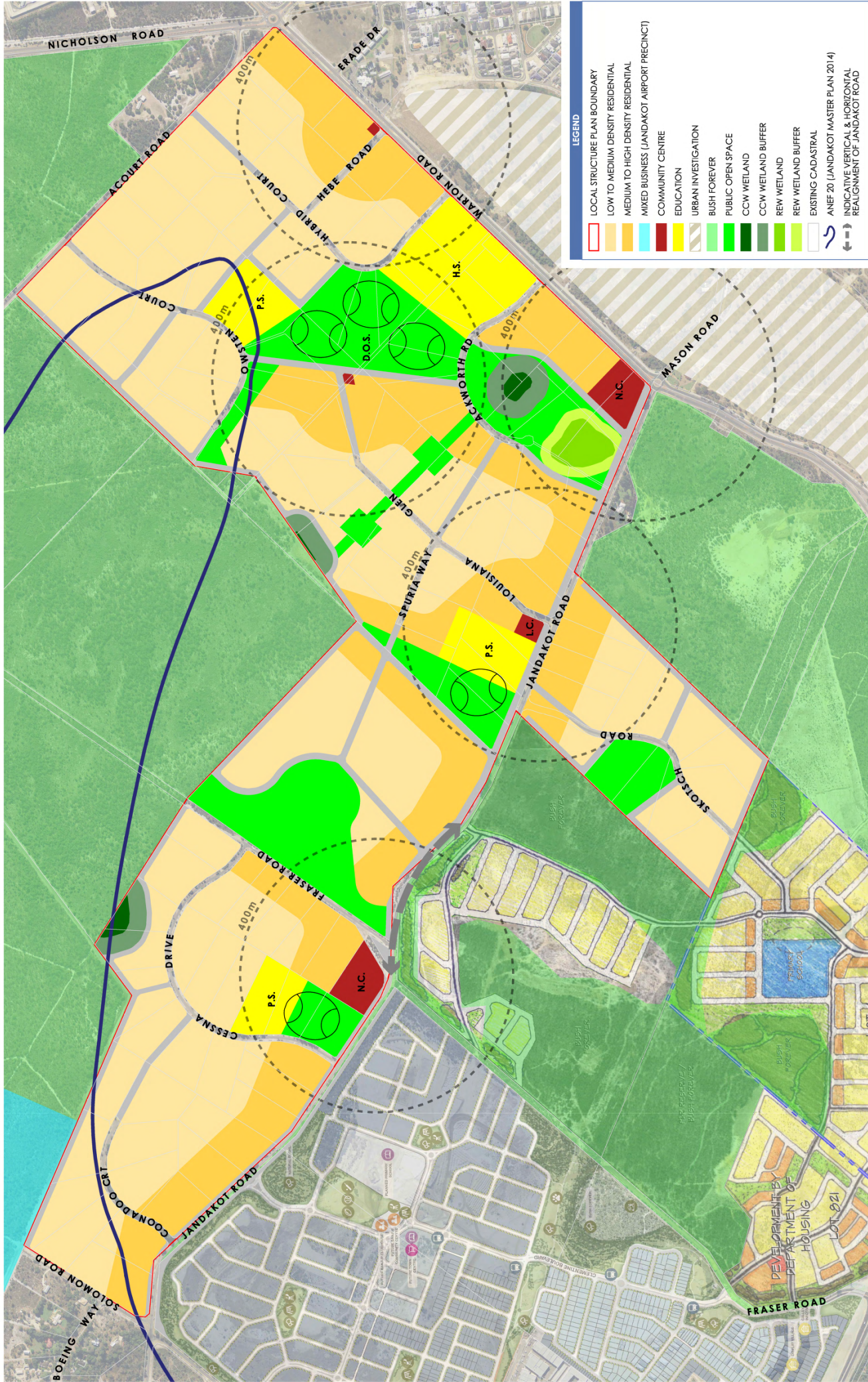
SAMANTHA THOMPSON
DIRECTOR

CC: Fenualla O'Brien – Development Manager, Parcel Property Pty Ltd

ATTACHMENT 1

Concept District Structure Plan





DISTRICT CONCEPT PLAN

Banjup
A Parcel Property Project



S: 1:100000A3
at: 15 JULY 2015
P: 15/03/2015
P: 15/03/2015

Taylor Burnett Barnett Town Planning and Design
187 Roberts Road Western Australia 6008
P: 08 9447 1111 F: 08 9447 1112
E: enquiries@tbnpp.com.au

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Your ref 833-2-23-69 Pt 1 RLS/0915
Our ref A0781/201901
Enquiries Hannah Wallace
9222 3235
Hannah.WALLACE@dmirs.wa.gov.au

Ms Sam Fagan
Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Attention: Anthony Muscara

Dear Ms Fagan

**METROPOLITAN REGION SCHEME AMENDMENT – 1367/57 – PART LOT 5131
JANDAKOT ROAD TREEBY AND SURROUNDS – REQUEST FOR COMMENT**

Thank you for your letter dated 30 June 2020 (RLS/0915) inviting comment on the above proposal to rezone an area from the Rural-Water Protection zone to the Urban zone and the rationalisation of Bush Forever site 390.

The Department of Mines, Industry Regulation and Safety has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy and basic raw materials.

Yours sincerely

Samantha Carter

Samantha Carter
Acting General Manager Land Use Planning
Minerals and Petroleum Resources Directorate
14 July 2020

From: Nugraha, Yohan <Yohan.Nugraha@transport.wa.gov.au>
Sent: Thursday, 23 July 2020 4:25 PM
To: mrs
Cc: Anthony Muscara
Subject: Metropolitan Region Scheme Amendments: 1367/57 - Part Lot 5131 Jandakot Road, Treeby And Surrounds - DoT

Your ref: 833-2-23-69 Pt 1 (RLS/0915)
Our ref: DT/15/05054

METROPOLITAN REGION SCHEME AMENDMENTS: 1367/57 - PART LOT 5131 JANDAKOT ROAD, TREEBY AND SURROUNDS

I refer to your letter dated 30 June 2020 regarding the above proposed MRS amendment.

The Department of Transport has no comments to provide.

Thank you for the opportunity to comment.

Regards,

Yohan Nugraha
Transport Designer / Planner | Urban Mobility | Department of Transport
Level 8, 140 William Street, Perth WA 6000
Tel: (08) 65516103 | Fax: 65516947
Email: Yohan.Nugraha@transport.wa.gov.au | Web: www.transport.wa.gov.au



Department of
Transport

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Stay up to date with changes to our services related to COVID-19 »

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13 Falcon Pt
Jandakot WA 6164
27 July 2020

Mr A Thomas

Senior Planning Officer

By email: andrew.thomas@dplh.wa.gov.au

Dept. of Planning, Lands and Heritage

140 William St

PERTH WA 6000



Dear Andrew,

Investigation of Zoning in Jandakot

Our family moved into the Jandakot Rural area some 19 years ago. We were delighted, after years of searching the hills and outlying suburbs, to find a rural retreat so close to the City and an abundance of local infrastructure. The blocks here retained a large portion of native bushland with established trees (including *nuytsia floribunda* Christmas trees).

The area was only a 15 minute drive from the City in off peak times and convenient to hospitals and shopping that existed at that time. While there is no reticulated water, gas or sewerage in the area, we are able to cope with bore and rain water, and septic tanks.

Proximity to Jandakot Airport created some noise downside, but did not impact our lifestyle to any great degree. The adjoining sandpit on Solomon Road was proposed for eventual redevelopment as more 2 Ha Rural Lifestyle blocks.

We worked to maintain the natural ambience of the area by controlling invasive weeds and exotic plants and encouraging the proliferation of native wildlife. The City of Cockburn assisted financially with these efforts.

Over time, the surrounding areas were developed – predominantly with light industrial businesses to the South East (Cockburn South Central) and significant Residential lots to the East (Calleya). This has led to a significant increase in local traffic, including heavy vehicles servicing the industrial areas. The opening of Piara Waters and Mason Green to the East also contributed to significant volumes of commuters, traffic noise and emissions.

We now believe that the Eastern end of Jandakot Rd has been rezoned to residential, with the removal of Bush Forever zones, as has the land on Warton Rd (Nicholson to Armadale Rds). This will result in further traffic loads and Jandakot and Solomon Rds will serve as a short cut for vehicles headed for Roe Highway, especially while works on Armadale Rd continue over the next few years. To this end, the City of Cockburn has issued Taking orders for part of our land to increase the capacity of Jandakot Rd.

In recent times, Jandakot Airport Corporation have cleared ALL the remnant bush from their site, and are now progressing the building of Industrial workshops and warehouses right up to the boundary of the rural lots on the Northern side of Jandakot Rd. The industrial plant at the Western end of Jandakot Rd (Brikmakers/Urbanstone) has also been granted additional uses and an expanded area to operate.

All of these additional developments evidently have no impact on the underlying Jandakot Water Mound, but we are concerned that the quality of the water we use daily from our bores will deteriorate.

We, along with our neighbours, find that the rural amenity we sought when we moved into the area has been eroded over the last five years, and pending developments will destroy it completely. Many of us will have lots under 2Ha after the new roadworks, and the vegetation buffers we had will be removed by the roadworks. Protection of the Water Mound no longer seems to be an issue with the densification of residences and industry. Even the runoff from the new roads (with associated contaminants) is to be collected in drainage basins, rather than connected to the sewerage and drainage networks. This may also increase mosquito activity.

