



October 2023

# Metropolitan Region Scheme Amendment **1414** (Basic Amendment)



## Leederville Parade Road Rationalisation

Amendment Report

City of Vincent

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**Metropolitan Region Scheme  
Amendment 1414  
(Basic Amendment)**

**Leederville Parade Road Rationalisation**

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City of Vincent



October 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 1414 (Basic)      Amendment Report  
File RLS/1100

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

## Abbreviations

<b>AHA</b>	Aboriginal Heritage Act
<b>CBD</b>	Central Business District
<b>DBCA</b>	Department of Biodiversity Conservation and Attractions
<b>DFES</b>	Department of Fire and Emergency Services
<b>DLGSC</b>	Department of Local Government, Sport and Cultural Industries
<b>DMIRS</b>	Department of Mines, Industry Regulation and Safety
<b>DoT</b>	Department of Transport
<b>DPLH</b>	Department of Planning, Lands and Heritage
<b>DPIRD</b>	Department of Primary Industries and Regional Development
<b>DSP</b>	District Structure Plan
<b>DWER</b>	Department of Water and Environmental Regulation
<b>DWMS</b>	District Water Management Strategy
<b>EMA</b>	Environmental Management Area
<b>EPA</b>	Environmental Protection Authority
<b>EPP</b>	Environmental Protection Policy
<b>JTSI</b>	Department of Jobs, Tourism, Science and Innovation
<b>LPS</b>	Local Planning Scheme
<b>LWMS</b>	Local Water Management. Strategy
<b>MOU</b>	Memorandum of Understanding
<b>MRS</b>	Metropolitan Region Scheme
<b>MRWA</b>	Main Roads Western Australia
<b>OEPA</b>	Office of the Environmental Protection Authority
<b>ORR</b>	Other Regional Roads
<b>PRR</b>	Primary Regional Roads
<b>PSP</b>	Principal Shared Path
<b>SPP</b>	State Planning Policy
<b>SWALSC</b>	South West Aboriginal Land and Sea Council
<b>TEC</b>	Threatened Ecological Community
<b>UWMS</b>	Urban Water Management Strategy
<b>WAPC</b>	Western Australian Planning Commission
<b>WC</b>	Water Corporation

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## **Amendment Report**

# Metropolitan Region Scheme Amendment 1414 (Basic)

## Leederville Parade Road Rationalisation

### Amendment Report

#### 1. Planning objective

The purpose of the amendment is to transfer 1,368.95 m<sup>2</sup> of land in Leederville from the Primary Regional Roads reservation to the Urban zone in the Metropolitan Region Scheme (MRS), as shown on **Amendment Figure - Proposal 1**.

The purpose of the amendment is to facilitate future development in accordance with the draft Leederville Precinct Structure Plan. This area is anticipated for higher density mixed-use and residential development in the future.

#### 2. Background

The subject land is located within the City of Vincent and is immediately east of the Mitchell Freeway. The amendment area forms part of an existing car park which is owned and managed by the City of Vincent. Main Roads WA has confirmed that this portion of Primary Regional Roads reservation is surplus to requirements. The site does not contain any environmental values.

#### 3. Discussion

##### Strategic Context

##### **Perth and Peel @3.5million and Central Sub-Regional Planning Framework**

*Perth and Peel @3.5million* sets out to achieve a consolidated urban form which focusses on urban infill and increased residential density as well as supporting an increase in people living closer to where they work. The Central sub-regional Planning Framework reflects the current Primary Regional Roads reservation.

The Central Sub-Regional Planning Framework includes key urban consolidation principles. The proposed amendment request aligns with these principles in that it will provide an opportunity for higher density housing, support development of the activity centre, create opportunities to attract people to live and work, optimising land use and transport linkages, and ensure a more efficient use of existing and future infrastructure.

