



December 2023

Metropolitan Region Scheme Amendment **1413** (Standard Amendment)



Jarrahdale Parks and Recreation Precinct

Amendment Report

Shire of Serpentine-Jarrahdale

**Metropolitan Region Scheme
Amendment 1413
(Standard Amendment)**

Jarrahdale Parks and Recreation Precinct

Amendment Report

Shire of Serpentine-Jarrahdale



December 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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Published by the
Western Australian Planning Commission
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Perth WA 6000

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Perth WA 6001

MRS Amendment 1413 (Standard) Amendment Report
File RLS/1099

Published December 2023

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

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Abbreviations

ACH	Aboriginal Cultural Heritage
DPLH	Department of Planning, Lands and Heritage
EPA	Environmental Protection Authority
LPS	Local Planning Scheme
SPP	State Planning Policy
SWALSC	South West Aboriginal Land and Sea Council
WAPC	Western Australian Planning Commission

Amendment Report

Metropolitan Region Scheme Standard Amendment 1413

Jarrahdale Parks and Recreation Precinct

Amendment Report

1 Planning objective

The purpose of the proposed amendment is to transfer approximately 5.27 hectares of land in Jarrahdale from the Urban zone to the Parks and Recreation reservation in the Metropolitan Region Scheme (MRS), as shown on the **Amendment Figure - Proposal 1**.

2 Background

The amendment land is located in the Shire of Serpentine Jarrahdale and is located to the south of the Jarrahdale townsite. The amendment land is adjoined by the Serpentine National Park on the south and west, Jarrahdale Primary School is immediately north of the amendment area, and the remaining surrounding land is generally established residential development.

The lots subject to this amendment were created in the late 1960's - early 1970's and have not been developed for residential purposes. These lots have not been provided with necessary infrastructure or constructed roads, and the amendment area is predominantly vegetated.

3 Discussion

PLANNING CONTEXT

Perth and Peel @3.5million / South Metropolitan and Peel Sub-Regional Planning Framework

The *Perth and Peel @3.5million* document provides strategic guidance to government agencies and local governments on land use, land supply, land development, environmental protection, infrastructure investment and the delivery of physical and community/social infrastructure for the Perth and Peel regions. It links the four Frameworks for each subregion and encourages the consideration of new urban growth opportunities.

The subject land is designated as "Urban" in the South Metropolitan peel Sub-regional Planning Framework. Notwithstanding this designation and the urban/residential zoning under the MRS and Local Planning Scheme (LPS) respectively, given the existing use and development constraints of the land, the land is recommended to be reserved for Parks and Recreation under the MRS. This is consistent with the key principles of the Frameworks which seek to avoid areas that are of high bush fire risk and avoiding and protecting environmental attributes.

State Planning Policy 3.7 - Planning in Bushfire Prone Areas

State Planning Policy 3.7 - Planning in Bushfire Prone Areas forms the foundation for land-use planning to address bushfire risk management in Western Australia. It is used to inform and guide decision-makers, referral authorities and proponents to achieve acceptable fire protection outcomes on planning proposals in bushfire-prone areas.

The proposed amendment seeks to reserve the land as Parks and Recreation under the MRS and will not change the bushfire risk applicable to the land. The reservation to Parks and Recreation will ensure that no residential development is constructed on these lots which are highly vegetated and have a significant bushfire risk.

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 (ACH) 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 ACH is protected whether or not it has 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 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 a LPS. As no land is being zoned Urban under the MRS, this section of the Act is not applicable to this amendment.

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 proposed amendment is recommended to be progressed as a standard amendment as follows:

- The size and scale of the proposed amendment is not considered regionally significant. It does not reflect a regional change to the planning strategy or philosophy for the metropolitan region.
- The proposed amendment seeks to better align the MRS with the existing environmentally constrained use and nature of the site and surrounds.
- The Shire of Serpentine-Jarrahdale and relevant State Government agencies have not raised matters which prevent the initiation and advertising of the amendment.