In short, the Jandakot area surrounding Jandakot and Solomon roads is no longer the rural idyll it once was. The review you are currently conducting under the Perth to Peel plan is our opportunity to have our diminished blocks reclassified to permit alternative uses. This may be of interest to a prospective purchaser, allowing us to relocate.

Thank you for considering our situation and we hope that your team, and the Minister, can speedily arrive at a recommendation allowing our area to be redeveloped.

Yours Sincerely,

Viv & Leanne SLOSS

H: 9417 1755 Mob: 0433 545 447

27 July 2020



Department of
**Primary Industries and
Regional Development**

**SUBMISSION
10**

Your reference: 1367/57 Part Lot
5131 Jandakot Rd Treeby and
Surrounds; 1368/57 Wandi High
School
Our reference: LUP 888
Enquiries: Heather Percy

Ms Sam Fagan
Secretary
Western Australian Planning Commission
mrs@dplh.wa.gov.au
Attention: Mr Anthony Muscara (1367/57) and Mr Brett Pye (1368/57)

Date: 31 August 2020

Dear Ms Fagan

Metropolitan Scheme Amendments:
1367/57 Part Lot 5131 Jandakot Road Treeby and Surrounds City of Cockburn;
1368/57 Wandi High School City of Kwinana

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal.

1367/57 Part Lot 5131 Jandakot Road Treeby and Surrounds City of Cockburn

DPIRD does not object to the proposal as it has been identified in the *Perth and Peel @3.5 million* planning framework and does not affect priority agricultural land.

1368/57 Wandi High School City of Kwinana

DPIRD does not object to the proposal as it has been identified in the *Perth and Peel @3.5 million* planning framework and does not affect priority agricultural land.

For more information please contact Ms Heather Percy on 9780 6262 or
heather.percy@dpird.wa.gov.au.

Yours sincerely

Dr Melanie Strawbridge
**Director Agriculture Resource Management Assessment
Sustainability and Biosecurity**

3 Baron-Hay Court, South Perth 6151
Locked Bag 4 Bentley Delivery Centre 6983
Telephone +61 (0)8 9368 3333 enquiries@dpird.wa.gov.au
dpird.wa.gov.au
ABN: 18 951 343 745



Your ref : 833-2-23-69 Pt 1 (RLS/0915)
Our ref : D20/0417327
Enquiries : Matthew Cosson
((08) 9264 4008)

Ms Sam Fagan
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Attention: Anthony Muscara
Principal Planning Officer

Department of Planning, Lands and Heritage Received	
Scanned	24 AUG 2020
Attachments	
Scan QA	
Doc No.	
File No.	R18/0915

Dear Sir / Madam

**Proposed Metropolitan Region Scheme Amendment No. 1367/57
Part Lot 5131 Jandakot Road, Treeby and Surrounds**

Thank you for your letter dated 30 June 2020 providing the Department of Education (Department) with the opportunity to comment on Metropolitan Region Scheme (MRS) Amendment No. 1367/57. The Department has reviewed the amendment report and acknowledges that the proposal is generally consistent with the City of Cockburn's Treeby (Banjup) District Structure Plan (DSP).

Notwithstanding this, the Department has concerns relating to the number of dwellings being planned for within the DSP area through the local structure planning process. 2,300 dwellings are currently planned for under the provisions of the approved Banjup Quarry Local Structure Plan. An additional 1,079 dwellings have been planned for within two draft Local Structure Plans for Lot 703 Ghostgum Avenue and Lots 705 and 707 Armadale Road.

In addition to the MRS amendment site, further residential development is expected to be delivered within the following areas:

- Land identified as 'Mixed Business and/or Residential' within the south-western corner of the DSP; and
- Land to the east of the MRS amendment site identified as 'Potential Future Residential' within. This land has been identified within the South Metropolitan Peel Sub-regional Planning Framework.

The Department is concerned that the aggregate number of dwellings to be delivered will exceed the number projected for within the DSP. This is likely to place significant pressure on the two planned school sites within the DSP area which were originally planned to accommodate for a total of 3,500-3,800 dwellings.

It is acknowledged that dwelling yields for the remaining portions of land within the DSP which have not been planned for will be identified through the preparation of local structure plans. As such, the Department wishes to ensure that it is engaged at the earliest possible stages during the preparation of local structure plans to ensure the educational needs of the future population are adequately provided for.

The Department also notes that based on the current dwelling projections and the location of the future Piara Waters High School (planning name) site, there is currently sufficient provision for public secondary schools within the area. However, if the Planning Investigation Areas surrounding Treeby/Jandakot were to become Urban areas in the future, it is likely that an additional high school site may be required to accommodate for the residential growth of these areas.

Subject to the above matters being considered, the Department offers no in principle objection to the proposed MRS amendment.

Should you have any questions in relation to the above, please do not hesitate to contact Mr Matthew Cosson, Senior Consultant – Land Planning on (08) 9264 4008 or by email at matthew.cosson@education.wa.edu.au.

Yours sincerely



Matt Turnbull
**Manager Land and Property
Asset Planning and Services**

19 August 2020

27/08/2020

Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Attention: Anthony Muscara
Sent via email to: Anthony.Muscara@dplh.wa.gov.au

Dear Anthony,

**PROPOSED MRS AMENDMENT 1367/57 - PART LOT 5131 JANDAKOT ROAD,
TREEBY AND SURROUNDS – ADVERTISING PERIOD COMMENTS**

I refer to your recent correspondence advising of the formal comment period relating to the above.

The matter was referred to Council at its ordinary meeting held 13 August 2020 and a copy of the minutes is attached (relevant item extracted).

It was resolved that Council:

- (1) recommend to the Western Australian Planning Commission (WAPC) that the proposed draft Metropolitan Region Scheme amendment be supported;*
- (2) advise the WAPC that the City does not support a concurrent amendment to its Local Town Planning Scheme as permitted under section 126(3) of the Planning and Development Act 2005. A subsequent Local Town Planning Scheme amendment in this case should be initiated by Council as a Development Zone, a comprehensive Development Area and Development Area provisions will be required to support a Development Zone; and*
- (3) advise the WAPC that the City supports a solution to the geometry and alignment of the Torwood Avenue/Solitaire Road intersection (identified in the Treeby District Structure Plan) being agreed upon and reflected in this proposed MRS Amendment. The City's preference for the geometry and alignment of the Torwood Avenue roundabout is a solution that retains as much of the Bush Forever Site 390 as possible.*

Should you have any queries regarding these comments, please contact Kaysanne Knuckey on 9411 3660 or via kknuckey@cockburn.wa.gov.au

Sincerely,

A handwritten signature in black ink, appearing to read 'Donna Di Renzo', with a stylized, cursive script.

Donna Di Renzo
A / COORDINATOR STRATEGIC PLANNING

14.2 (2020/MINUTE NO 0168) METROPOLITAN REGION SCHEME AMENDMENT 1367/57 - PART LOT 5131 JANDAKOT ROAD, TREEBY AND SURROUNDS

Author(s)	K Knuckey
Attachments	1. MRS Proposed Amendment Plan ↓ 2. Treeby District Structure Plan ↓
Location	Part Lot 5131 Jandakot Road, Treeby
Owner	Limebrook Holdings Pty Ltd
Applicant	CLE Planning
Application Reference	MRS1367/57

RECOMMENDATION

That Council:

- (1) recommend to the Western Australian Planning Commission (WAPC) that the proposed draft Metropolitan Region Scheme amendment be supported;
- (2) advise the WAPC that the City does not support a concurrent amendment to its Local Town Planning Scheme as permitted under section 126(3) of the *Planning and Development Act 2005*. A subsequent Local Town Planning Scheme amendment in this case should be initiated by Council as a Development Zone, a comprehensive Development Area and Development Area provisions will be required to support a Development Zone; and
- (3) advise the WAPC that the City supports a solution to the geometry and alignment of the Torwood Avenue/Solitaire Road intersection (identified in the Treeby District Structure Plan) being agreed upon and reflected in this proposed MRS Amendment. The City's preference for the geometry and alignment of the Torwood Avenue roundabout is a solution that retains as much of the Bush Forever Site 390 as possible.

COUNCIL DECISION

MOVED Cr M Separovich SECONDED Cr C Terblanche

That the recommendation be adopted.

CARRIED 10/0



Background

The City has received a referral from the Western Australian Planning Commission (WAPC) in regards to a proposed amendment to the Metropolitan Region Scheme (MRS). The purpose of the proposed amendment as shown in Attachment 1 is to:

1. Rezone approximately 31.93 ha of land in the Treeby locality from Rural Water Protection Zone to Urban Zone,
2. Rationalise Bush Forever Site 390 (proposing the addition of 2.39ha and removal of 9.58 ha).

Furthermore, the amendment addresses zoning changes that will also provide the basis to facilitate part of the Jandakot Road/Fraser Road upgrades and a road extension south to Lot 705 Armadale Road, Treeby.

The amendment will allow for the residential development of the subject land, following a local scheme amendment, structure planning and subdivision approval.

The land subject to this proposed amendment to the MRS has been earmarked for potential urban development for several years. Initially in the draft State's Planning Policy for Perth and Peel @ 3.5 Million documents released in May 2015 (finalised in March 2018), and also as part of the Treeby District Structure Plan (TDSP) adopted by Council in 2017. The TDSP identifies the subject site for residential development and a significant portion of Public Open Space as shown in Attachment 2.

