



January 2023

# Metropolitan Region Scheme Amendment **1390/57** (Minor Amendment)



Pt Lot 834 Hurd Road and  
Pt Lots 1288 & 2792 Taylor  
Road, Bullsbrook

Report on Submissions  
Submissions

City of Swan



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**Metropolitan Region Scheme  
Amendment 1390/57  
(Minor Amendment)**

**Pt Lot 834 Hurd Road and  
Pt Lots 1288 & 2792 Taylor Road, Bullsbrook**

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**Report on Submissions  
Submissions**

**City of Swan**



**January 2023**

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 1390/57      Report on Submissions  
Submissions

File 833-2-21-137 Pt 1 & 2

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

## 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 1390/57**  
**Pt Lot 834 Hurd Road and**  
**Pt Lots 1288 & 2792 Taylor Road, Bullsbrook**

**Report on Submissions**

## **1 Introduction**

At its October 2021 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 principle differences between the minor and 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 no 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 transfer approximately 12.66 hectares of land in Bullsbrook from the Rural zone to the Urban zone in the MRS, as shown on *Amendment Figure - Proposal 1*.

The proposed amendment will facilitate the future development of land within the amendment area for residential and related land uses. The proposed amendment represents a 'rounding out' of the extent of the Urban zone along the eastern boundary of the Bullsbrook townsite.

## **3 Environmental Protection Authority advice**

On 7 January 2022, the Environmental Protection Authority (EPA) advised that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986*, and provided advice in regard to flora and vegetation, terrestrial fauna and social surroundings environmental factors relevant to the amendment.

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

## **4 Call for submissions**

The amendment was advertised for public submissions from 4 February 2022 to 8 April 2022.

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

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

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

## **5 Submissions**

Eleven submissions (including one late submission) were received on the amendment from State government agencies, the City of Swan, service providers and a local resident. An alphabetical index of all persons and organisations lodging submissions is at Schedule 1.

Seven submissions supported and/or provided comment and three submissions raised no objections and/or provided comment on the amendment, and one submission from a local resident objected to the amendment and provided comment on it.

There were no particularly significant issues raised in submissions which require further consideration.

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 Determinations**

The responses to all submissions are detailed in Schedule 2 - Summary of Submissions. It is recommended that the amendment be adopted for finalisation without modification.

## **7 Coordination of region and local scheme amendments**

Under section 126(3) of the *Planning and Development Act 2005* (the PD Act) 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 Local Planning Scheme. The WAPC has resolved to concurrently amend the *City of Swan Local Planning Scheme No. 17* to rezone the amendment area to the "Residential Development" zone.

## **8 Conclusion and recommendation**

This report summarises the background to MRS minor amendment 1390/57 and examines the various submissions made on it.

The WAPC, after considering the submissions, is satisfied that the advertised amendment as shown generally on the Amendment Figure - Proposal 1 in Schedule 3, and in detail on the MRS amendment plans listed in Appendix 1, should be approved and finalised.

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

## **9 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 1390/57 is now finalised as advertised and shown on WAPC Amending Plan 3.2784 and has effect in the Metropolitan Region Scheme from the date of notice in the *Government Gazette* on 27 January 2023.



## **Schedule 1**

### **Alphabetical listing of submissions**





## Alphabetical Listing of Submissions

### MRS Amendment 1390/57

**Pt Lot 834 Hurd Road and  
Pt Lots 1288 & 2792 Taylor Road, Bullsbrook**

Submission Number	Name
5	Education Department of
10	Fire and Emergency Services, Department of
4	Health, Department of
8	Lyons, Thomas
1	Mines, Industry Regulation and Safety, Department of
7	Primary Industries and Regional Development, Department of
9	Swan, City of
2	Transport, Department of
3	Water and Environmental Regulation, Swan Avon Region, Department of
6	Water Corporation
Late Submissions	Name
11	ATCO Gas



## **Schedule 2**

### **Summary of submissions and determinations**



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

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**Submissions:** 1, 2, 6, 7, 11

**Submitted by:** Department of Mines, Industry Regulation and Safety; Department of Transport; Water Corporation; Department of Primary Industries and Regional Development; ATCO Gas

**Summary of Submission:** SUPPORT, NO OBJECTION OR COMMENT

The above State Government agencies and service provider support the amendment, raise no objections to the amendment, or provide general advice on the amendment.

**Planning Comment:** Comments noted.

**Determination:** Submissions noted.

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**Submission:** 3

**Submitted by:** Department of Water and Environmental Regulation

**Summary of Submission:** COMMENT

The Department of Water and Environmental Regulation advises that:

- it has previously endorsed a local water management strategy which covers the amendment area for this amendment, including the former quarry/landfill site where residential development is proposed; and
- water issues have been satisfactorily addressed, noting that the Department of Biodiversity, Conservation and Attractions is responsible for providing advice on the protection of wetlands.

**Planning Comment:** Comments noted.

**Determination:** Submission noted.

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**Submission:** 4

**Submitted by:** Department of Health

**Summary of Submission:** COMMENT

The Department of Health (DoH) provides the following comments on the amendment:

- (a) Landfill facility: The DoH notes that a landfill facility is located within the amendment area which is licenced to accept Class 1 inert waste (DWER Licence L9162/2018/1). In this regard, the DoH has previously advised the City of Swan that soil, groundwater and

ground gas contamination investigations should be undertaken in order to demonstrate that land within 1,000 metres of the landfill site is suitable for development.

The DoH also advises that there are number of public health issues (asbestos, ground gas and potential groundwater contamination) associated with development in proximity to landfill sites.

- (b) Ground gas: The DoH advises it is aware of instances where significant amounts of ground gas have been generated from Class 1 inert waste, particularly where paper, cardboard, timber, topsoil, green waste and other sources of organic carbon have not been separated from the waste stream. Ground gas generated from a landfill site can continue to be a public health risk for many years after the closure of a landfill site, and can become evident after a long period of inactivity.

The DoH advises it is preferable to address ground gas risk at the earliest stage of planning, and recommends that a health risk assessment should be undertaken to investigate the on-site and off-site impacts of the potential risks of ground gas exposure. This assessment should assess a range of plausible exposure scenarios, including during justified worst-case scenario conditions. The potential extent off-site exposures and risk will vary depending on geological conditions, groundwater flows, the presence of preferential gas pathways, soil permeability and the sensitivity of nearby land uses. However, the DoH recommends a minimum separation distance of 500 metres to mitigate public health risks associated with ground gas.