##### **Draft Leederville Precinct Structure Plan**

The draft Leederville Precinct Structure Plan (PSP) is currently under assessment by the Department of Planning, Lands and Heritage. The proposed MRS amendment is consistent with the draft PSP and will assist in facilitating future development within the broader Leederville area.

## **Draft State Planning Policy 2.9 - Planning for Water**

Draft State Planning Policy 2.9 - Planning for Water seeks to ensure that planning and development considers water resource management and includes appropriate water management measures to achieve optimal water resource outcomes at the various stages of the planning process. The Department of Water and Environmental Regulation (DWER) advises that a DWMS is not required.

## **State Planning Policy 3.0 - Urban Growth and Settlement**

State Planning Policy 3.0 - Urban Growth and Settlement sets out the principles and considerations that guide the development of new urban growth areas and settlements. Its objectives include promoting the growth and development of urban areas in response to the social and economic needs of communities, enhancing the quality of life in those communities, and creating an identifiable sense of place for each community.

The amendment is consistent with SPP 3.0 as the proposed Urban zoning will contribute to making the most efficient use of land in existing urban areas and create further opportunities for infill development such as mixed use and higher residential living.

## **State Planning Policy 5.4 - Road and Rail Noise**

State Planning Policy 5.4 - Road and Rail Noise aims to minimise the adverse impact of road and rail noise on noise-sensitive land-use and/ or development within the specified trigger distance of strategic freight and major traffic routes and other significant freight and traffic routes. Given the proximity of the land to the Mitchell Freeway, consideration of noise (assessment and mitigation) will be given at subsequent stages of the planning process.

## **Statutory Context**

Water and wastewater infrastructure

The Water Corporation has no objections to the proposed MRS amendment. However, it should be noted that there are several buried pipe assets in the vicinity which will be considered at subsequent planning stages.

## **4. Aboriginal cultural heritage**

The process of rezoning or reservation of land in a region scheme is broad by nature and does not physically interfere with the land. Consideration of Aboriginal cultural heritage is addressed more specifically at later stages of the planning process, typically when preparing a local structure plan or at the subdivision and development approval stages. All Aboriginal cultural sites and materials are protected whether or not they have been previously recorded or reported.

Nevertheless, in recognising the importance of having reliable Aboriginal cultural heritage information, the WAPC and the Department of Planning, Lands and Heritage have entered into a Memorandum of Understanding with the South West Aboriginal Land and Sea Council (SWALSC) for the provision of Aboriginal consultative services. All amendment proposals likely to be of interest to Aboriginal persons are pre-referred to SWALSC for comment. SWALSC is the recognised Native Title Representative Body for Western Australia's southwest region and as such is well placed to provide advice on Aboriginal heritage.



The proposed amendment was not referred to SWALSC as it is not located within or abuts an existing Aboriginal heritage site. However, the amendment will be formally referred to SWALSC during the public submission period.

## **5. Coordination of region and local scheme amendments**

Under Section 126(3) of the Planning and Development Act 2005 the WAPC has the option of concurrently rezoning land being zoned Urban under the MRS to a 'Development' zone (or equivalent) in an LPS.

The WAPC will make a final decision on the concurrent amendment of this local planning scheme at the close of the public submission period.

## **6. Substantiality**

As of 1 August 2023, the Planning and Development (Region Planning Scheme) Regulations 2023 came into effect. Accordingly, there are three categories of MRS amendments being complex, standard, and basic. The Regulations give guidance on the criteria applicable to each of these.

The proposed amendment is to be progressed as a basic amendment as the proposal is considered to be minor in nature and seeks to rationalise surplus land from the Primary Regional Roads reservation to the Urban zone.

## **7. Environmental Protection Authority advice**

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

The EPA has advised that the proposed amendment does not require formal assessment under Part IV of the Environmental Protection Act 1986. However, it has provided advice on the key environmental factors for the amendment. A copy of the notice from the EPA is included at Appendix A.