The current MRS map is shown in Figure 1, and the proposed MRS amendment is shown in Figure 2.

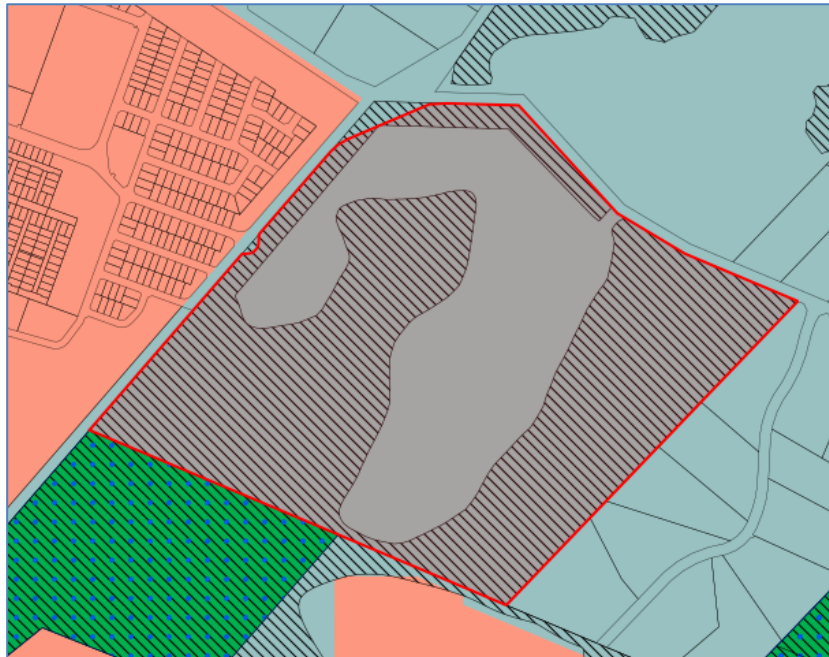


Figure 1: Existing MRS zoning. Rural Water Protection Zone (Blue), hatched area (Bushforever Site 390)

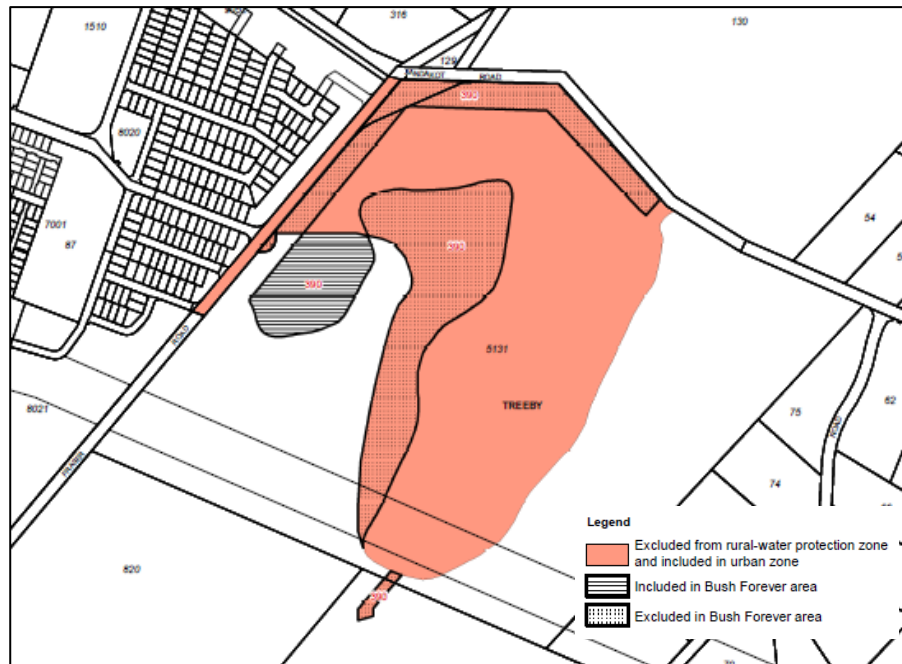


Figure 2: Proposed Amendment to MRS Zoning.

Should the proposed amendment to the MRS be approved by the Minister for Planning, the applicant has stated that they would immediately prepare to lodge an amendment to the City's Town Planning Scheme No. 3. The Scheme Amendment will seek to zone the entire site Development Zone with a Development Area (DA) set of provisions which would later inform and guide the structure plan stage. Advice has previously been provided by City Officers as to what some of these DA provisions will need to consist of, including the provisions set out within the TDSP.

Given that the proposed amendment is generally consistent with the planning framework at a State and local government level, it is recommended that Council recommend to the WAPC that the proposed MRS amendment be supported, subject to the advice notes recommended.

Submission

CLE Planning has lodged the supporting documentation to the WAPC.

Report

Perth and Peel @ 3.5 Million

To realise the vision of Directions 2031 and Beyond, and the State Planning Strategy 2050, the WAPC has created a series of planning frameworks. In May 2015 the draft Perth and Peel @3.5 Million strategic suite of documents were released for public comment, with the final plan released in March 2018. Both the draft and finalised plan identified the subject land as 'Urban Investigation' and referencing key considerations as being –



- Impacts, risks and management of Jandakot groundwater resources (existing Priority 2 Source Protection Area).
- Protection of significant environmental values.
- Australian Noise Exposure Forecast (ANEF) considerations associated with Jandakot Airport. The above requirements are considered to be addressed.

The MRS Amendment report suggests the proposal has adequately addressed these matters and the City agrees with this assessment.

The subject land is also identified as 'Open Space' as shown in Figure 3.



Figure 3: Subject site in Perth and Peel at 3.5 Million Framework

Treeby District Structure Plan

Council considered the TDSP at its meeting of 14 September 2017. This was adopted, and forms the high level further investigations to warrant this land being urbanised. As part of the resolution, Council forwarded a copy of the endorsed TDSP (as modified) to the WAPC for information purposes.

The TDSP is intended to guide and coordinate more detailed planning (including the preparation of Local Structure Plans) for individual sites within the TDSP. The TDSP identifies the subject land for residential development, areas of POS and contains part of a powerline easement. The proposed amendment is generally consistent with the intent of the Treeby TDSP.

Proposed MRS Amendment

The proposed amendment is accompanied by a draft Negotiated Planning Outcome (NPO) which proposes to retain and protect approximately 46.24 ha of vegetation within a realigned Bush Forever

area 390 boundary (includes abutting Lot 705 Armadale Road, Treeby). The City is supportive of the retention of Bushforever land where vegetation is identified as at least 'Good' to 'Excellent' as discussed in the MRS Amendment Report.

Leading up to the preparation of this MRS amendment documentation, City Officers were provided the opportunity to review the information submitted by the applicant. The general feedback from Officers was that the proposed amendment and its accompanying documentation, was generally consistent with the State and local government framework.

Bush Forever Site 390

The amendment area is currently undeveloped with a substantial amount of native bushland. A snapshot of the existing Bush Forever is identified in Figure 4. The MRS amendment proposes modifications to Bush Forever Site 390 in order to rationalise and provide a more logical boundary as previously shown in Figure 1.

The City has previously discussed this approach (rationalisation of Bush Forever Site) with the applicant and Department, and supports a planning process that protects the best and most logically configured element of conservation land so that it is created and maintained in a viable state. City Officers support the reshaping as indicated in the MRS Amendment Plan, and as foreshadowed by the TDSP, as some of the current Bush Forever Site does not reflect the vegetation location on the ground.



Figure 4: existing classification of Bush Forever on subject site.

Figure 4: Subject land illustrating Bush Forever mapped land (green).



Planning for the Torwood Avenue/Fraser Road Roundabout

While the benefits are clear for the rationalisation of the Bush Forever Site 390 boundary as the current irregular shaped boundary will be difficult to manage from a bushfire and biodiversity perspective once the surrounding area is urbanised, there is now an issue as to how the Torwood Avenue extension will be constructed (shown in Figure 5).

The extension of Torwood Avenue was identified in the TDSP as an important intersection and east-west connection for Treeby.

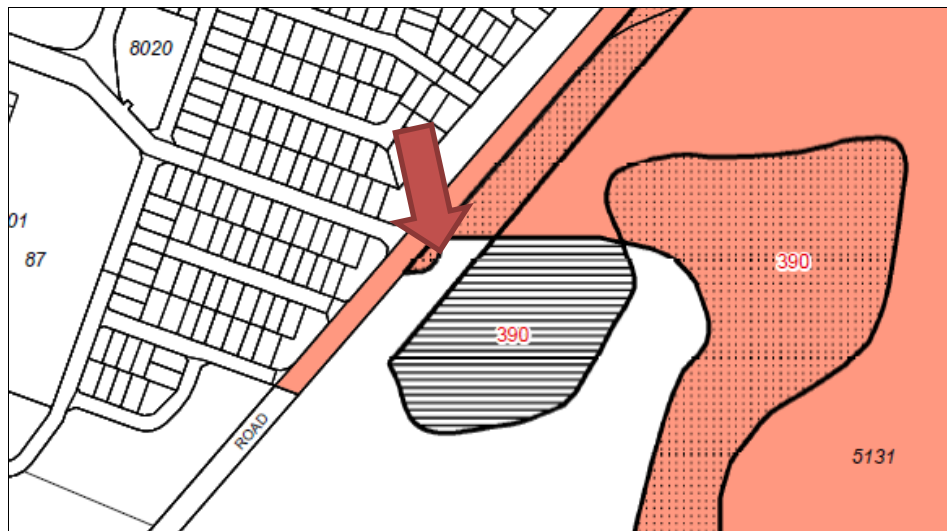


Figure 5: Land identified for future roundabout and extension of Torwood Avenue identified by half-crescent shape proposed to be rezoned for urban.