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*. A copy of the notice from the EPA is included at Appendix A.

8 The amendment process

The procedures for amending the MRS are prescribed by the *Planning and Development Act 2005* and the *Planning and Development (Region Schemes Regulations) 2023*. In essence, the procedure for a standard amendment involves:

- formulation of the amendment by the WAPC
- referral to the EPA for environmental assessment
- completion of an Environmental Review (if required) in accordance with EPA instructions
- 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
- the amendment takes legal effect with Gazettal of the Minister's approval.

An explanation of the [region scheme amendment process](#) can be found on the Department of Planning, Lands and Heritage's website, along with further information for [your property and planning region schemes](#).

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 42 days from 11 December 2023 to 25 January 2024.

The amendment report and plans showing the proposed changes are available for public inspection online at www.dplh.wa.gov.au/mrs-amendments.

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

Written submissions commenting 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

and must be received by 25 January 2024.

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 at www.dplh.gov.au/regionplanningschemes

You should be aware that calling for submissions is a public process and all submissions lodged will become public. All submissions are published and made available when the Minister has made a determination on the amendment. Advice of disclosure and access requirements are shown on side two of the submission form.

Before making your submission, it is recommended that you read the information in Appendix C of this report regarding preparing a submission.

10 Modifications to the amendment

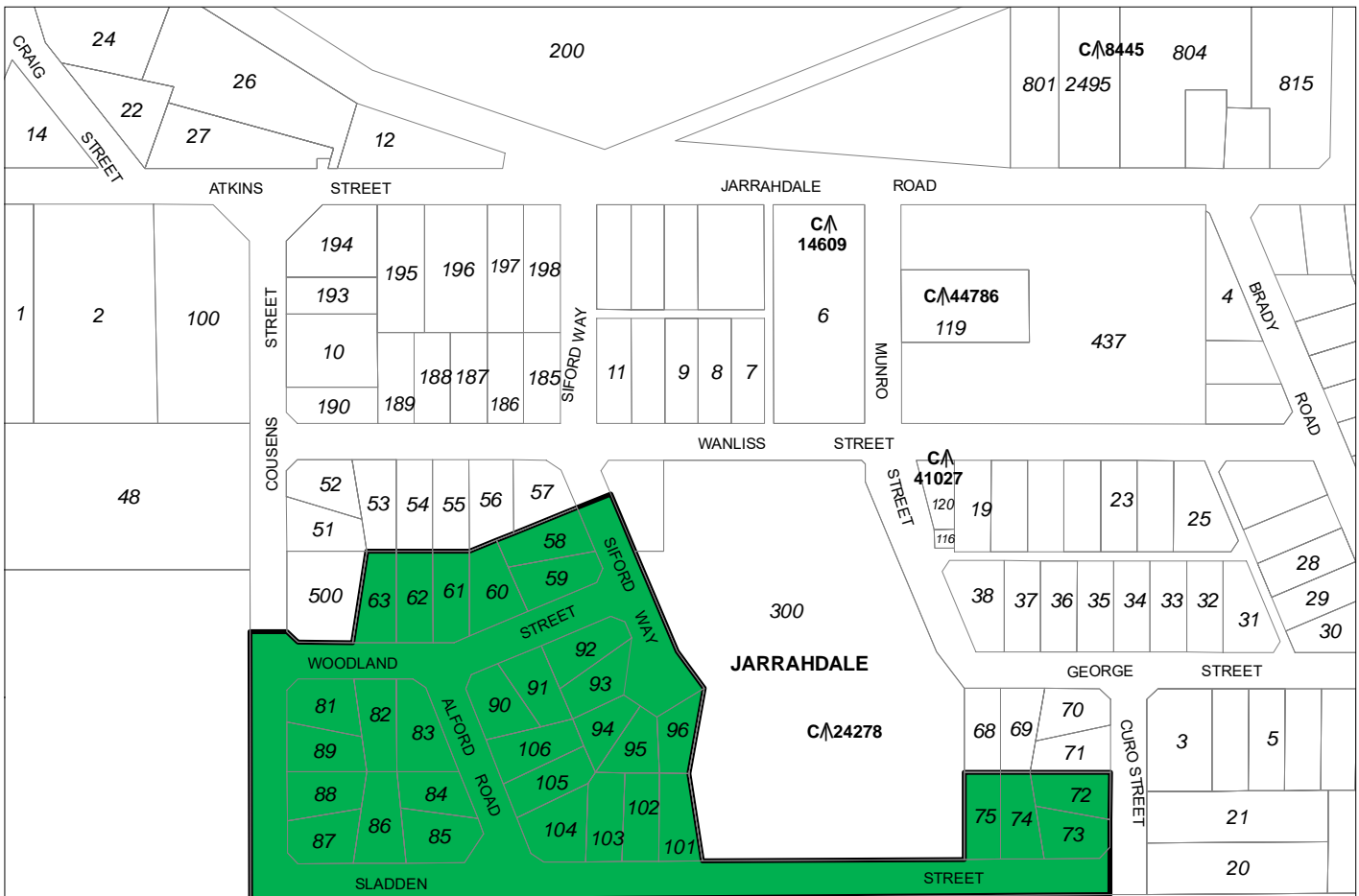
After considering any submissions received from Government agencies and the public, the WAPC may recommend that the Minister modify the amendment. The Minister may approve the amendment, with or without any modifications in response to submissions, or decline to approve.

