



October 2024

Metropolitan Region Scheme Amendment

1419 (Standard Amendment)



Woodvale Drive and Ancestor Retreat, Woodvale

Report on Submissions Submissions

City of Wanneroo

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(Standard Amendment)

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The Western Australian Planning Commission acknowledges Aboriginal people as the traditional custodians of Western Australia. We pay our respects to the Ancestors and Elders, both past and present, and the ongoing connection between people, land, waters, and community. We acknowledge those who continue to share knowledge, their traditions and culture to support our journey for reconciliation. In particular, we recognise land and cultural heritage as places that hold great significance for Aboriginal people.

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MRS Amendment 1419 (Standard) Report on Submissions Submissions

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<u>Submissions</u>

Report on Submissions

Metropolitan Region Scheme Amendment 1419 (Standard) Woodvale Drive and Ancestor Retreat, Woodvale

Report on Submissions

1 Introduction

At its December 2023 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 35 of the *Planning and Development Act 2005* and regulation 5 of the Planning and Development (Region Planning Schemes) Regulations 2023.

2 The proposed amendment

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

The purpose of the amendment is to transfer approximately:

- 4.64 hectares of land within Lot 900 Wanneroo Road, Lot 26 Woodvale Drive, Lot 803 Ancestor Retreat, and the road reserve for Woodvale Drive in Woodvale from the Rural zone to the Urban zone; and
- b) 2,673 square metres of land within the road reserves for Wanneroo and Ocean Reef Roads in Woodvale from the Rural zone and the Other Regional Roads reservation to the Primary Regional Roads reservation;

under the Metropolitan Region Scheme (MRS), as shown on the *Amendment Figure - Proposal 1*.

The proposed Urban zoning will facilitate further planning and development of the amendment area for commercial and residential land uses.

3 Environmental Protection Authority advice

On 27 February 2024, the EPA determined that the amendment did not require assessment under Part IV of the *Environmental Protection Act 1986*, and provided advice on flora and vegetation, terrestrial fauna, inland waters, and social surroundings environmental factors relevant to the amendment. The EPA noted that any future development of the amendment area may impact upon native vegetation, threatened fauna habitat, a conservation category wetland, the local hydrological regime, and social amenity values, and that the amendment can be managed to meet its environmental objectives through the implementation of planning controls in subsequent planning stages.

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 for a total of 42 days from 14 March to 25 April 2024.

The amendment was made available for public inspection online at the Department of Planning, Lands and Heritage website.

During the public inspection period, a notice of the amendment was published in *The West Australian* newspaper, and the WAPC made reasonable attempts to notify and invite affected landowners, Local Government(s), and other public authorities to comment on the amendment.

5 Submissions

Thirteen submissions, including one late submission, were received on the amendment from the City of Wanneroo (the City), State Government agencies, service providers and a local resident.

Twelve submissions either; raise no objections to or support the amendment and/or provide comments, or do not provide comments. One submission from a local resident objects to the amendment and provides comment on traffic issues in the locality.

A complete copy of all written submissions are contained within this report.

6 Main issues raised in submissions

Transport Planning

The City and a local resident raised concerns about the potential impacts of the future development of the amendment area on traffic along Woodvale Drive and on the operation of the Woodvale Drive/Wanneroo Road intersection. The City recommends that this intersection should be upgraded to a full movement signalised intersection rather than a partial movement signalised intersection, and that this matter be resolved prior to the finalisation of the amendment.

<u>WAPC Response</u>: Comments noted. The potential impact of the additional traffic generated by any future development of the amendment area on traffic along Woodvale Drive and upon the operation of the Woodvale Drive/Wanneroo Road intersection is a matter which is most appropriately considered in the subsequent local structure planning stage of the planning process. In this subsequent stage, consideration can be given to the types and intensity of development which would be appropriate for the amendment area in view of the capacity of the surrounding road network and whether this road network would need to be upgraded to accommodate any increases in traffic volumes. As part of this, consideration can be given to the potential need to upgrade the Woodvale Drive/Wanneroo Road intersection, and whether it needs to be upgraded to a partial or full movement signalised intersection.