The proponent has stated that they have engaged a transport engineer to identify an alignment of Torwood Avenue through the subject site that will result in the least net loss of vegetation in Bush Forever site 390. The final solution may require slight alterations to the proposed geometry of the roundabout identified within the TDSP. The proponent and DPLH have informed City officers that the final alignment will be subject to further consultation with the City, to determine the best outcome.

The preferred alignment is for the Torwood Avenue extension to have the least impact possible on Bush Forever Site 390. It would also be preferable to have the Torwood Avenue alignment finalised prior to the final approval of this MRS Amendment, however it is recognised that this may not be possible. However if the final solution results in a reconfiguration of the intersection that requires further amendment to the MRS, this minor amendment could be captured in a future omnibus amendment.

Potential for current amendment to the Town Planning Scheme

In terms of next steps in the planning process to facilitate the intent of the proposal the City highlights it is not possible to undertake a concurrent amendment to the City's Town Planning Scheme 3 (TPS) as permitted under section 126(3) of the *Planning and Development Act 2005*.

A Special Control Area is not considered a zone under TPS3. Therefore it is the responsibility of the relevant local government to initiate an amendment to its local planning scheme.

For the reasons stated it is recommended this MRS amendment be supported.

Strategic Plans/Policy ImplicationsEnvironmental Responsibility

A leader in environmental management that enhances and sustainably manages our local natural areas and resources.

Sustainably manage our environment by protecting and enhancing our unique natural coastal, bushland, wetlands areas and native wildlife.

City Growth and Moving Around

A growing City that is easy to move around and provides great places to live.

Plan to provide residents with great places to live, activated social connections and high quality open spaces.

Listening and Leading

A community focused, sustainable, accountable and progressive organisation.

Ensure good governance through transparent and accountable, planning, processes, reporting, policy and decision making.

Budget/Financial Implications

N/A

Legal Implications

N/A

Community Consultation

This is a consultation process facilitated by the DPLH which lasts a minimum of 60 days. In this case, it is being advertised for 63 days from Friday 3 July to Friday 4 September 2020.



The amendment documentation and submission forms are available on the Department's website.

Risk Management Implications

There is minimal risk to Council should it choose not to make a submission. The proposal will likely proceed to assessment in any case, and the nature of the proposal is largely consistent with Perth and Peel @3.5 million and Council's adopted TDSP.

Advice to Proponent(s)/Submitters

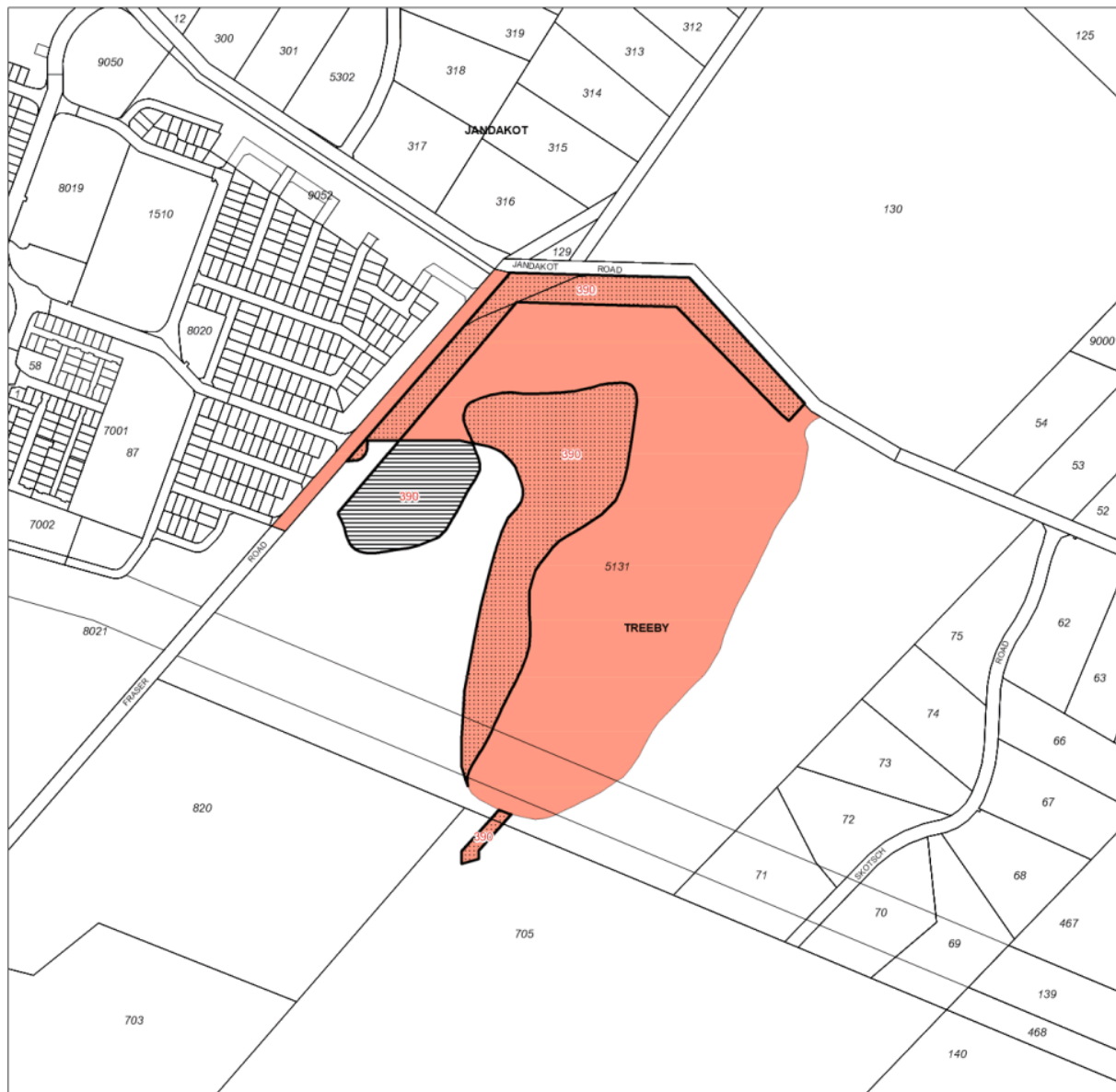
N/A

Implications of Section 3.18(3) *Local Government Act 1995*

Nil



3.2717



Signed for and on behalf of the
Western Australian Planning Commission

An officer duly authorised by the Commission
pursuant to section 24 of the
Planning and Development Act 2005
for that purpose in the presence of :

Witness

Date

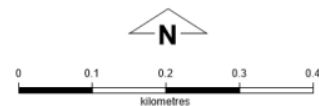
Approved - Minister for Planning

Date

Legend

- Excluded from rural-water protection zone and included in urban zone
- Included in Bush Forever area
- Excluded in Bush Forever area

Metropolitan Region Scheme
Amendment No. 1367/57



Created on date: Friday, 28 February 2020
Document Name: MRS_2018_v3_APlan3.2717
Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA
Base information supplied by Western Australian Land Information Authority SLIP 1095-2018-1

Program Manager: A. Muscara

Geospatial Officer: J. Ballarotta

Examined: A. Power

Revised:

Version No. 5

Date: WAPC/287.10.4 19 February 2020

Plan Number

3.2717

File number: 809/02/23/0069P
Plan reference:

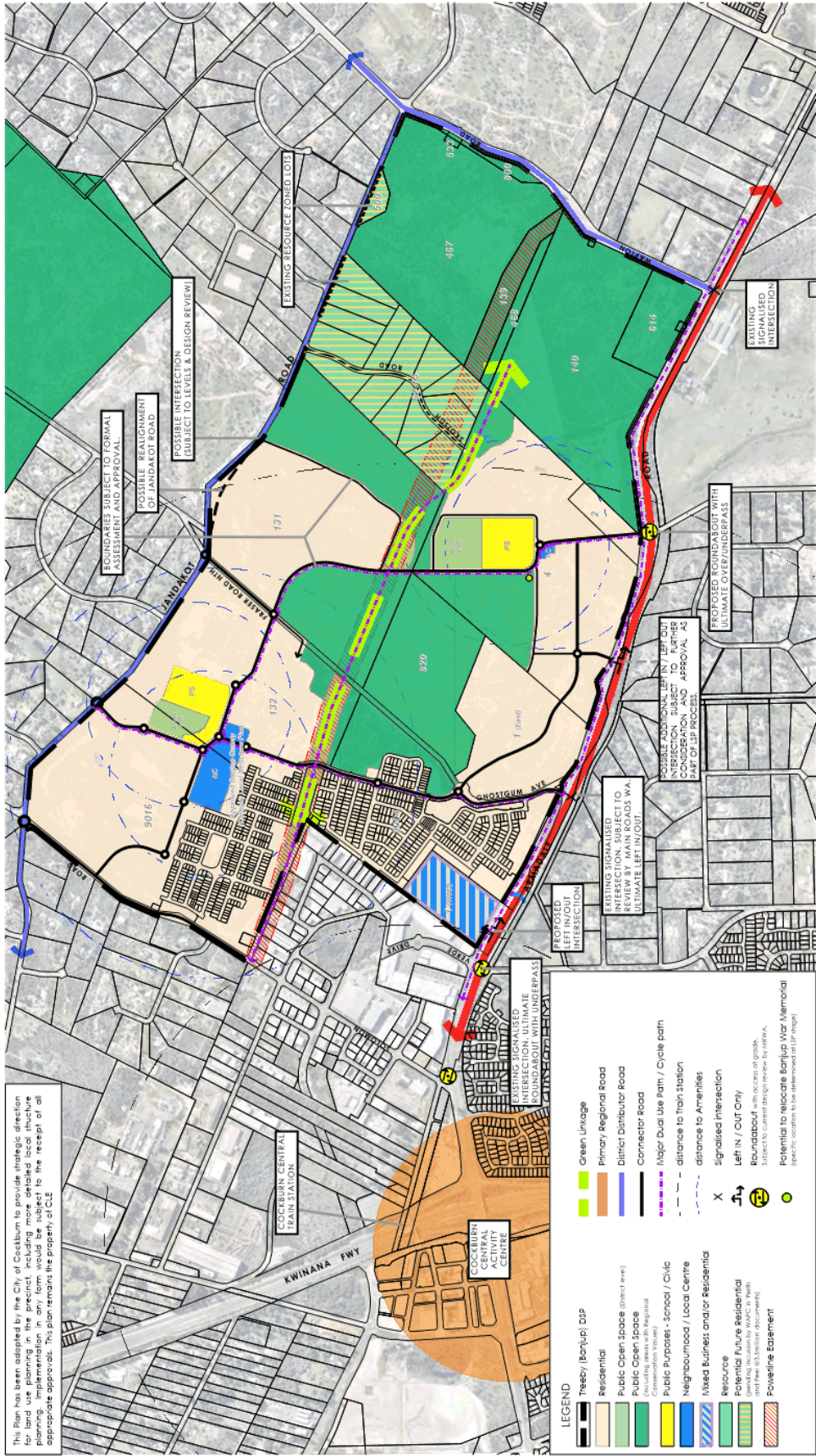
Metropolitan Region Scheme
1:25000 sheet 24

detail plans: 1.6560 & 1.6584

Sheet 1 of 1

Oracle reference no: 2968

www.cleplan.com.au



TREEBY (BANJUP) DISTRICT STRUCTURE PLAN
Banjup, City of Cockburn

2310-122F-01 (25.09.2017), NTS



Your Ref: 1367/57 - 833-2-23-69 Pt 1 (RLS/0915)
Our Ref: 101501518 - MRS369105
Enquiries: Kevin Purcher
Direct Tel: 9420 2385
Email: land.planning@watercorporation.com.au

01 September 2020

Secretary
Western Australian Planning Commission
LOCKED BAG 2506
PERTH WA 6001

Attention of: Anthony Muscara

**Re: Metropolitan Region Scheme Amendment -
1367/57 - Part Lot 5131 Jandakot Road, Treeby and Surrounds**

Thank you for your letter dated 5 August 2020. We offer the following comments in regard to this proposal.

Water

The subject land is located in the Metropolitan Region Scheme "Rural – Water Protection Zone" and within the 'Priority 2' area of the Jandakot Public Drinking Water Supply Area (PDWSA). The purpose of the gazetted 'Priority 2' classification over this part of the Jandakot groundwater resource is to ensure that there is no increased risk of pollution to the groundwater source from surface land uses. Development and land use within the Jandakot PDWSA is therefore restricted.

Because the Water Corporation is a major licensed abstractor of groundwater as part of a multi-source approach to drinking water supply across the metropolitan Integrated Water Supply System, the Corporation is opposed to any loss of currently protected groundwater resources due to the increased groundwater contamination risks posed by this type of development activities.

The Water Corporation owns and operates several nearby groundwater abstraction bores within the 'Priority 1' and 'Priority 2' classified areas.

The Water Corporation therefore does not support the MRS Amendment.

It should be noted that approved water planning for the area (that is currently rezoned Rural – Water Conservation) has not been undertaken as yet and therefore a reticulated potable water supply is not immediately available.

Wastewater

It should be noted that approved wastewater planning for the area (that is currently rezoned Rural – Water Conservation) has not been undertaken as yet and therefore a reticulated wastewater is not immediately available.

General Comments

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.

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

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

A handwritten signature in black ink, appearing to read 'K Purcher', with a stylized, cursive script.

Kevin Purcher
Senior Planner
Development Services



Your ref: 1367157 - 833-2-23-69 Pt 1 (RLS/0915)
1368157 - 833-2-01- 77 Pt 1 (RLS/0916)
Our ref: PA035201, RF2130-13
PA035203, RF3443-04
Enquiries: Brett Dunn, Ph 9550 4202

Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Attention: Anthony Muscara

Dear Anthony

Proposed Metropolitan Region Scheme Amendments
1367/5 7 - Part Lot 5131 Jandakot Road, Treeby and Surrounds
1368/57 - Wandi High School Site

Thank you for your referral received with correspondence dated 30 June 2020 requesting comment upon the abovementioned proposed amendments to the Metropolitan Region Scheme.

The Department has reviewed the information provided and wishes to advise that it does not object to the proposed initiation of amendments to the Metropolitan Region Scheme. The following advice is provided.

1367/5 7 - Part Lot 5131 Jandakot Road, Treeby and Surrounds

This site is located within a Priority 2 public drinking water source area (PDWSA) of the Jandakot Underground Pollution Control Area (UWPCA). Land planning decisions are made in accordance with *State Planning Policy 2.3: Jandakot Groundwater Protection* (SPP 2.3), and a land use such as urban development is generally considered incompatible due to the risk of contamination to the water source.

However, Section 6.3(c) of SPP 2.3 states that proposals which satisfy the following criteria may be supported:

- Large landholdings that were previously cleared and disturbed;
- Land directly adjacent to already developed areas;
- Land identified as being appropriate for more intensive development through strategic planning instruments such as a regional or sub-regional structure plan.

The subject land is a former sand quarry and the proposed urban area is largely cleared of vegetation, adjacent to existing urban development and is identified in the *South*

Metropolitan Peel sub-regional planning framework as Open Space and Urban Investigation.

The proposal is considered to satisfy the aforementioned criteria of SPP 2.3, and as such the Department would not object to the proposed amendment should it be initiated.

The amendment report also identifies that the *Treeby (Banjup) - Strategic District Water Management Strategy (JDA, 2017)* has been previously endorsed by the Department. The report demonstrates that water management measures are appropriate for a Priority 3 PDWSA, in the event an urban rezoning is initiated, and as such requirements of *State Planning Policy 2.9: Water Resources* and *Better Urban Water Management (WAPC, 2008)*, have been satisfied.

1368/57 - Wandi High School Site

Previous water planning in accordance with *State Planning Policy 2.9: Water Resources* and *Better Urban Water Management (WAPC, 2008)* have identified a school site in this location. Furthermore, there is currently a groundwater licence entitlement confirmed for irrigation of the school oval. As such the Department has no objections to this amendment being initiated.

Should you require any further information on this matter please contact the undersigned at the Department's Mandurah office on 9550 4202.

Yours sincerely



Brett Dunn
Program Manager – Planning Advice
Kwinana-Peel Region

28 / 08 / 2020

Our Reference: 2366Ltr91
Enquiries: Alex Watson

2 September 2020

Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6000

Attention: Anthony Muscara

Dear Anthony

RE: MRS AMENDMENT 1367/57 – PT. LOT 5131 JANDAKOT ROAD, TREEBY

This submission is provided by CLE Town Planning + Design on behalf of Perron Developments Pty Ltd ('Perron'). Lot 5131 Jandakot Road, Treeby is owned by the Malaysia-based Limebrook Holdings Pty Ltd. Perron has a development agreement in place with Limebrook which enables Perron to develop the land on Limebrook's behalf once it has been rezoned to 'Urban'.

Perron supports the intent of the Amendment

Perron supports the proposed rezoning from 'Rural-Water Protection' to 'Urban' ('the Amendment'). It facilitates the creation of a development precinct generally in accordance with the *South Metropolitan / Peel Sub-regional Planning Framework* and the Treeby District Structure Plan ('DSP') and identifies approximately 34 hectares of good-quality remnant vegetation as Bush Forever. Progression of the Amendment will enable detailed structure planning to proceed and a local scheme amendment request to be lodged with the City of Cockburn ('City').

A road connection into the Fraser Rd / Torwood Av intersection is needed

Whilst supporting the Amendment in general, Perron does wish to note that the proposed Bush Forever boundary near the existing Fraser Road / Torwood Avenue roundabout ('the roundabout') is further north than was envisaged in the Treeby DSP. If approved, this would mean that the connection into the existing roundabout from Lot 5131, which is a critical link, would need to traverse land in the Bush Forever area zoned 'Rural-Water Protection'. We understand from recent discussions with your office that the 'Rural-Water Protection' zone does not pose an issue in this regard, however, it is important that the impact on the Bush Forever land is understood.