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 1413
Jarrahdale Parks and Recreation Precinct**

Amendment Figure - Proposal 1



Proposal 1

A/39825


2888

**Jarrahdale Parks and Recreation Precinct
Proposed standard amendment
as advertised**

13 September 2023

Proposal 1

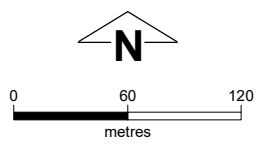
Proposed Amendment:

 Urban zone to Parks and Recreation reservation

Oracle reference no: 4580
Version number: 1



Date: 18/09/2023
Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA
Base information supplied by Western Australian Land Information Authority SLIP 1180-2020-1



Appendix A

Notice of environmental assessment

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

Our Ref: APP-0024954
Enquiries: Liz Stewart, 6364 6468
Email: liz.stewart@dwer.wa.gov.au

Dear Ms Fagan

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

SCHEME	Metropolitan Region Scheme Amendment 1413
LOCATION	Various lots, Jarrahdale
RESPONSIBLE AUTHORITY	Western Australian Planning Commission
DECISION	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)

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

18 October 2023

Encl. EPA Determination



Environmental Protection Authority

s.48A Referrals

Title: Metropolitan Region Scheme Amendment 1413 - Jarrahdale Parks and Recreational Precinct

Location: Various lots, Jarrahdale

Description: The purpose of the proposed amendment is to transfer approximately 5.27 hectares of land in Jarrahdale from the 'Urban' zone to the 'Parks and Recreation' reservation in the Metropolitan Region Scheme (MRS),

Ref ID: APP-0024954

Date Received: 09/10/2023 **Date Sufficient Information Received:** 09/10/2023

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

Contact: Marija Bubonovic

Preliminary Environmental Factors: Flora and vegetation, Terrestrial fauna

Potential Significant Effects: None

Protection: The proposed change to Parks and Recreation reserve and expansion of the Serpentine National Park is a positive environmental outcome.

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: 18 October 2023

Appendix B

List of plans supporting the amendment

Metropolitan Region Scheme
Amendment 1413

Jarrahdale Parks and Recreation Precinct

as advertised

Amending Plan 3.2816

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 (Standard)
Submission Form

Submission

Metropolitan Region Scheme Amendment 1413

Jarrahdale Parks and Recreation Precinct

Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

FILE
RLS/1099

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

Surname (PLEASE PRINT CLEARLY)

Address Postcode

Contact Number Email Address

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 25 JANUARY 2024.
Late submissions will NOT be considered.**