Stormwater Management

The City and the Department of Biodiversity, Conservation and Attractions (DBCA) have raised concerns about the future management of stormwater within the amendment area and potential impacts on groundwater levels within the adjacent Yellagonga Regional Park. The DBCA has recommended that the district water management strategy (DWMS) for the

amendment area be updated prior to the amendment being finalised in order to ensure that this matter is appropriately addressed.

<u>WAPC Response</u>: Comments noted. The detailed design of any future stormwater management infrastructure within the amendment area is most appropriately addressed by a future LWMS prepared for the site, pursuant to the recommendations of draft State Planning Policy 2.9: Planning for Water, Better Urban Water Management, and other relevant policies. Following further discussion, the City and the DBCA recognise that these outstanding matters can be appropriately addressed through the preparation of a future local water management strategy (LWMS). Nonetheless, the DBCA requests that the DWMS be modified to more clearly communicate the need to address these matters in a future LWMS, and the proponent has been advised of this request. However, it is not considered necessary to require the DMWS to be modified prior to the amendment being finalised.

7 Responses and determinations

The responses to all submissions are detailed in Schedule 2. It is recommended the amendment be adopted for finalisation as advertised.

8 Coordination of region and local scheme amendments

Under section 126(3) of the *Planning and Development Act 2005* (the Act), the WAPC has the option of concurrently rezoning land being zoned Urban under the Metropolitan Region Scheme, to zone which is consistent with the objective of the Urban zone in the corresponding local planning scheme.

The proponent requests the concurrent amendment of the City of Wanneroo District Planning Scheme No. 2, to transfer land within Lot 900 Wanneroo Road, Lot 26 Woodvale Drive and Lot 803 Ancestor Retreat to the 'Urban Development' zone. In this respect, the WAPC has supported the concurrent amendment, as requested.

9 Conclusion and recommendation

This report summarises the background to Amendment 1419 and examines the various submissions made on it.

The Western Australian Planning Commission (WAPC), after considering the submissions, is satisfied that the amendment as shown generally on the *Amendment Figure - Proposal 1* in Schedule 3, and in detail on the Amending Plan listed in Appendix A should be approved and finalised.

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

10 Ministers Decision

Amendments to the Metropolitan Region Scheme being progressed as a standard amendment in accordance with the *Planning and Development Act 2005* and regulation 5 of the Planning and Development (Region Planning Schemes) Regulations 2023 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.

Amendment 1419 is now finalised as advertised and shown on WAPC Amending Plan 3.2826 and has effect in the Metropolitan Region Scheme from the date of notice in the *Government Gazette* on Friday 25 October 2024.

Schedule 1

Listing of submissions

Listing of Submissions

Metropolitan Region Scheme Amendment 1419 (Standard) Woodvale Drive and Ancestor Retreat, Woodvale

Submission Number	Name	
1	1 Water Corporation	
2	ATCO Gas Australia	
3	Department of Energy, Mines, Industry Regulation and Safety	
4	Department of Water and Environmental Regulation	
5	Department of Primary Industries and Regional Development	
6	Department of Fire and Emergency Services	
7	Department of Biodiversity, Conservation and Attractions	
8	Department of Transport	
9	Name removed at request of submitter	
10	City of Wanneroo	
11	Department of Education	
12	Department of Health	
Late Submissions	Name	
13	Main Roads WA	

Schedule 2

Summary of submissions and determinations

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

Submission: 1, 2, 3, 4, 5, 6, 11 & 13 (Late)

Submitter: Water Corporation, ATCO, Department of Energy, Mines,

Industry Regulation and Safety, Department of Water and Environmental Regulation, Department of Primary Industries and Regional Development, Department of Fire and Emergency Services, Department of Education & Main Roads Western

Australia.