## **8. The Amendment process**

The procedures for amending the MRS are set out in the Planning and Development Act 2005 (the Act) and the Planning and Development (Region Planning Schemes) Regulations 2023 (the Regulations). The amendment proposed in this report is being made under the provisions of sections 35 and 43 of the Act and regulations 6 and 7 of the Regulations.

In essence, the procedure for a basic region scheme amendment involves:

- formulation and initiation of the amendment by the WAPC;
- referral to the EPA for environmental assessment;
- completion of an Environmental Review to EPA instructions (if required);
- public submissions being sought on the proposed amendment (including environmental review if required);
- consideration of submissions;
- approval, with or without any modifications in response to submissions, or refusal to approve, by the Minister; and

the amendment takes legal effect with Gazettal of the Minister's approval.

An explanation of this process entitled The Metropolitan Region Scheme, what it is and how it is amended, can be found online at <https://www.dplh.wa.gov.au/mrs-amendments>

## 9. Submissions on the Amendment

The WAPC invites people to comment on this proposed amendment to the MRS.

The amendment is being advertised for public submissions for a period of 14 days from Friday 20 October 2023 to Friday 03 November 2023.

Online submissions are encouraged at <https://consultation.dplh.wa.gov.au>

Written submissions on the amendment should be sent to:

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

or by email to: [regionplanningschemes@dplh.wa.gov.au](mailto:regionplanningschemes@dplh.wa.gov.au)

**and must be received by Friday 03 November 2023.**

All submissions received by the WAPC will be acknowledged.

For your convenience a submission form is contained in this report Appendix D. Additional copies of the form are available from the Department of Planning, Lands and Heritage website <https://www.dplh.wa.gov.au/mrs-amendments>.

You should be aware that calling for submissions is a public process and all submissions lodged will become public.

## 10. Modifications to the Amendment

After considering any submissions received from Government agencies and the public, the WAPC may recommend that the Minister modify the amendment. The Minister may approve the amendment, with or without any modifications in response to submissions, or decline to approve.