- (c) Crushing of demolition waste: The landfill site was licenced to crush and screen 50,000 tonnes of demolition waste per year. Although it is not clear whether these activities have ceased, the crush and screening of demolition waste may emit hazard dusts which could migrate off site.
- (d) Contaminated Sites Act 2003 (the CS Act): Land within the amendment area does not appear to have been reported or classified as a contaminated site under the CS Act. However, a search of the DWER Contaminated Sites Database should be undertaken.
- (e) Wastewater disposal: The DoH does not object to the amendment subject to all new development on lots with an area less than 1,000 square metres being connected to reticulated sewerage. The DoH also provides general advice on the requirements for onsite wastewater disposal for lots with an area greater than 1,000 square metres.
- (f) Medical entomology / Mosquitos: The DoH recommends that the proponent implement measures to ensure that any future infrastructure and site works do not create additional breeding habitat for mosquitos. It also provides information on the public health risk of mosquito borne diseases.
- (g) Agricultural activities: The DoH advises that there may be a need to provide separation or buffer distance between sensitive land uses within the amendment area and agricultural activities on adjacent rural land and recommends that consideration is given to the recommendations of its *Guidelines for the Separation of Agricultural and Residential Land Uses*.

#### **Planning Comment:**

- (a) Landfill facility: Comments noted but dismissed. The licence holder for the landfill facility, which is located within the amendment area, is currently in the process of closing this facility. Apart from works which need to be undertaken to facilitate the closure of the landfill site, all other activities, including the crushing of building materials, have

ceased at the landfill facility. As a result, there is no longer any need to provide a 1,000 metre buffer to this site.

Any other soil, groundwater and ground gas contamination investigations which may need to be undertaken, can be undertaken as part of the preparation and implementation of the landfill closure and post-closure plan, which is required by the conditions of the prescribed premises licence for the landfill facility. This should ensure that any potential site contamination and landfill (ground) gas issues are appropriately investigated and resolved. Additionally, it is also likely that any further outstanding matters can be appropriately addressed in the subsequent local structure planning stage.

- (b) Ground gas: Comments noted but dismissed. The abovementioned licence for the landfill facility did not permit the disposal of waste types which have a high potential for generating ground gas, such as organic waste, paper and cardboard. As such, there is likely to be a low risk of ground gas being generated at the landfill facility site.

The above notwithstanding, any potential public health risk associated with ground gas is likely to be appropriately investigated and addressed in the preparation, assessment and implementation of the landfill closure and post-closure plan for this facility. This should be sufficient to ensure that any future residential and/or sensitive land uses within the amendment area are not exposed to unacceptable public health impacts associated with ground gas generated from the landfill facility site.

- (c) Crushing of demolition waste: Comments noted but dismissed. The risk of hazardous dust emissions from the crushing of demolition waste no longer exists, as the landfill facility ceased operations in 2020.
- (d) Contaminated Sites Act 2003: Comments noted. None of the land within the landfill site and its surrounds is registered as a known or potential contaminated site on the DWER Contaminated Sites Database. This notwithstanding, the potential risk of site contamination within and around the landfill facility site will be further investigated and addressed in the preparation, assessment and implementation of the abovementioned landfill closure and post-closure plan. This should ensure that any potential contaminated site issues are identified and appropriately resolved prior to the site being developed for any form of sensitive land uses in the future.
- (e) Wastewater disposal: Comments noted. Any future development of the amendment area will need to comply with the recommendations of the *Government Sewerage Policy*.
- (f) Medical entomology / mosquitos: Comments noted. However, this matter is most appropriately addressed in the subsequent subdivision stage of the planning process where the detailed design and construction of stormwater infrastructure would be undertaken.
- (g) Agricultural activities: Comments noted but dismissed. The potential need to provide separation distances between residential and sensitive land uses is most appropriately considered in the subsequent local structure planning and subdivision stages of the planning process.

**Determination:** Submission partly noted, partly dismissed.

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**Submission:** 5  
**Submitted by:** Department of Education  
**Summary of Submission:** SUPPORT

The Department of Education (DoE) provides the following comments on the amendment:

- (a) The amendment area is located outside of the *Bullsbrook Townsite District Structure Plan* (BTDSP) area, which envisages the delivery of approximately 6,599 dwellings within the BTDSP area, with the potential for 2,777 additional dwellings to be delivered in a future investigation areas.

In accordance with the recommendations of draft Operation Policy 2.4: Planning for School Sites (draft OP 2.4), this number of dwellings would require the provision of five to six public primary schools and one public secondary school to accommodate the projected long-term student demand. However, the BTDSP only identifies one existing co-located public high school/primary school site and three future public primary school sites, resulting in a shortfall of public schools in this locality.

- (b) The DoE is concerned that the number of public schools currently identified in the BTDSP would be impacted by the potential residential development of unplanned growth areas adjacent to the BTSDSP area. Accordingly, the DoE will need to review any future local structure plans with the proposed amendment area, and the adjacent amendment area for *MRS Amendment 1391/57: Pt Lots 900 & 901 Lage Rd and Pt Lot 201 Great Northern Highway, Bullsbrook*, in conjunction with the future growth of the locality, school planning parameters and student enrolment demand in the BTSDSP area.
- (c) The DoE may require additional public school sites beyond the standard requirements of draft OP 2.4 to support the student population growth in the wider Bullsbrook locality. It is imperative to balance the anticipated residential growth and resultant student population with adequate public school facilities in the locality. Consequently, the interests of providing good educational outcomes for students living in the area will be facilitated.
- (d) Subject to the above matters being considered, the DoE offers no in principle objection to the amendment. Notwithstanding this, the DoE requests to be engaged at the earliest opportunity during the preparation of future local structure plans in order to plan for public educational needs in the Bullsbrook locality.