Summary of Submission: NO OBJECTION / COMMENT / NO COMMENT

The above State Government agencies and service provider raise no objections to the amendment and/or provide comments on matters which are most appropriately addressed in subsequent stages of the planning process or did not provide

any comments on the amendment.

Planning Comment: Comments noted.

Determination: Submissions noted.

Submission: 7

Submitter: Department of Biodiversity, Conservation and Attractions

Summary of Submission: COMMENT

The Department of Biodiversity, Conservation and Attractions (DBCA) provides the following comments on the amendment:

- a) <u>Planning context</u>: DBCA notes that the amendment area is:
 - 1. Designated as Urban in the *North-West Sub-* regional Planning Framework;
 - 2. located adjacent to Bush Forever Site 299, which forms part of the Yellagonga Regional Park and is reserved Parks and Recreation under the MRS; and

3. located within the buffer area of Wallubuenup Swamp, which is classified as conservation category wetland (CCW).

DBCA also notes that the Yellagonga Regional Park, Cockman House and private properties are accessed via Ancestor Retreat.

- b) Flora and Vegetation Assessment: The Woodvale MRS Amendment Environmental Assessment Report (EAR) included with the amendment documentation indicates that the amendment area contains approximately 1.6 hectares of native vegetation which is described as follows:
 - Af Allocasuarina fraseriana (Sheoak) Low Open Woodland with some Eucalyptus marginata (Jarrah) over weeds; and
 - **Bp** A small stand of *Banksia prionotes* Low Open Woodland over weeds.

The Priority 4 species *Jacksonia sericea* was recorded on the site.

The reconnaissance survey was not undertaken at the optimal time of year to identify threatened and priority flora species and ecological communities and is therefore not in accordance with current Environmental Protection Authority (EPA) technical guidance (Flora and Vegetation Surveys for Environmental Impact Assessment). It is noted however that due to the site's vegetation condition being mapped as predominantly Degraded due to the paucity of understorey species and abundance of weeds, there appears to a low likelihood threatened flora or threatened ecological communities occurring on the site. Due to the low risk of significant environmental values occurring on site, an additional spring survey is not considered necessary to inform future planning stages.

- c) Wetlands: Part of the amendment area is within the 50 metre buffer to the Walluburnup Swamp CCW; however, the buffer has been substantially modified by the construction of Ancestor Retreat. It is acknowledged that given the existing constraints of the site, the allocation of a wetland buffer is no longer considered necessary.
- d) <u>Stormwater Management</u>: DBCA has reviewed the *Lots* 26, 803 & 900 Wanneroo Road Woodvale District Water Management Strategy (the DWMS) and notes that surface and groundwater flows from the amendment

area towards Walluburnup Swamp to the west. In this respect, DBCA also notes that subsoil drainage will be required to manage post development rise in groundwater levels, particularly in the low lying areas. It also advises that rising groundwater levels are of increasing concern, that sections of the dual use path within the Regional Park have become flooded and impassable, and that rising ground levels are associated with the death of fringing melaleucas around Lake Joondalup.

DBCA recommends that advice should be sought from DWER in regard to the consistency of the DWMS with recommendations of Better Urban Water Management, and to ensure that the stormwater management systems maintain the pre-development hvdrological regime. In this respect, DBCA seeks assurance that the groundwater management that is proposed is appropriate in a system that is experiencing a rise in groundwater levels, and that the future development of the amendment will not exacerbate the problem which has become evident. DBCA also advises that the City of Wanneroo (the City) has similar concerns about the potential rise in groundwater levels, and how this could become a problem to manage if drainage (stormwater and subsoil) is directed to Walluburnup Swamp rather than being retained within the amendment area.