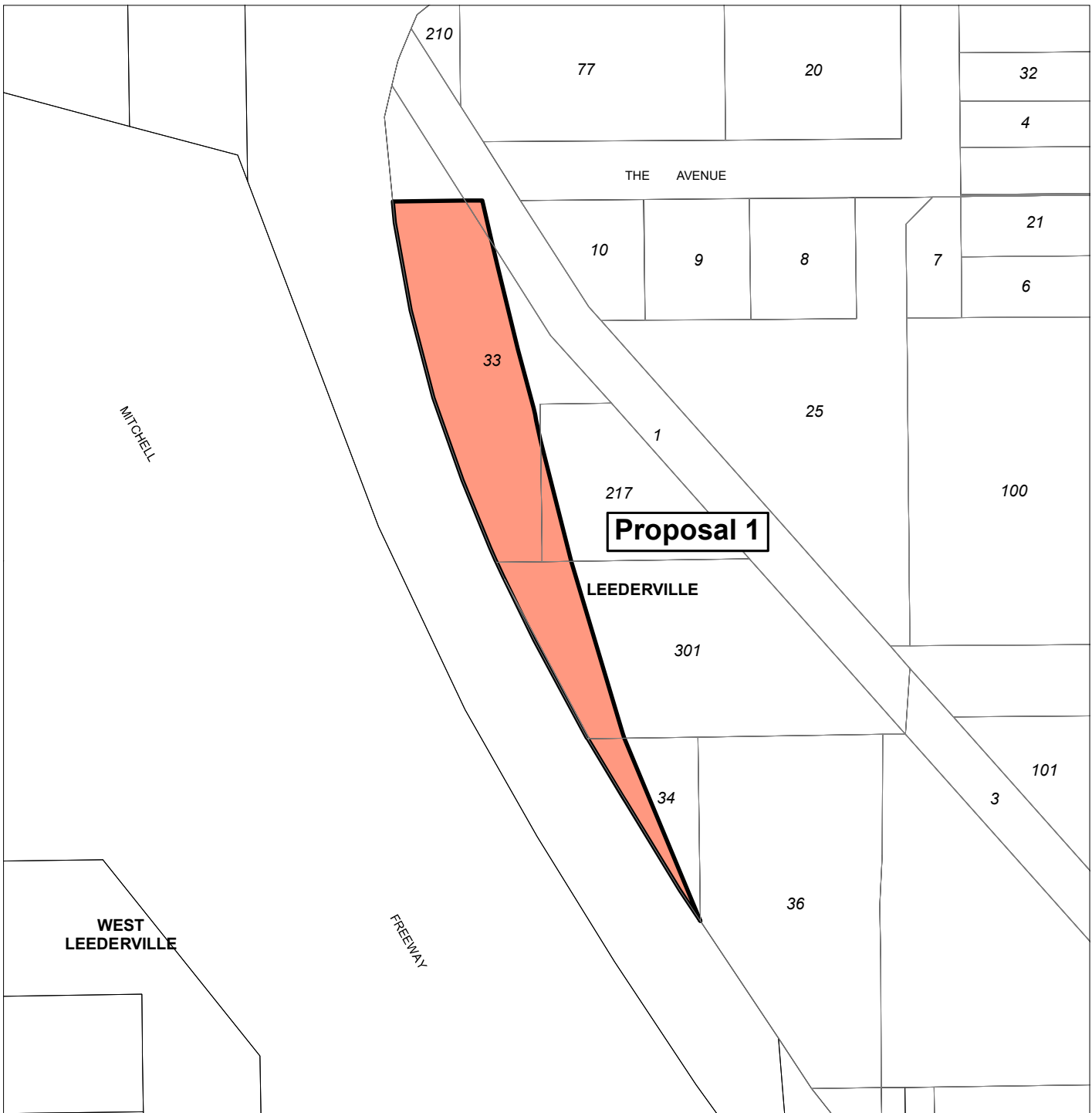
## 11. Final outcome

The recommendations of the WAPC, including any modifications, along with the determination of the Minister, are published in a report on submissions. Anyone who has made a submission, along with affected landowners, will be notified of the outcome when the amendment is gazetted to give it legal effect.

**Metropolitan Region Scheme  
Amendment 1414 (Basic)**

**Leederville Parade Road Rationalisation**

**Amendment Figure - Proposal 1**




**Leederville Parade Road Rationalisation  
Proposed Basic MRS amendment  
as advertised**

13 September 2023

Proposal 1

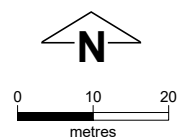
Proposed Amendment:

 Primary Regional Roads reservation to Urban zone

Reference no: 4582

File no: RLS/1100

Version number: 1



## **Appendix A**

### **Notice of environmental assessment**

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

Our Ref: APP-0024949  
Enquiries: Liz Stewart, 6364 6468  
Email: [liz.stewart@dwer.wa.gov.au](mailto:liz.stewart@dwer.wa.gov.au)

Dear Ms Fagan

**DECISION UNDER SECTION 48A(1)(a)**  
***Environmental Protection Act 1986***

<b>SCHEME</b>	<b>Metropolitan Region Scheme 1414 (Basic)</b>
<b>LOCATION</b>	<b>Leederville Parade, Leederville</b>
<b>RESPONSIBLE AUTHORITY</b>	<b>Western Australian Planning Commission</b>
<b>DECISION</b>	<b>Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. No Advice Given (Not Appealable)</b>

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act).

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of the EPA's Determination is attached and will be made available to the public via the EPA website.