The proposed Neighbourhood Connector road that connects into the roundabout is the main north-south linkage through the eastern portions of the Treeby urban precinct (Lot 5131 Jandakot Road and Lots 705 and 707 Armadale Road). It originates at the existing Armadale Road / Liddelow Road intersection (a recently-constructed roundabout) and, as shown in the DSP, passes a primary school site and District Open Space before connecting to Fraser Road at Torwood Avenue. Fraser Road provides access to Jandakot Road (a key east-west linkage) and Torwood Avenue provides direct access into the Calleya Neighbourhood Centre. In anticipation of urbanisation proceeding in accordance with the DSP, the roundabout was designed and constructed to accommodate a fourth leg, enabling connection of the Neighbourhood Connector from Lot 5131.

Provision of a connection into the roundabout, as envisaged in the DSP, is of critical importance to the function of the proposed road network. Realignment further north (far enough to achieve separation to the existing roundabout) would create another intersection on Fraser Road, diminish road safety and function, and leave an awkward triangle of Urban-zoned land to the south of the road. The Neighbourhood Connector as shown in the DSP provides an ideal hard edge to the Bush Forever area and assists with bushfire hazard management. Its realignment northward would result in those opportunities being lost.

We note that at its 13 August 2020 Ordinary Council Meeting, the City resolved to support the Amendment but noted the need for the connection into the roundabout to be provided. Whilst encouraging a road design that minimises the impact on the Bush Forever area, we are advised that the City is committed to the roundabout connection, consistent with previous planning.

We acknowledge that the road connection can be made within the 'Rural-Water Protection' zone that would remain if this Amendment is approved in its advertised form. However, it is Perron's preference that the land required for the road connection, which covers approximately 1780sqm, be zoned 'Urban' instead (refer attached plan CLE Ref. 2366-89-01). This could be done through a post-advertising modification and would provide certainty about its purpose. Whilst permission to clear the vegetation within this area would be needed, the 'Urban' zoning would signal that in planning terms, the WAPC is supportive of the connection being made.

Perron wishes to see the Amendment proceed on schedule

Perron recognises that the WAPC may consider that a modification of this nature justifies re-advertisement of the Amendment. For the following reasons, Perron doesn't believe that this is necessary:

- The connection into the existing roundabout is contemplated in strategic planning for the area; and
- A separate post-advertising modification has been agreed to that increases the size of Bush Forever area by approximately 1425sqm at the southern end of Lot 5131, making the net impact of the roundabout connection only around .03ha in context of a 34ha conservation estate.

However, if the WAPC disagrees and is of a mind to require re-advertising, Perron would prefer that the Amendment proceed without a modification for the roundabout connection, as scheduled. Other opportunities to resolve the matter will be available in future, such as through inclusion in a separate omnibus amendment or through a non-MRS solution. Although important, the road connection is only one aspect of a larger proposal and Perron is very keen to see the 'Urban' zone proceed as scheduled.

*

In summary, Perron is supportive of the Amendment, as it facilitates the statutory implementation of several strategic documents and enables detailed planning to progress. Perron wishes to note that arrangements need to be made to accommodate the provision of a road connection into the Fraser Road / Torwood Avenue roundabout, and considers this Amendment to be an ideal opportunity. That said, if the WAPC considers that a modification to this effect would warrant re-advertising of the Amendment, Perron would prefer that the modification is not made and other solutions pursued.

We look forward to continuing to engage with your office in the lead-up to this Amendment being presented to the WAPC. Please do not hesitate to contact the undersigned should you wish to discuss any aspect of this submission.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alex Watson', with a stylized, cursive script.

**ALEX WATSON
SENIOR PLANNER
CLE TOWN PLANNING + DESIGN**

CC: Ben Martin EWH Pty Ltd – project managers for Perron Treeby Pty Ltd

Submitted to **Metropolitan Region Scheme Minor amendment 1367/57 – Part Lot 5131 Jandakot Road, Treeby and Surrounds**
Submitted on **2020-09-04 17:06:50**

Introduction

1 What is your first name?

First name:

Mary

2 What is your surname?

surname:

Gray

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

No

4 What is your email address?

Email:

celiagray@bigpond.com

5 What is your address?

address:

43 Commonwealth Avenue
North Perth WA 6006

6 Contact phone number:

phone number:

9444 5647

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

Oppose

8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

Submission:

The following comments are made by the Urban Bushland Council WA Inc.

1. The site is part of Bush Forever site 390 which is part of the CAR conservation reserve system for the Perth region. These sites are supposed to be protected. Rezoning to allow urban development is unacceptable.

2. The site is part of an underground water protection area which is supposed to be protected. Hydrological impacts will be unavoidable and irreversible.

3. BANKSIA WOODLANDS of the SWAN COASTAL PLAIN TEC under EPBC Act.

The area includes this Banksia Woodland TEC and therefore should be protected in the conservation estate and remain in Bush Forever 390. This must be a conservation priority in the planning process. The Approved Conservation Advice under the EPBC Act states that such areas are to be PROTECTED to prevent further loss of extent and condition of the ecological community. This means there should be no clearing and fragmentation with edge effects. The WAPC should respect this status. On these grounds alone, the MRS Amendment should be refused.

4. Threatened flora species.

In a recent search by David James of Friends of Forrestdale (2/9/2020) along Torwood Avenue (old Fraser Road) and the junction of Frangipani Road, he found approximately 20 shrubs of Lamb's Wool *Lachnostachys albicans* (see attached photo). This species is listed under the Significant Flora of the Perth Metropolitan Area – Bush Forever Vol 2, page 54 significant code r-s.

r = populations at the northern or southern limit of their known geographic range.

s = significant populations (applies to all Declared Rare Flora and Priority taxa).

These plants are the only specimens that he has personally seen in the Perth metropolitan area. This population is in an area of approximately 80 square metres, growing under *Banksia attenuata* and *Eucalyptus todtiana* trees. This location should be identified and fenced to protect it from harm. It must be protected.

5. A formal flora survey by a suitably experienced botanist should be done as other species of threatened and rare plants are likely to be present. The Grand

Spider Orchid *Caladenia huegelii* has been identified on Lot 820, the southern adjacent block. It will almost certainly occur on Lot 5131.

6. ENDANGERED BLACK COCKATOO HABITAT

All existing Banksia trees and Hakeas provide a food source for endangered black cockatoos. The Carnaby's Cockatoo population is declining due to continuing cumulative loss of habitat and this must be stopped. All the patches of Banksia woodland are vital for the Cockatoos' continued existence. Loss of habitat patch by patch must be stopped. Clearing results in a net loss, offsets are not justified. On these grounds alone, the MRS Amendment should be refused.

7. Banksia woodlands of Lot 5131 should be transferred to the conservation estate as an A class reserve and be managed as part of Jandakot Regional Park. This is a public environmental asset of the biodiverse eastern side of the Swan Coastal Plain.

The comments made by David James of the Friends of Forrestdale and as a member of the Jandakot Community Advisory Committee are supported and commended to you.

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Section 57 Amendment (Minor)

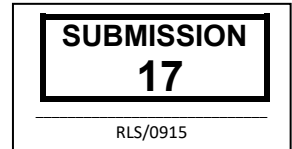
Form 57

Submission

Metropolitan Region Scheme Amendment 1367/57

Part Lot 5131 Jandakot Road, Treeby and Surrounds

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



Title Mr First Name David

Surname James

Address 66 Leake Street, Forrestdale WA

Postcode 6112

Contact Phone number 93970276

Email address jaylin@iinet.net.au

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

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

Dear Sir,

My concerns for this proposed amendment are:

- This is part of Bush Forever site 390. This proposed amendment area contains significant banksia woodland. All the banksia woodland on this site should be protected, including the area proposed to be destroyed.
- The Federal Government has listed banksia woodlands on the Swan Coastal Plain (SCP) as a **Threatened Ecological Community (TEC)** – this should be respected. Protection of Bush Forever sites containing banksia woodland must be a conservation priority. This is probably the last opportunity to save this TEC on the SCP before urbanisation destroys what little is left.
- **Threatened Plants** – in a recent search (2/9/2020) along Torwood Avenue (old Fraser Road) and the junction of Frangipani Road, I counted approximately 20 shrubs of **Lamb's Wool *Lachnostachys albicans*** (see attached photo). This species is listed under the Significant Flora of the Perth Metropolitan Area – Bush Forever Vol 2, page 54 significant code r-s.
r = populations at the northern or southern limit of their known geographic range.
s = significant populations (applies to all Declared Rare Flora and Priority taxa).
These plants are the only specimens that I have personally seen in the Perth metropolitan area. This population is in an area of approximately 80 square metres, growing under *Banksia attenuata* and *Eucalyptus tottiana* trees. This location should be identified and fenced to protect it from harm.
- A **formal Environment Assessment** should be done as other species of threatened plants are likely to be present. Grand Spider Orchid *Caladenia hueglinii* has been identified on Lot 820, the southern adjacent block. It will almost certainly occur on Lot 5131.
- All existing banksia trees provide a food source for **threatened black cockatoos**. With the horrific loss of banksia woodland from ongoing urbanisation, all the remnant patches of mature banksia woodland are vital for the cockatoos' continued existence. Jandakot Airport has destroyed many hectares of banksia woodland for industry. These tragic environmental losses should not continue.

- It takes many years to grow new banksia trees that will provide sufficient food for black cockatoos (even pine trees of the metropolitan area that provided an alternative food source for cockatoos are disappearing quickly).
- As a long-term member of **Jandakot Regional Park** (JRP) Advisory Committee, which promotes the protection of banksia woodland and associated biodiversity, my vision is to see the banksia woodland of Lot 5131 included within the JRP for its protection and for the benefit and enjoyment of future generations.