DBCA recommends that the DWMS be revised and endorsed by it and the City of Wanneroo prior to the amendment being finalised and advises that this matter should not be deferred to the local structure planning stage of the planning process.

e) Development within Bush Fire Prone Area: Given the location of the amendment area on the eastern side of Walluburnup Swamp, the prevailing south-westerly winds in summer, the highly flammable *Typha orientalis* and other wetland vegetation and the wetland's peat base, there is likely to be significant bushfire risk from the adjacent Regional Park. It is DBCA's expectation that the applicant, the City of Wanneroo and the WAPC will comply with State Planning Policy 3.7 - Planning for Bushfire Prone Areas (SPP 3.7) to ensure adequate separation is provided between residences and the neighbouring conservation area. Bushfire mitigation measures are to be contained within the development area and must not place impositions or reliance upon the clearing of adjoining conservation areas.

f) Ancestor Retreat: The Lot 803, Lot 26, Lot 900 Wanneroo Road, Woodvale Engineering Infrastructure Report indicates that Ancestor Retreat could be used for services to the urban area such as gas, telecommunications, sewer, and water supply. It is possible that Ancestor Retreat is also being considered for access to the future residential and/or commercial area, although no concept plan has been prepared to verify this.

Ancestor Retreat is with Lots 27 and 80, which are owned by the State and are located within the Regional Park boundary. DBCA was advised in 2019 that Main Roads Western Australia was arranging for the road to be dedicated as a public road, however this does not appear to have occurred. DBCA also suggests that this road should be transferred from the Parks and Recreation reservation to the Urban zone and the Bush Forever designation be removed from this land under the MRS.

Should rezoning of Ancestor Retreat occur at future planning stages, mitigation measures need to be put forward to address: the loss of land within the Yellagonga Region Park; impacts to park management and disruption for park users; the potential degradation of condition because of disturbance; and the potential increase for unauthorised access, fire access and illegal dumping.

g) Matters of National Environmental Significance: The EAR states that the native trees within the amendment area provide approximately 1.6 hectares of foraging habitat for black cockatoos, including approximately 0.2 hectares for the Carnaby's Black Cockatoo and approximately 1.4 hectares for the Forest Red-tailed Black Cockatoo. The proposed amendment area contains MNES protected under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (the EPBC Act 1999), namely habitat for threatened black cockatoo species. The proponent should therefore be advised to contact the Commonwealth Department of Climate Change, Energy, the Environment and Water to discuss any assessment requirements.

Planning Comment:

(a)-(c) <u>Planning Context</u>, <u>Flora and Vegetation Assessment</u>, and <u>Wetlands</u>: Comments noted.

- (d) <u>Stormwater Management</u>: Comments noted. Refer to 'Part 6 Stormwater Management' within the **Report on Submissions**.
- (e) <u>Development with Bush Fire Prone Area</u>: Comments noted. The bushfire management plan prepared in support of the amendment generally indicates that bushfire mitigation measures can be contained within the amendment area or adjacent road reserves, without there being any need to rely upon the clearing of remnant vegetation in the surrounding area.
- (f) Ancestor Retreat: Comments noted. It has been confirmed that it is proposed that the constructed extent of Ancestor Retreat will be dedicated as a public road. When this occurs, the WAPC will be able to consider including a proposal in a future MRS amendment to transfer Ancestor Retreat to the Urban zone. However, matters relating to the potential need to implement mitigation measures are beyond the scope of the assessment of the amendment.
- (g) <u>Matters of National Environmental Significance</u>: Comments noted. The proponent has been advised of its obligations under the EPBC Act 1999.

Determination: Submission noted.