**Planning Comment:**

- (a)(c) Comments noted. The current estimated residential lot yield for the BTDSP area is approximately 6,600 lots, for which the draft OP 2.4 recommends the provision of approximately four to five government primary schools and one government secondary school. The BTDSP currently proposes the provision of four primary schools and one secondary school. If the land within the amendment areas for this amendment and MRS Amendment 1391/57 to the south was to be developed for residential purposes, it may result in the creation of an additional 460 residential lots, which could increase the potential residential lot yield in the BTDSP area to approximately 7,000 lots. It is likely that this number of additional lots will not result in a need to provide additional primary or secondary school sites in accordance with the recommendations of draft OP 2.4. As such, the amendment in itself does not significantly impact on the planning for school sites in the Bullsbrook locality.



The above notwithstanding, it is noted that there may be a need to provide additional government primary and secondary schools in the Bullsbrook locality, and potentially at a rate greater than recommended by the Draft OP 2.4. However, the planning of school sites is a matter which is beyond the scope of the MRS amendment process and which is most appropriately addressed in the district and local structure planning stages of the planning process. This matter has been discussed further with the Department of Education, which advises that it has no issues with this matter being addressed in these other stages of the planning process.

(d) Comments noted.

**Determination:** Submission noted.

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**Submission:** 8  
**Submitted by:** Thomas Lyons  
**Summary of Submission:** OBJECT

The submitter objects to the amendment and provides the following comments:

- (a) Oppose the urbanisation of a rural area.
- (b) The people of the Shady Hills estate chose to buy, build and live here in order to escape the urban areas from which we relocated.
- (c) The extra noise, pollution and destruction of habitat for flora and fauna is unwelcome.

**Planning Comment:**

- (a) Objection noted.
- (b) Comments noted but dismissed. The proposed Urban zoning and the future development of the amendment area is unlikely to impact on the amenity of the Shady Hills estate, given that this estate is located approximately one kilometre to the east of the amendment area.
- (c) Comments noted. The protection of any significant environmental values will be appropriately considered and addressed in the subsequent local structure planning and subdivision stages of the planning process.

**Determination:** Submission dismissed.

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**Submission:** 9  
**Submitted by:** City of Swan  
**Summary of Submission:** SUPPORT / COMMENT

The City of Swan advises that its Council has resolved to:

- (a) support the amendment; and
- (b) not support the concurrent amendment of its *Local Planning Scheme No. 17* (LPS 17) to rezone the amendment to the Residential Development zone, pursuant to section 126(3) of the *Planning and Development Act 2005*.

**Planning Comment:**

- (a) Support noted.
- (b) Comments noted, but dismissed. The Council report on the amendment stated that the concurrent amendment of LPS 17, to rezone the amendment area to the Residential Development zone, is not supported as:
  - it would have the potential to undermine the orderly and proper planning of the Bullsbrook residential townsite and the South Bullsbrook industrial areas; and
  - LPS 17 should be amended to modify the extent of the development contribution areas and the development contribution plan provisions for these areas prior to, or at the same time, as the amendment area being rezoned, in order to ensure that development contribution arrangements are agreed to as early as possible.

The City's reasons for not supporting the concurrent amendment of LPS 17 are noted, but are not supported, as concurrently rezoning the amendment area to the Residential Development zone is not likely to result in any significant adverse impacts on development contribution arrangements for this area. The reason for this is that it is likely to be a number of years before residential development would occur in the development area, which should leave adequate time to amend LPS 17 to update the development contribution provisions in this scheme. On this basis, the concurrent amendment of LPS 17 is supported.

**Determination:** Submission partly noted, partly dismissed.

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<b>Submission:</b>	10
<b>Submitted by:</b>	Department of Fire and Emergency Services
<b>Summary of Submission:</b>	COMMENT

The Department of Fire and Emergency Services (DFES) advises that the bushfire management plan (BMP) prepared in support of the amendment do not adequately consider how compliance with the bushfire protection criteria of the *Guidelines for Planning in Bushfire Prone Areas* (the Guidelines) can be achieved in subsequent planning stages. Nonetheless, DFES advises that it supports the amendment, subject to the BMP being modified in the subsequent planning stages, in order to demonstrate compliance with the Guidelines.

**Planning Comment:**

Comment noted. The proponent has been advised of the need to modify the BMP for subsequent local structure planning and subdivision stages, in order to demonstrate how these future planning proposals will be consistent with the recommendations of *State Planning Policy 3.7: Planning in Bushfire Prone Areas* and the Guidelines.

**Determination:** Submission noted.

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### **Schedule 3**

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









## **Appendix 1**

### **List of detail plans as advertised**



**Metropolitan Region Scheme  
Amendment 1390/57**

**Pt Lot 834 Hurd Road and  
Pt Lots 1288 & 2792 Taylor Road, Bullsbrook**

**as advertised**

**Amending Plan 3.2784**

**Detail Plans**

1.5830, 1.5831



## Submissions





Your ref 833-2-21-137 Pt 1(TLS/0990)  
833-2-21-135 Pt1 (RLS/0991)  
Our ref A0154/202201  
Enquiries Andrew Johnston  
08 9222 3329  
andrew.johnston@dmirs.wa.gov.au

Ms Sam Fagan  
Secretary  
Western Australia Planning Commission  
Sent By Email to: RegionPlanningSchemes@dplh.wa.gov.au

Dear Ms Fagan

**PROPOSED METROPOLITAN REGION SCHEME AMENDMENTS**

**1390/57 - PT LOT 834 HURD ROAD AND PT LOTS 1288 & 2792 TAYLOR ROAD, BULLSBROOK**

**1391/57 - PT LOTS 900 & 901 LAGE ROAD AND PT LOT 201 GREAT NORTHERN HIGHWAY, BULLSBROOK**

Thank you for your letter dated 1 February 2022 regarding MRS Amendments 1390/57 and 1391/57.

The Department of Mines, Industry Regulation and Safety (DMIRS) has assessed this proposal with respect to mineral and petroleum resources, geothermal energy, and Basic Raw Materials (BRM).

DMIRS notes the comments on page 3 in the *MRS Amendment Report 1391/57 for Pt Lots 900 and 901 Lage Road and Pt Lot 201 Great Northern Highway, Bullsbrook* under the heading *State Planning Policy 2.4 – Basic Raw Material*.

DMIRS strongly supports the extraction of the clay resource being completed prior to any land within the 500m separation distance being transferred to the Urban zone in the MRS.