Thank you for accepting this submission. I hope you consider my points.

Signature

A handwritten signature in black ink, appearing to read 'D. F. Jones', written on a light-colored rectangular background.

Date 3/9/2020



Section 57 Amendment (Minor)

Form 57

Submission

Metropolitan Region Scheme Amendment 1367/57

Part Lot 5131 Jandakot Road, Treeby and Surrounds

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

SUBMISSION

18

RLS/0915

Title Mr
First Name Kim
Surname Fletcher

Address 10 William Street, Armadale Postcode 6112
Contact Phone number 93992388 Email address kim.fletcher6@bigpond.com

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

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

Dear Sir,

I forward these comments for your consideration:

- I have this to ask, Why is a Bush Forever site allowed to be cleared, to make way for a housing estate? This seems to be another case rather of a "Bush for Now" situation.
- Good banksia woodland is being threatened with removal at the cost of the existence of a portion which is deemed degraded, ie: the quarry area. This area should be purposely re-vegetated or left to be recolonised by local species in due course (there is plenty of evidence that this is actually happening now). Note: See page 167, map sheet 59 of volume 1, *Bush Forever: Policies, Principles and Processes*, which shows that another part of the Bush Forever site 390 was in the process of being rehabilitated. This could be repeated in this current instance.
- The offset proposed is:
 - (a) much less in area to the amount of bushland that is to be lost.
 - (b) will not necessarily have the same complex of species as that in the areas cleared.
- A complete and thorough plant survey is required, carried out by accredited botanist(s), to establish the degree of biodiversity and the existence or not, of declared rare flora.
- Development will see the disappearance of a group of *Lachnostachys albicans* plants, a species very limited to the Perth area. It is possibly the only place where it is found in our Perth bio-diverse hot spot.
- The removal of the bushland which forms a twenty to thirty metre strip along the western and northern boundaries of the site, should be retained for what it is – a natural buffer to traffic noise and fumes, enhancing any built up area behind it.
Cleared it would either be:
 - (a) planted with lawn and not necessarily local or native shrubs and trees
 - (b) re-placed with a high, bland uninteresting wall, lacking little in the way of attractiveness.

Yours sincerely,

K. Fletcher

3/9/2020



mainroads
WESTERN AUSTRALIA

SUBMISSION
19

Enquiries: Thai Truong on (08) 9323 4815
Our Ref: 18/8646 (D20#753444)
Your Ref: 1367/57-833-2-23-69 Pt 1

3 September 2020

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

Email: mrs@dplh.wa.gov.au (via email)

Dear Sir/ Madam

**METROPOLITAN REGION SCHEME AMENDMENTS: 1367/57 - PART LOT 5131
JANDAKOT ROAD, TREEBY AND SURROUNDS**

In response to your correspondence received on 6 July 2020, Main Roads has reviewed the information provided and advise Main Road previous response on this amendment remains current and is enclosed for your information.

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

Yours Sincerely


Markus Botté
Manager Statutory Road Planning

Encl: Main Roads response dated 11 September 2018



mainroads
WESTERN AUSTRALIA

Enquiries: Byron McKie on (08) 9323 6436
Our Ref: 18/8646 (D18#804080)
Your Ref: 833-2-23-69

11 September 2018

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001
Email: referrals@planning.wa.gov.au (via email)

ATTENTION: ANOTHNY MUSCARA

Dear Sir

**REQUEST FOR COMMENTS – PROPOSED METROPOLITAN REGION SCHEME
AMENDMENT – LOT 131 JANDAKOT ROAD, TREEBY**

Thank you for your correspondence dated 17 August 2018 requesting Main Roads comments on the above proposal.

Main Roads has now had the opportunity to review the information provided and has no objection to the proposed amendment.

Advice Notes:

1. A detailed Transport Impact Assessment should be submitted with any Local Structure Plan referred to Main Roads for consideration. This is to be prepared in accordance with the WAPC Transport Impact Assessment Guidelines 2016.
2. The Transport Impact Assessment outlines that Jandakot Road is expected to be duplicated in future. Main Roads supports this proposal given the estimated traffic generation resultant from the indicative concept plan provided, and the anticipated future development on the adjacent land parcels.
3. Should the extent of the urban development proposed be achieved, it is likely that Jandakot Road will be operating over its existing capacity as a Regional Distributor Road. This should be considered by the Local Government ahead of approval being granted to any future Local Structure Plan.
4. It is noted that the amendment proposes that the whole of Lot 131 is zoned as 'Urban' however a significant portion of the lot remains as Bush Forever. For future clarity of the extent of urban development to take place on the lot, Main Roads recommends that the MRS amendment should reflect the approved District Structure Plan with the Bush Forever portion zoned as 'Parks and Recreation'.



mainroads
WESTERN AUSTRALIA

Would you please forward a copy of the Commission's final determination on this proposal quoting file reference 18/8646 (D18#804080).

If you require any further information please contact Planning Information Officer Byron McKie on (08) 9323 6436 or via email at byron.mckie@mainroads.wa.gov.au.

Yours faithfully

A handwritten signature in black ink, appearing to read "JM" or "Justin McKirdy".

Justin McKirdy
Manager Statutory Road Planning



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

Your ref: 1367/57 - 833-2-23-69 Pt 1 (RLS/0915)
1368/57 - 833-2-01-77 Pt 1 (RLS/0916)
Our ref: J0820/201701
Enquiries: Georgia Gillies - georgia.gillies@jtsi.wa.gov.au
Phone: (08) 6277 2874

Ms Sam Fagan
Secretary
Western Australian Planning Commission
140 William Street
Perth WA 6000

Attention: Mr Anthony Muscara and Mr Brett Pye

Dear Ms Fagan

Thank you for providing the Department of Jobs, Tourism, Science and Innovation with the opportunity to provide comments on proposed Metropolitan Region Scheme Amendments 1367/57 Part Lot 5131 Jandakot Road, Treeby and Surrounds, and 1368/57 Wandi High School Site.

The Department has reviewed the proposed amendments and has no comments to provide.

Yours sincerely

Kristian Dawson
A/EXECUTIVE DIRECTOR
INFRASTRUCTURE, PLANNING AND ECONOMIC DEVELOPMENT

4 September 2020



Department of Biodiversity,
Conservation and Attractions



We're working for
Western Australia.

Your ref: 833-2-23-69 Pt 1 (RLS/0915)
Our ref: PRS44979
Enquiries: Jacqui Clinton
Phone: 9442 0312
Email: jacqui.clinton@dbca.wa.gov.au

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

Att: Anthony Muscara

Proposed Metropolitan Region Scheme Amendment – 1367/57 – Part lot 5131 Jandakot Road, Treeby and Surrounds

I refer to your correspondence of 30 June 2020, requesting comments on the proposed Metropolitan Region Scheme (MRS) amendment to rezone Lot 5131 Jandakot Road, Treeby from the Rural - Water Protection zone to the Urban zone. The Parks and Wildlife Service at the Department of Biodiversity, Conservation and Attractions reviewed the referred information and provides the following advice.

Following a previous request for comment on the proposed MRS amendment in 2018, DBCA provided the attached advice to the Western Australian Planning Commission (WAPC) on 8 November 2018. It is noted that the amendment boundaries have been revised since the original referral however DBCA's previous advice remains relevant to the current amendment.

Threatened flora

Consistent with the previous advice, DBCA reiterates that Bush Forever Site 390 (*Fraser Road bushland*), which surrounds the proposed Urban zoned portion and is directly impacted by the proposed southern road extension, contains populations of *Caladenia huegelii* (Grand spider orchid, ranked Critically Endangered). This threatened flora species is protected under the State *Biodiversity Conservation Act 2016* (BC Act) and Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

DBCA threatened flora records indicate that *C. huegelii* plants occur in Lot 5131 and Lot 705 Armadale Road within or in close proximity of the proposed southern road extension footprint. Due to the nature of the threatened flora species and the potential variation in the extent of the populations over successive survey efforts, the final road design should be informed by a current targeted flora survey to ensure threatened flora is not impacted during or following development.

There is the potential for direct and/or indirect impacts to threatened flora due to the proximity of the known plants of *C. huegelii* to the proposed residential development and road corridor. To address proposed or inadvertent taking of threatened flora the proponent should be advised to apply for a Threatened Flora Authorisation under section 40 of the BC Act. Queries regarding this requirement can be directed to DBCA's Species and Communities Program at flora.data@dbca.wa.gov.au.

Bush Forever Site 390

DBCA notes that a Negotiated Planning Outcome (NPO) was undertaken between the proponent and the WAPC proposing the rationalisation, protection and ceding of Bush Forever site 390, with proposed boundaries reflected in the current proposed amendment. As noted in the MRS amendment report, the draft NPO will be finalised following an agreement which confirms the long-term management of the retained bushland area. The agency responsible for the future management of the portion of Bush Forever site 390 within Lot 5131 has not yet been determined.

Adequate protection and management of the environmental values within Bush Forever site 390, including threatened flora and wetlands, should be addressed in future planning stages. This includes the preparation and implementation of relevant environmental management plans and the ceding and reservation of the Bush Forever area for the purpose of conservation.