Submission: 8

Submitter: Department of Transport / Public Transport Authority

Summary of Submission: SUPPORT / COMMENT

The Department of Transport and the Public Transport Authority support the amendment and provide the following comments on the amendment:

- a) The area is relatively well serviced by public transport with existing bus services on Woodvale Drive and Wanneroo Road.
- b) The pedestrian and cycling networks around the proposed development have recently been overhauled due to the grade separation of Wanneroo and Ocean Reef Roads.
- c) Detailed planning is required to ensure that internal pedestrian network connects effectively with the footpath network to existing bus stops on Woodvale Drive and Wanneroo Road to maximise walkability and public

transport accessibility, as well as to Yellagonga Regional Park.

d) The transport impact assessment prepared for the amendment identified issues with the operation and safety of the Woodvale Drive and Wanneroo Road intersection. It is noted that the proponent is liaising with Main Roads Western Australia to modify this intersection to make it a signalised intersection in order to provide for its safe and efficient operation. This assessment and intersection improvements should include provision of safe, signal protected pedestrian crossing of Wanneroo Road at this location to provide pedestrian safety, permeability, and good public transport accessibility.

Planning Comment: Comments noted. The matters raised in this submission are

most appropriately addressed in the subsequent stages of the planning process, or as part of any future upgrade of the

Woodvale Drive/Wanneroo Road intersection.

Determination: Submission noted.

Submission: 9

Submitter: Local Resident

Name removed at request of submitter

Summary of Submission: OBJECTION

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

- a) The submitter notes that no signage has been placed on site to advise of the amendment, and states that such signage would be more effective in advising the local community about the amendment.
- b) <u>Traffic</u>: The submitter raises concerns about the traffic volumes along Woodvale Drive and the adverse impacts this has on residents along it being able to access this road, and the potential additional impact the future development of the amendment area would have on these traffic volumes. The

- submitter also raises concerns about the design of the Woodvale Drive/Wanneroo Road intersection.
- c) The submitter requests more detail on the proposed development of the amendment area, and how the development of this area will be integrated with the existing road network. The submitter also raises concerns about the types of commercial land uses which would be located within the amendment area, and recommends that the following matters be considered in the planning of the amendment area:
 - reconfiguration of the Woodvale Drive/Wanneroo Road intersection, possibly removing the ability to turn right and creation of a left only lane;
 - reducing the speed limit along the affected area to 40km per hour;
 - construction of a roundabout at the intersection of Woodvale Drive and Ancestor Retreat, to discourage hoon driving along Woodvale Drive;
 - making the area a 'local traffic only' area; and
 - diverting traffic to Whitfords Avenue and away from the Woodvale Drive/Wanneroo Road intersection, which can more readily cater increased traffic.

Planning Comment:

- a) Comments noted, but not supported. The Planning and Development (Region Planning Schemes) Regulations 2023 does not require signage to be placed on site as part of the advertising of region scheme amendments, and it is not a standard practice of the WAPC to place such signage on site for region scheme amendments.
- b) Comments noted. Refer to 'Part 6 Transport Planning' within the *Report on Submissions*.
- c) Comments noted, but not supported. The additional detail which the submitter is seeking, and the detailed planning matters referred to in this submission is generally beyond the scope of the assessment of the amendment. In this respect, the purpose of the amendment process for the amendment is to determine whether the amendment area is suitable for a broad range of land uses, including residential, commercial, and public open space land uses, to ascertain with sufficient certainty that a range of detailed planning matters can be appropriately addressed in subsequent stages of the planning

process. As such, the detailed matters raised in this submission are most appropriately considered and addressed in subsequent planning stages.

Determination: Submission noted.

Submission: 10

Submitter: City of Wanneroo

Summary of Submission: NO OBJECTION / COMMENT

> The City of Wanneroo (the City) provides the following comments on the amendment:

- a) The land within the amendment area is identified in the draft City of Wanneroo Local Planning Strategy as one of the last remaining rural precincts within an area that is predominantly urban in nature. The rezoning of the amendment area to the Urban zone under the MRS is therefore supported in-principle as this zone is considered to better integrate with and support surrounding land uses.
- b) Traffic: The transport impact assessment prepared for the amendment area indicates that the Woodvale Drive/Wanneroo Road intersection is approaching capacity and is at risk of failing in the future unless it is modified. It is noted that as a Primary Regional Road, Wanneroo Road falls within the jurisdiction of MRWA. Although the final decision in relation to the design of the intersection rests with MRWA, the City advises that it is obliged to consider and comment on the impact of the design on local residents and their use of Woodvale Drive.