Yours sincerely

*Andrew Johnston*

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Andrew Johnston  
Senior Geologist  
Mineral and Energy Resources Directorate  
09 February 2022





**Marija Bubanic**

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**From:** Nugraha, Yohan <Yohan.Nugraha@transport.wa.gov.au>  
**Sent:** Thursday, 24 February 2022 12:59 PM  
**To:** Region Planning Schemes  
**Cc:** Brett Pye; UM Business Support Officer  
**Subject:** Proposed Metropolitan Region Scheme Amendment - 1390/57 - Pt Lot 834 Hurd Road & Pt Lots 1288 & 2792 Taylor Road and 1391/57 - Pt Lot 900 & 901 Lage Road & Pt Lot 201 Great Northern Highway, Bullsbrook

Your ref: 833-2-21-137 Pt1; 833-2-21-135 Pt1  
Our ref: DT/15/05100

**RE: PROPOSED METROPOLITAN REGION SCHEME AMENDMENT - 1390/57 - PT LOT 834 HURD ROAD & PT LOTS 1288 & 2792 TAYLOR ROAD AND 1391/57 - PT LOT 900 & 901 LAGE ROAD & PT LOT 201 GREAT NORTHERN HIGHWAY, BULLSBROOK**

I refer to your email dated 8 February 2022 regarding the above proposed Metropolitan Region Scheme (MRS) amendments.

The Department of Transport (DoT) has review the document and support the proposal to rezone the above Lots from Rural Zone to Urban Zone (1390/57) and Rural Zone to Urban Deferred Zone (1391/57) in the MRS. DoT has no further comment to provide.

Kindly note that future statutory correspondences should be addressed to Executive Director of Urban Mobility and submit the request to DoT Records either via post or email to: [!Records140WilliamSTDoT@transport.wa.gov.au](mailto:Records140WilliamSTDoT@transport.wa.gov.au) .

Thank you for the opportunity to provide comments for the above application.  
if you have wish to follow up on any of these matters, please do not hesitate to contact Yohan Nugraha.

regard

**Yohan Nugraha**  
**Transport Designer / Planner | Urban Mobility | Department of Transport**  
GPO Box C102, Perth WA 6839  
Tel: (08) 65516103  
Email: [Yohan.Nugraha@transport.wa.gov.au](mailto:Yohan.Nugraha@transport.wa.gov.au) | Web: [www.transport.wa.gov.au](http://www.transport.wa.gov.au)



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**Subject:** FW: Advertising of Proposed MRS Amendment 1390/57 & 1391/57 - Bullsbrook - DWER

**From:** Jim MacKintosh [mailto:jim.mackintosh@dwer.wa.gov.au]

**Sent:** Wednesday, 2 March 2022 11:38 AM

**To:** Marija Bubanic <Marija.Bubanic@dplh.wa.gov.au>

**Subject:** RE: Advertising of Proposed MRS Amendment 1390/57 & 1391/57 - Bullsbrook - DWER

Dear Marija,

Thank you for the above referral. The Department of Water and Environmental Regulation would like to provide the following advice:

**METROPOLITAN REGION SCHEME AMENDMENT 1390/57 – DISTRICT WATER MANAGEMENT STRATEGY**

The Department has already endorsed a Local Water Management Strategy (which was prepared to support a Local Structure Plan). This LWMS covered the MRS Amendment area, including the existing quarry area and it proposes residential where the quarry is. Therefore the Region is satisfied that water issues have been satisfactorily addressed (noting that the responsibility for the provision of advice on wetland protection, buffers and management falls to DBCA).

**METROPOLITAN REGION SCHEME AMENDMENT 1391/57 – DISTRICT WATER MANAGEMENT STRATEGY**

The Department has assessed the DWMS and is satisfied with the document and supports the proposal proceeding to the next stage of the planning process. However, the DWER recommends the inclusion of several matters in the Section 8 LWMS requirements:

- The DWER anticipates that the City of Swan will not be supportive of dry public open space (POS). The DWER is supportive of dry POS in situations where non-potable water is limited. This should be discussed with the City as soon as possible.
- The LWMS must demonstrate that a groundwater allocation has been secured for the Department of Education (DoE) and the proposed primary school. The LWMS must include a plan to transfer this groundwater licence to the DoE and should include correspondence from DoE agreeing to this plan.
- The DWER is generally unable to over-allocate the water resource to provide groundwater for schools that have not had a water licence secured previously in the planning process.
- Stormwater harvesting from on-stream dams – The DWER generally does not support on-stream dams and our preference is for the removal of on-streams dams as land is developed. However, if this proposal is to be considered further then the LWMS should contain sufficient information to meet the DWER's *Guideline for the approval of non-drinking water systems in Western Australia* (Dec 2013). In addition a surface water licence will be required for the taking of surface water and this licence, if issued (noting that it may be refused) will take into consideration evaporative loss from the dam.

The DWER does need to re-assess the updated DWMS (incorporating the above comments) however a final copy should be provided to DWER and the City of Swan.

The Department therefore supports both Amendment proceeding to the next stage of the planning process.

Regards

**Jim MacKintosh**

---

## **Department of Water and Environmental Regulation**

**Program Manager**

**Swan Avon Region**

**Planning Advice Section**

**T** 08 6250 8043 |

**E** [jim.mackintosh@dwer.wa.gov.au](mailto:jim.mackintosh@dwer.wa.gov.au)

**Visit our website** [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)



Your Ref: 833-2-21-137 Pt 1 (RLS/0990), 833-2-21-135 Pt 1 (RLS/0991)  
Our Ref: F-AA-008081 D-AA-22/39852  
Contact: Melanie Hogg 9222 2000

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

Attention: Brett Pye

Via email: [info@dplh.wa.gov.au](mailto:info@dplh.wa.gov.au)

Dear Ms Fagan

**RE: PROPOSED METROPOLITAN REGION SCHEME AMENDMENTS -  
BULLSBROOK**

Thank you for your letter of 1 February 2022 requesting comments from the Department of Health (DOH) on the above proposal.

The DOH provides the following comment:

**1. Landfill Separation**

The submission relates to two areas of land (Hurd Rd and Lage Road) subject to an amendment to change Western Australian Planning Commission (WAPC) zoning from Rural to Urban.