Yours sincerely



**Prof. Matthew Tonts**  
**Chair of the Environmental Protection Authority**

12 October 2023

Encl. EPA Determination



# Environmental Protection Authority

s.48A Referrals

**Title:** Metropolitan Region Scheme Amendment 1414 (Basic)-Leederville Parade Road Rationalisation

**Location:** Leederville Parade, Leederville

**Description:** The purpose of the amendment is to transfer 1,368.95 m<sup>2</sup> of land in Leederville from the Primary Regional Roads reservation to the Urban zone in the Metropolitan Region Scheme (MRS)

**Ref ID:** APP-0024949

**Date Received:** 02/10/2023      **Date Sufficient Information Received:** 02/10/2023

**Responsible Authority:** Western Australian Planning Commission, Locked Bag 2506, PERTH WA 6001

**Contact:** Zoe Chalwell-James

**Preliminary Environmental Factors:** None

**Potential Significant Effects:** None

**Protection:** Potential impacts can be managed through future planning processes and requirements.

**Determination:** **Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed under Part IV of the EP Act. No Advice Given. (Not Appealable).**

The Environmental Protection Authority (EPA) has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Chair's Initials:

Date:

12 October 2023

## **Appendix B**

### **List of plans supporting the amendment**



**Metropolitan Region Scheme  
Amendment 1414**

**Leederville Parade Road Rationalisation**

**as advertised**

**Amending Plan 3.2818**

## **Appendix C**

### **Preparing a submission**

## Preparing a Submission

The WAPC welcomes comment on proposed amendments to the MRS from interested individuals, groups, and organisations.

### What is a submission?

A submission is a way to express your opinion and provide information. It is an opportunity to explain why the amendment should be supported, withdrawn, or modified. Suggestions of alternative courses of action are also welcomed.

Making a submission is not the same as voting in an election. The number of submissions received for or against a proposal will not in itself determine the result. Rather, it is the reasoned argument of why a particular thing should or should not be done. Your submission will assist the WAPC in reviewing its planning proposal before proceeding. Advertised proposals are often modified in response to the public submission process.

### What should I say?

Your comments should focus on the particular issues that arise from the proposed amendment. If there are a number of components in the amendment, please indicate exactly which ones you are addressing.

It is important that you state your point of view clearly and give reasons for your conclusions and recommendations. These may include an alternative approach or other ways for the WAPC to improve the amendment or make it more acceptable. Indicate the source of your information or argument where applicable.

If you prefer not to write your own comments, you may consider joining a group interested in making a submission on similar issues. Joint submissions can increase the pool of ideas and information.

### Before lodging your submission

The WAPC prefers to receive submissions online at <https://consultation.dplh.wa.gov.au>, however, hardcopy submissions can also be accepted (Submission Form - Appendix D).

Please remember to complete all fields in the submission form including your name and contact details. Please limit the number of attachments, where possible, ensuring they are directly relevant to the proposed amendment you are commenting on.

The closing date for submissions and how to lodge them is shown on the submission form and in the submissions on the amendment section of the amendment report.

Some amendments may be subject to an environmental review. Under these circumstances, the WAPC will forward a copy of any submission raising environmental issues to the EPA.

You should be aware that all submissions lodged with the WAPC are subject to regulations on disclosure and access, and your submission will become a public document.

## **Appendix D**

**Submission form for this amendment**

**Amendment (Basic)**  
Submission Form

**Submission**

**Metropolitan Region Scheme Amendment 1414**

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**Leederville Parade Road Rationalisation**

Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

**FILE**  
RLS/1100

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Title (*Mr, Mrs, Miss, Ms*) ..... First Name .....

Surname ..... (PLEASE PRINT CLEARLY)

Address ..... Postcode .....

Contact Number ..... Email Address .....

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

**Submission**

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

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You should be aware that:

- The Western Australian Planning Commission (WAPC) is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.

**To be signed by person(s) making the submission**

Signature ..... Date .....

**Note: Submissions MUST be received by the advertised closing date on Friday 03 November 2023. Late submissions will NOT be considered.**