Wetlands

An assessment of the values and management category of the wetland in the eastern portion of Lot 5131 should be undertaken to inform future planning stages and allow appropriate identification and protection of the site's wetland values. Recent review of the environmental values of the wetland currently mapped in the *Geomorphic Wetlands Swan Coastal Plain* dataset as Resource Enhancement wetland (UFI 13328), indicates the wetland is commensurate with a Conservation Category wetland. The development should be designed to adequately manage and avoid hydrological impacts to the wetland including the provision of adequate buffers.

Thank you for the opportunity to comment on this proposed MRS amendment. Please contact Jacqui Clinton at Parks and Wildlife's Swan Region office on 9442 0312 or by email at jacqui.clinton@dbca.wa.gov.au if you have any queries regarding this advice.

Yours faithfully,



Benson Todd
REGIONAL MANAGER

29 September 2020

Att.



Your ref: 833-2-23-69
Our ref: PRS 43002
Enquiries: Jacqui Clinton
Phone: 9442 0312
Email: jacqui.clinton@dbca.wa.gov.au

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

Att: Anthony Muscara

PROPOSED METROPOLITAN REGION SCHEME AMENDMENT – Lot 131 JANDAKOT ROAD, TREEBY

I refer to your letters of 17 August and 30 October 2018 requesting comments on the proposed Metropolitan Region Scheme (MRS) amendment to rezone a portion of Lot 131 Jandakot Road from 'Rural – Water Protection' to the 'Urban' zoning. The Department of Biodiversity, Conservation and Attractions (DBCA) Parks and Wildlife Service has reviewed the referred information and provides the following advice.

DBCA notes that a recent modified MRS amendment plan was submitted to the Department of Planning Land and Heritage (DPLH). All comments on this referral relate to the revised MRS amendment scheme map dated 29 October 2018.

Threatened Flora

The department notes that an Environmental Assessment Report (2018) was included with the referral information. This assessment provides a review of key environmental values within Lot 131 Jandakot Road, Treeby. The flora and vegetation assessment includes information that five individuals of the threatened flora species *Caladenia huegelii*, which is listed as Critically endangered under the State *Wildlife Conservation Act 1950* (WC Act) and Endangered under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, were identified within Lot 131 Jandakot Road. While it is acknowledged that the identified population is outside the proposed Urban amendment area there is no indication how this population will be protected as part of the future site development. The proposed linkage road corridor between Lot 131 and Lot 4 Armadale Road to the south east is within 10 metres of the known population of *C. huegelii* which may be potentially impacted if this road is constructed. Avoidance of direct and indirect impacts to this and other sub-populations within Lot 4 should be considered prior to finalising the road design and location.

DBCA supports the preparation of a conservation area management plan for the retained vegetation within Lot 131 which ensures the long-term protection of the population of threatened flora through site management and the subsequent ceding and creation of a Crown reserve for the purpose of conservation over this area.

Bush Forever

Lot 131 Jandakot Road contains and is surrounded by Bush Forever site 390 (*Fraser Road Bushland, Banjup*). The boundary of the Bush Forever site within Lot 131 reflects a previous negotiated planning agreement to extract basic raw materials from the site and DBCA recognises that it does not represent a logical conservation reserve boundary. It is noted that the proponents have proposed an amended 'Bush Forever' boundary which results in an overall excision of 10.48 hectares from the Bush Forever site.

While DBCA considers that there may be some areas mapped as Bush Forever within Lot 131 that are small and isolated and may not be suitable for long term protection, there are opportunities to protect a number of vegetated areas on site which are not within the Bush Forever site boundary. DBCA recommends that a process is undertaken, coordinated by DPLH and involving relevant agencies, to identify and protect the site's environmental values resulting in a logical and manageable conservation reserve boundary, while allowing for development of areas which no longer contain regionally significant vegetation. This process should be undertaken prior to progression of the MRS amendment to allow an accurate consideration of the impacts from development and to ensure protection of the site's significant environmental values.

DBCA supports the proposal that any areas identified to be retained in Lot 131 Jandakot Road should be excluded from any proposed rezoning amendment and remain in the 'Rural - Water Protection' zone until the land is transferred as a Crown reserve for conservation purposes. It is DBCA's expectation that any areas within the 'Rural – Water Protection' zone within Lot 131 will be included in any future structure planning for the development. and be subject of relevant environmental management plans.

Future management plans should outline adequate interface treatments including development setbacks to wetlands and conservation areas, landscape plantings using endemic native species, a hard road edge and access control measures for any development boundaries abutting the Bush Forever site. These plans should also ensure that all Bush Forever areas are retained for conservation as the primary purpose with an appropriate end land manager. In accordance with *State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region*, the department would not generally support the clearing of any vegetation recognised as regionally significant.

Wetlands

It is noted that the eastern portion of the Lot contains a large area of wetland mapped as Resource Enhancement wetland (REW) (UFI 13328). The recent Wetlands Review mapping undertaken by the Department of Water and Environmental Regulation (DWER) and DBCA mapped the REW area as high value wetland. Given the vegetation condition for a majority of this wetland is mapped as "Excellent" it is likely, if the Geomorphic Wetland dataset mapping was to be reviewed, much of the REW area may reflect Conservation Category Wetland values. Given the environmental value and importance of protecting this wetland area it is recommended that a minimum 50m wetland buffer be applied between the residential development and mapped wetland boundary. Retention and restoration of vegetation within this buffer should be proposed through a Wetland and Wetland Buffer Management Plan at the structure planning stage.

Transport Corridors

The Development Concept Plan presented displays a proposed transport corridor which will bisect Bush Forever site 390 in the south eastern corner. This proposed road then continues through the Bush Forever site within the adjacent Lot 4 Armadale Road. The department does not support the location of this internal connection road due to the potential significant impacts to regionally significant vegetation and known populations of threatened flora. This transport corridor should be revised, as part of the subsequent structure planning for the development and separate MRS amendment, to minimise potential environmental impacts.

Bushfire Management

It is noted the Bushfire Management Plan (BMP) prepared to support the scheme amendment is a high-level strategy that does not provide the detail to determine if vegetation within proposed conservation areas and wetland buffers is likely to be cleared to meet bushfire protection measures. The document proposes BAL assessments and that more comprehensive plan(s) will be developed as part of structure planning and subdivision.

In future detailed BMPs it should be recognised that conservation open space and wetland buffers, if not already containing remnant vegetation, may be revegetated in the future. There should also be no indication that any fuel reduction measures or modification of permissible rehabilitation species within the Bush Forever site and wetland buffers are necessary to meet the Building and Hazard Separation Zones required. DBCA supports the provision of a hard road edge to open space/ residential interfaces

Sub-regional frameworks

DBCA notes that the entirety of Lot 131 is classified as 'Urban Investigation' in the South Metropolitan Perth and Peel Sub-regional Planning Framework. This classification indicates that further planning is required before urban development can occur in these areas.

DBCA supports deferral of this proposed amendment until such a time as the revised retention area boundaries of Bush Forever Site 390 are resolved. The revised conservation area boundaries can then be utilised in the determining the boundaries of the proposed Urban zoning for the site.

Thank you for the opportunity to comment on this proposed amendment. Please contact Jacqui Clinton at Parks and Wildlife's Swan Region office on 9442 0312 or by email at jacqui.clinton@dbca.wa.gov.au if you have any queries regarding this advice.

Yours faithfully,



Benson Todd
REGIONAL MANAGER

8 November 2018

Cc: Leisl Rohl, Environmental Planning Branch, EPA Services Unit, DWER



Australian Government

**Department of Infrastructure, Transport,
Regional Development and Communications**

*File Reference: F18/788
Your ref: MRSA 1367/57*

Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Dear Sir/Madam

RE: MRS amendment 1367/57 – Part Lot 5131 Jandakot Road, Treeby and Surrounds

Thank you for the opportunity to comment on the above planning proposal.

The Department has a strong interest in ensuring that leased Federal airports are not impacted by inappropriate off-airport development. The long term viability of airports is clearly dependent on land use planning authorities putting in place regimes that achieve an effective balance between the needs of the aviation industry and community expectations for residential and other types of development.

The Department is aware of the circumstances surrounding land use planning in the vicinity of smaller airports, particularly those with high levels of circuit training activity such as Jandakot Airport. The Commission's initiative in developing a Planning Policy for Jandakot Airport is recognised.

I am concerned that the proposed residential development is on the margins of high aircraft noise contours and that future aircraft traffic may potentially change this. Any new developments in this area should be mindful of potential impacts from the Australian Noise Exposure Forecast (ANEF) profile of the airport, and land uses should remain consistent within those constraints. It is clear that residences built in this area will be subject to frequent overflight, particularly by circuit training operations.

It is important to safeguard both communities and airports from inappropriate off-airport developments that could threaten public safety and the future viability of aviation operations at Australian airports. As you would be aware, this view has been acknowledged and endorsed by all levels of government (including Western Australia) in the National Airports Safeguarding Framework (NASF). This framework provides guidance on planning requirements for developments that have the potential to impact airport operations. The aim of the framework is to ensure safe aviation operations and to improve community amenity by minimising noise impacts.

The Department encourages WAPC and the City of Cockburn to continue to work together with the airport, and make use of the Jandakot Airport Community Aviation Consultation Group to discuss any impacts of the policy on the airport with other stakeholders.

Should you wish to discuss this matter, the relevant contact officer in the Department is Donna Kerr, Assistant Director, Aviation Safeguarding on telephone 02 6274 7009 or email safeguarding@infrastructure.gov.au.

Yours sincerely

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Sharyn Owen
Director, Aviation Safeguarding

4 September 2020