- a) The Lage Road area is open agricultural land with no obvious historical land use or development constraints.
- b) The Hurd Road area includes a Department of Water and Environmental Regulation (DWER) licensed landfill site operated by RSV Group (L9162/2018/1) to accept 200,000t/pa of Class 1 demolition waste (including paper and cardboard) and to crush and screen 50ktpa of demolition wastes.

**DOH have previously provided advice to City of Swan (DAA21/494078) in November 2021 recommending that they obtain an assessment of soil, groundwater and ground gas contamination conducted by a competent environmental consultancy in accordance with Contaminated Sites Management Series guidelines and NEP(ASC)M, to satisfy themselves that the land within 1000m of the landfill site is suitable for the proposed subdivision. This advice is still relevant.**

WAPC should be aware that there are a number of complex and significant public health issues associated with development in proximity to landfill sites. The issues include *asbestos, ground gas and the potential for groundwater contamination*.

Ground gas is generated from the decomposition of organic material within the ground. DOH is aware of instances where significant amounts of ground gas have been generated from buried Class 1 wastes, particularly where paper, cardboard timber, topsoils, green wastes and other sources of organic carbon have not been effectively separated from the waste input stream. There are a large number of variables and unknown factors affecting ground gas generation and movement, which interact with each other and vary, with time, in very unpredictable ways. Ground gas generated from a landfill site can continue to be a public health risk for many years, even decades, after the closure of a landfill site, and become evident even after a long periods of inactivity. Although there are established methodologies for estimating ground gas risk at any moment in time, it is extremely difficult to accurately predict ground gas risks into the future. As any development on or near to landfill sites may be impacted by ground gas, it is preferable to address ground-gas risks at the earliest stages of planning policy development.

The health risk assessment should include consideration of on-site and off-site ground-gas exposure and risk during, 1) pre-development, 2) post-development, and 3) long-term conditions into perpetuity. Any assessment should assess a range of plausible exposure scenarios, including during justified worst-case scenario conditions. This should anticipate and assess the impacts from changes of barometric pressure, groundwater levels, windspeed/direction, drought, storm, flood, fire, erosion or the failure or malfunction of critical gas protection systems are being relying upon. The extent of potential off-site exposures and risks will vary depending on local geological conditions, groundwater flows, the presence of preferential gas pathways, the permeability of intervening ground and the sensitivity of nearby land uses. However, DOH has identified a minimum 500m (from the perimeter of the licenced area) as a reasonable buffer/separation distance, beyond which the ground gas risk in all cases is likely to be very low.

The landfill site was licensed to crush and screen 50,000tpa of demolition waste. Although it is not clear whether these activities have ceased, the crushing and screening of demolition waste has the potential to emit hazardous dusts which can migrate off site into nearby property. If demolition wastes contain asbestos, hazardous fibres may also be emitted.

The amendment sites do not appear to have been reported or classified under the Contaminated Sites Act 2003. However, WAPC should submit a Basic Summary of Records search [https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Forms/Form\\_2\\_June\\_2020.pdf](https://www.der.wa.gov.au/images/documents/your-environment/contaminated-sites/Forms/Form_2_June_2020.pdf) to complete their enquiries.

## 2. Wastewater Disposal

The DoH has no objection subject to all new development proposals on lots less than 1,000m<sup>2</sup> being connected to reticulated sewerage. It is the preferred option for lots greater than 1,000m<sup>2</sup> to also be connected to reticulated sewerage.

Should onsite wastewater treatment and disposal systems be proposed for lots greater than 1,000m<sup>2</sup>, the following information should be provided to determine if the site and land area is adequate for onsite wastewater management -

- A specific site and soil evaluation (SSE) report undertaken by a qualified consultant that is conducted during the wettest seasonal time of the year (July/August) to a depth of 2 metres as per AS/NZS 1547:2012 requirements;
- A report addressing the Government Sewage Policy requirements especially relating to the land being located within a sewage sensitive area.

## 3. Medical Entomology

**Key recommendation:** The proponents are to ensure that the proposed infrastructure and site works do not create additional mosquito breeding habitat.

**Background and justification for recommendations:** The City of Swan is a member of the East Swan River Mosquito Contiguous Local Authorities Group (CLAG), which undertakes an extensive program of health-driven mosquito monitoring and management in conjunction with the DOH. Despite considerable efforts to manage mosquitoes and mosquito-borne disease in the City, there continues to be cases of Ross River virus (RRV) and Barmah Forest virus (BFV) disease, including in Bullsbrook. There is the potential for mosquitoes to breed in on-site infrastructure and constructed water bodies if they are poorly designed.

### Recommendations:

The proponents ensure proposed infrastructure and site works do not create additional mosquito breeding habitat as follows:

- Changes to topography resulting from earthworks (e.g. the installation of pipelines, footpaths, roads etc) must prevent run-off from creating surface ponding as it may become mosquito breeding habitat
- Water tanks and other water-holding containers must be sealed or screened to prevent mosquito access and breeding. Regular monitoring for mosquito larvae and treatment with larvicide may also be required
- Waste items (tyres, drums and other water holding receptacles) should be filled with sand/soil; kept undercover or punctured to reduce the chances of these items holding water and becoming mosquito breeding habitat
- Constructed water bodies (drainage infrastructure, infiltration basins and swales, settling ponds, wetlands, etc) must be located, designed and maintained so they do not create or contribute to mosquito breeding
- Constructed water bodies (drainage infrastructure, infiltration basins and swales, settling ponds, wetlands, etc) may require regular monitoring and application of herbicides and/or removal of invasive vegetation to prevent the harbourage of mosquito larvae; and
- The *Chironomid midge and mosquito risk assessment guide for constructed water bodies* (Midge Research Group, 2011) should be referred to during the

early stages of planning to ensure that the potential for on-site mosquito breeding is minimised. This document is available at: [https://ww2.health.wa.gov.au/Articles/J\\_M/Mosquito-management](https://ww2.health.wa.gov.au/Articles/J_M/Mosquito-management)

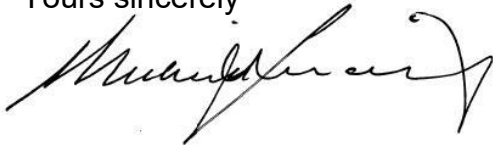
#### **4. Agricultural activities**

Should there be any concern about any existing and potential agricultural activities on surrounding land and the possible resultant spray drift from chemical applications, the proponent should adhere to the necessary buffer separation distances between agricultural and sensitive land uses and ensure that there is no development or community activity within the buffer area. The DOH has released *Guidelines for Separation of Agricultural and Residential Land Uses* and it should be taken into consideration. It may be accessed from the Public Health website:

[http://ww2.health.wa.gov.au/Articles/F\\_I/Guidelines-for-separation-of-agricultural-and-residential-land-uses](http://ww2.health.wa.gov.au/Articles/F_I/Guidelines-for-separation-of-agricultural-and-residential-land-uses)

Should you have any queries or require further information please contact Melanie Hogg on 9222 2000 or [eh.eSubmissions@health.wa.gov.au](mailto:eh.eSubmissions@health.wa.gov.au)

Yours sincerely



Dr Michael Lindsay  
**EXECUTIVE DIRECTOR**  
**ENVIRONMENTAL HEALTH DIRECTORATE**

29 March 2022





Department of  
**Education**

**SUBMISSION  
5**

Your ref: 833-2-21-135 Pt 1 (RLS/0991)  
833-2-21-137 (RLS/0990)  
Our ref: D22/0217112  
Enquiries: Sharnie Stuart

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission

Email: [Regionplanningschemes@dplh.wa.gov.au](mailto:Regionplanningschemes@dplh.wa.gov.au)

Attention: Brett Pye  
Senior Planning Officer

Dear Ms Fagan

**Proposed Metropolitan Region Scheme Amendment  
1390/57 - Pt Lot 834 Hurd Road and Pt Lots 1288 & 2792 Taylor Road, Bullsbrook  
1391/57 - Pt Lot 900 & 901 Lage Road and Pt Lot 201 Great Northern Highway,  
Bullsbrook**

Thank you for your letter dated 4 February 2022 providing the Department of Education (Department) with the opportunity to comment on the abovementioned Metropolitan Region Scheme (MRS) Amendment.

The Department would like to reiterate its concerns as outlined in the preliminary comments for the initiation of the MRS Amendment (our ref: D21/0383715) as follows:

The Department identifies that the subject sites are located outside the Bullsbrook District Structure Plan (DSP). The DSP envisions the delivery of approximately 6,599 dwellings, with the potential for 2,777 additional dwellings to be created from future residential investigation areas. In accordance with the Western Australian Planning Commission's Operational Policy 2.4 – Planning for School Sites (OP 2.4), this would require a total of one secondary school and five to six primary school sites to accommodate the projected student demand in the long term. However, the DSP only identifies one existing co-located high school / primary school site and three future primary school sites, resulting in a shortfall of public schools within the Bullsbrook vicinity.

The Department is concerned that the number of public schools currently identified in the DSP area would be impacted by the potential residential development in unplanned growth areas adjacent to the DSP. Accordingly, the Department will review any future local structure plans within the proposed MRS Amendment areas in conjunction with future growth of the locality, school planning parameters and student enrolment demand in the DSP area.

The Department may require additional public school sites beyond the standard requirement of the OP 2.4 to support the student population growth in the wider Bullsbrook locality. It is imperative to balance the anticipated residential growth and resultant student population with adequate public school facilities within the locality. Consequently, the interests of providing good educational outcomes for students living in the area will be facilitated.

Subject to the above matters being considered, the Department offers no in principle objection to proposed MRS Amendment. Notwithstanding this, the Department requests to be engaged

at the earliest opportunity during the preparation of future local structure plans in order to forward plan for public educational needs within the Bullsbrook locality.

Should you have any questions in relation to the above, please do not hesitate to contact Sharnie Stuart, Senior Consultant – Land Planning on (08) 9264 4046 or by email at [sharnie.stuart@education.wa.edu.au](mailto:sharnie.stuart@education.wa.edu.au).

Yours sincerely



Matt Turnbull  
**Manager Land and Property**

4 April 2022

Development  
Services

629 Newcastle Street  
Leederville WA 6007

PO Box 100  
Leederville WA 6902

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



Your Ref: 833-2-21-137 Pt1 (RLS/0990)  
833-2-21-135 Pt1 (RLS/0991)  
Our Ref: 117555184 (MRS376876)  
Enquiries: Brett Coombes  
Direct Tel: 9420 3165  
Email: land.planning@watercorporation.com.au

23 March 2022

Secretary  
Western Australian Planning Commission  
LOCKED BAG 2506  
PERTH WA 6001

Attention: Mr Brett Pye

**Proposed MRS Amendments 1390/57 and 1391/57  
Hurd, Taylor & Lage Rd, Great Northern Highway, Bullsbrook**

Thank you for referring the above MRS amendments to the Water Corporation for comment.

The water and wastewater servicing issues and constraints outlined in the comments in the amendment reports adequately reflect the Water Corporation's position regarding the proposed zoning and preferred development sequence of the urban expansion land to the south of Bullsbrook townsite. These issues should be noted by the development proponents and their staging and development timeframes should be adjusted accordingly.

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

Brett Coombes  
Senior Urban Planner  
Development Services





Your reference: 833-2-21-137 Pt  
1 (RLS/0990)  
833-2-21-135 Pt 1 (RLS/0991)  
Our reference: LUP 1294  
Enquiries: Heather Percy

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

[RegionPlanningSchemes@dplh.wa.gov.au](mailto:RegionPlanningSchemes@dplh.wa.gov.au)

Attention: Brett Pye

Date: 22 March 2022

Dear Ms Fagan

**Proposed Metropolitan Region Scheme (MRS) Amendments 1390/57 - Pt Lot 834  
Hurd Road and Pt Lots 1288 & 2792 Taylor Road, Bullsbrook  
1391/57 - Pt Lots 900 & 901 Lage Road and Pt Lot 201 Great Northern Highway,  
Bullsbrook**

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on two Metropolitan Region Scheme (MRS) amendments in Bullsbrook.

1390/57 - The northern amendment proposal for Pt Lot 834 Hurd Road and Pt Lots 1288 & 2792 Taylor Road, seeks to rezone approximately 12.66 hectares of land from the Rural zone to the Urban zone in the MRS.

1391/57 - The southern amendment proposal for Pt Lots 900 & 901 and Pt Lot 201 Great Northern Highway, seeks to rezone approximately 19.04 hectares of land from the Rural zone to the Urban Deferred zone in the MRS.

DPIRD does not object to the proposed amendments and offers the following comments:

- The area of rural land involved is relatively small, being less than 20 hectares in each proposed amendment.
- DPIRD does not consider high quality agricultural land will be affected.

For more information, please contact Ms Heather Percy on 9780 6262 or [heather.percy@dpird.wa.gov.au](mailto:heather.percy@dpird.wa.gov.au)

Yours sincerely

A handwritten signature in dark ink, reading "Melanie Strawbridge". The signature is written in a cursive style with a small dot above the 'i' in "Melanie".

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

Submitted to Metropolitan Region Scheme Minor amendment 1390/57 & 1391/57 - Bullsbrook  
Submitted on 2022-03-11 11:40:58

About you

1 What is your first name?

First name:  
Thomas

2 What is your surname?

surname:  
Lyons

3 What is your company name?

Company name:

4 What is your email address?

Email:  
tomlamond@bigpond.com

5 What is your address?

address:  
  
130  
Shady hills view

6 Contact phone number:

phone number:  
+61457518003

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

No

Submission(s)

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

1390/57 - Pt Lot 834 Hurd Road and Pt Lots 1288 & 2792 Taylor Road

1390/57 - Pt Lot 834 Hurd Road and Pt Lots 1288 & 2792 Taylor Road

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

Oppose

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

Submission:

Oppose urbanisation of rural area.

The people of the shady hills estate chose to buy, build and live here in order to escape the urban areas fro which we relocated. The extra noise, pollution and destruction of habitat of flora and fauna is unwelcome.

Upload supporting documents:  
No file uploaded

Upload supporting documents:  
No file uploaded

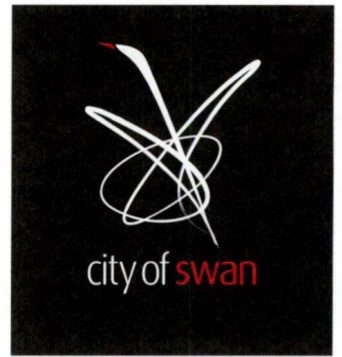
Upload supporting documents:

No file uploaded

11 Would you like to make a submission on the other amendment proposal?

No





28/04/2022

Department of Planning, Lands and Heritage  
Locked Bag 2506  
Perth WA 6001

Enquiries (08) 9267 9267  
2 Midland Square, Midland  
PO Box 196, Midland WA 6936

 cityofswan  
 cityofswanwa  
[www.swan.wa.gov.au](http://www.swan.wa.gov.au)

Dear Sir/Madam,

**RE: METROPOLITAN REGION SCHEME AMENDMENTS 1390/57 & 1391/57**

Council, at its meeting of 6 April 2022, considered the above amendments and resolved as follows:

- 1) Support Metropolitan Region Scheme Amendments 1390/57 to rezone land from Rural to Urban.
- 2) Not support the concurrent rezoning of land impacted by Metropolitan Region Scheme Amendments 1390/57 to the "Residential Development Zone" under the City of Swan Local Planning Scheme 17.
- 3) Support Metropolitan Region Scheme Amendments 1391/57 to rezone land from Rural to Urban Deferred, noting the required lifting of the deferment and its replacement with an Urban zone would be contingent on:
  - o removal of a 500 metre separation buffer around a clay quarry; and
  - o confirmation of road upgrading requirements to support the proposed scale of development in the locality.
- 4) Inform the Western Australian Planning Commission of the Council's resolution accordingly.

Should you have any further enquiries in relation to this matter, please contact the undersigned of the City's Strategic Planning Business Unit.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Christopher Jennings'.

Christopher Jennings  
**COORDINATOR STRATEGIC LAND USE PLANNING  
STRATEGIC PLANNING**

---

**From:** Region Planning Schemes  
**Subject:** FW: City of Swan - Metropolitan Region Scheme Amendments 1390/57 & 1391/57

---

**From:** Christopher Jennings [<mailto:Christopher.Jennings@swan.wa.gov.au>]  
**Sent:** Tuesday, 5 April 2022 3:41 PM  
**To:** Brett Pye <[Brett.Pye@dplh.wa.gov.au](mailto:Brett.Pye@dplh.wa.gov.au)>  
**Cc:** Meghan Dwyer <[Meghan.Dwyer@swan.wa.gov.au](mailto:Meghan.Dwyer@swan.wa.gov.au)>; Ian Humphrey <[Ian.Humphrey@swan.wa.gov.au](mailto:Ian.Humphrey@swan.wa.gov.au)>  
**Subject:** City of Swan - Metropolitan Region Scheme Amendments 1390/57 & 1391/57

Hi Brett

Thanks for your call today.

As discussed, submissions on the subject MRS Amendments are due on 8 April 2022: [Link](#)

A Council report has been prepared and is intended to be referred to the meeting of 6 April 2022 (refer to Item 4.2): [Link](#)

However, due to the size of the agenda, it is likely that this item will be deferred to the next available Council meeting (13 April 2022), in which case, Council's recommendation on the MRS Amendments will be referred to the Commission by the 14<sup>th</sup>.

This email is to confirm the advice that there should be no issues submitting Council's recommendation on the 14<sup>th</sup>.

Feel free to contact me should you wish to discuss further.

Regards,

**Christopher Jennings**  Co-ordinator Strategic Land Use Planning  
Strategic Land Use Planning - Strategic Planning



PO Box 196  
MIDLAND WA 6936

**t** 08 9267 9284  
**f** 08 9267 9444  
[www.swan.wa.gov.au](http://www.swan.wa.gov.au)

The City of Swan acknowledges the traditional custodians of this region, the Whadjuk people of the Noongar nation and their continuing connection to the land, waters and community. We pay our respects to Elders past and present, and their descendants.

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Our Ref: D21329  
Your Ref: RLS 1390/57

Marija Bubanic  
Western Australian Planning Commission  
mrs@dplh.wa.gov.au

Dear Ms Bubanic

**RE: METROPOLITAN REGION SCHEME AMENDMENT – PT LOT 834 HURD ROAD AND PT LOTS 1288 & 2792 TAYLOR ROAD, BULLSBROOK**

I refer to your email dated 4 February 2022 regarding the submission of a Bushfire Management Plan (BMP) (Revision 2 and Revision 3), prepared by Strategen and dated 27 November 2017 and 15 March 2019, for the above proposal.

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

**Assessment**

- It should be noted that DFES comments relate to the BMP Revision 2 (dated 27 November 2017) submitted as part of the referral submitted on 4 February 2022, and Revision 3 (dated 15 March 2019) which was submitted as part of the preliminary comment's referral on 21 June 2021.
- The future subdivision concept plans show dead-end roads and cul-de-sacs, all stages of the future subdivision should achieve secondary access using a public road, dead-ends and cul-de-sacs should be designed out. Perimeter roads are required adjacent to any remaining, or introduced, bushfire hazard as per the Guidelines.

**1. Policy Measure 6.3 a) (ii) Preparation of a BHL Assessment**

Issue	Assessment	Action
<b>Project Area</b>	The project area within Revision 2 of BMP is for a large parcel of land adjacent to Chittering Road. The proposed amendment area is assessed within the vegetation classification and Bushfire Hazard Level Assessment, but no other assumptions can be made in terms of compliance of the amendment area to the bushfire protection criteria. Revision 2 of the BMP is poor quality, and the figures cannot be easily read. It does not apply the current methodology as per Appendix Two of the Guidelines.	A specific BMP related to the planning proposal should be submitted at the next planning stage.

	Revision 3 of the BMP also does not clearly outline the area subject to the MRS Amendment.	
<b>Vegetation classification</b>	<p>Within Revision 3 of the BMP there are areas within the Vegetation Classification Map which cannot be substantiated as Class B Woodland. In particular, photo ID 5 does not support a Woodland classification. The canopy cover appears to exceed 30%. In addition, there are only two photos within the BMP to support the vegetation classification within the amendment area. The BMP should detail specifically how the Class B Woodland classification was derived as opposed to Class A Forest.</p> <p>If unsubstantiated, the vegetation classification should be revised as per AS3959:2018, or the resultant BAL ratings may be inaccurate.</p>	Modification to the BMP is required at subsequent planning stages.

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

Element	Assessment	Action
<b>Location and Siting and Design</b>	<p><b>A1.1 and A2.1 – not demonstrated</b></p> <p>The BHL cannot be validated, as the vegetation classification inputs require modification as per the above table.</p> <p>The BMP should be updated to assess the proposed amendment area.</p>	Modification to the BMP is required at subsequent planning stages.
<b>Vehicle Access</b>	<p><b>A3.1, A3.2a and A3.3 – not demonstrated</b></p> <p>The BMP has not demonstrated that secondary access will be available at every stage, or on completion of the future subdivision.</p>	Modification to the BMP is required at subsequent planning stages.

### Recommendation – supported subject to modifications

At the scheme amendment stage, consideration should be given to the intensification of land use and how this relates to identified bushfire hazards at this location. DFES is not satisfied that the BMP has adequately considered how compliance with the bushfire protection criteria can be achieved at subsequent planning stages. As the modifications will not affect the scheme amendment, DFES recommends the amendment proceed and the applicant be advised that these modifications be undertaken to support subsequent stages of the planning process (structure plan, subdivision & development applications).

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

Yours sincerely



**Sasha De Brito**  
**A/SENIOR LAND USE PLANNING OFFICER**

26 April 2022

cc [Marija.Bubanic@dplh.wa.gov.au](mailto:Marija.Bubanic@dplh.wa.gov.au)

---

**From:** DFES Land Use Planning <[advice@dfes.wa.gov.au](mailto:advice@dfes.wa.gov.au)>  
**Sent:** Wednesday, 9 February 2022 12:44 PM  
**To:** Marija Bubanic  
**Subject:** Proposed MRS Amendment 1390/57 & 1391/57 - DFES Acknowledgement

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:**

DFES Ref: D21328 & D21329

Dear Marija

Thank you for your referral. DFES will endeavour to meet the requested date of 8/04/2022.

If you have any queries on the status of your referral please email [advice@dfes.wa.gov.au](mailto:advice@dfes.wa.gov.au).

Kind regards

**Emma Darcey**  
**Land Use Planning Support Officer | Land Use Planning**  
**(Monday – Thursday)**

20 Stockton Bend, Cockburn Central WA 6164  
**T:** 08 9395 9721 | **E:** [advice@dfes.wa.gov.au](mailto:advice@dfes.wa.gov.au) | **W:** [dfes.wa.gov.au](https://dfes.wa.gov.au)



FOR A SAFER STATE



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



---

**From:** Region Planning Schemes  
**Subject:** FW: LM22223 - Re: 1390/57 1391/57

**From:** Crowson, Chris [mailto:Chris.Crowson@atco.com]  
**Sent:** Friday, 13 May 2022 2:16 PM  
**To:** Region Planning Schemes <regionplanningschemes@dplh.wa.gov.au>  
**Subject:** LM22223 - Re: 1390/57 1391/57

Good afternoon

**RE: 1390/57 and 1391/57**  
**ATCO Reference: LM22223**

Thank you for your recent e-Referral regarding the above mentioned amendments in Bullsbrook.

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

Anyone proposing to carry out construction or excavation works must contact 'Dial Before You Dig' ([www.1100.com.au](http://www.1100.com.au)) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>

Kind regards

**Chris Crowson**  
Land Management Coordinator  
ATCO, Gas Division, Australia

E. [chris.crowson@atco.com](mailto:chris.crowson@atco.com) M. +61 429 807 133  
A. 81 Prinsep Road, Jandakot, Western Australia, 6164  
[atco.com.au](http://atco.com.au) [Facebook](#) [Twitter](#) [LinkedIn](#)



ATCO acknowledges Aboriginal people as the Traditional Custodians of country throughout Australia including Torres Strait Islander peoples. We pay respect to their cultures, Elders past and present, and in the spirit of reconciliation, we commit to working together for our shared future.

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