The City does not support the partial signalisation of this intersection and supports the full signalisation of this intersection in order to appropriately facilitate the development of the amendment area. The partial signalisation of the intersection as proposed will prohibit local residents from being able to turn right from Woodvale Drive onto Wanneroo Road and head south. Rather, they would be required to travel north along Wanneroo Road and make a U-turn north of Ocean Reef Road or travel along Woodvale Drive, Duffy Terrace and Whitfords Avenue to turn right at the Whitfords Avenue/Wanneroo Road intersection. The City is concerned that this would detrimentally impact on these residents and on traffic flows along Wanneroo Road and recommends that alternative access arrangements for this intersection be investigated.

The City also recommends that the City of Joondalup be consulted about the proposed modification of this intersection given most of Woodvale Drive is located within its local government area.

- c) Environment wetland buffer requirement: environmental assessment report (EAR) states that the 15 to 25 metres wide area of land east of Ancestor Retreat would not provide an environmental/ecological function as part of the buffer to the nearby wetland and does not need to be retained as a wetland buffer. It is noted that EPA Guidance Statement 33 - Environmental Guidance for Planning and Development (GS 33) states that all wetlands that are to be protected should be allocated a minimum 50 metre wide buffer to maintain wetland values and to mitigate impacts from adjacent land uses. In line with this, the City considers that there is a need for a greater buffer to the wetland, particularly to deal with the impact of stormwater discharge on the If such a buffer is reduced, the City recommends that sufficient, enforceable mitigation measures be put in place to effectively deal with stormwater discharge to the satisfaction of the EPA. experienced has already consequences due to reduced buffer distances applied to development south of the amendment area, and these would be likely to be repeated if this is not appropriately addressed as part of the proposal.
- d) Environment Black cockatoo habitat: The EAR identifies the presence of approximately 1.6 hectares of native vegetation which is likely to be foraging habitat for threatened black cockatoo species and indicates that the clearing of this vegetation is not likely to have a significant impact on foraging habitat. In this regard, the City recommends that the EPA gives strong consideration to the retention of portions of the foraging habitat at this location, within reserves or public open space.
- e) <u>Stormwater</u>: Due to the lack of sufficient detail contained in the DWMS, the City is unable to provide comments. It is suggested that more detail be included particularly in relation to stormwater discharge from Woodvale Drive.
- f) Ancestor Retreat: As Ancestor Retreat is an internal access road and not a gazetted road, further consideration should be given to the status of this road in the context of the proposal.
- g) <u>Bushfire</u>: As the amendment area is located within a bushfire prone area, the amendment is required to comply with the provisions of *State Planning Policy 3.7*

- Planning in Bushfire Prone Areas (SPP 3.7). It is the City's expectations that all clearing required to establish an appropriate asset protection zone be wholly located within the amendment area and not encroach upon the adjacent Bush Forever Site 299 in any way. Any clearing within a Bush Forever site is required to demonstrate consistency with State Planning Policy 2.8 Bushland Policy for the Perth Metropolitan Region (SPP 2.8) to the satisfaction of the WAPC. It is recommended that the bushfire management plan considers any revegetation required to offset any reduce wetland buffer and the retention of vegetation for black cockatoo habitat.
- h) Proposed local scheme amendment: The City advises that its comments relate only to this amendment and not to any proposed amendment to the City of Wanneroo District Planning Scheme No. 2 (DPS 2) currently being assessed by the City.

Planning Comment:

- a) Comments and in-principle support noted.
- b) <u>Traffic</u>: Comments noted. Refer to 'Part 6 Transport Planning' within the *Report on Submissions*.
- c) Environment wetland buffer requirement: Comments noted. However, the buffer requirements for Wallubuenup Swamp (located to the west of the amendment area) are most appropriated considered and addressed in the subsequent stages of the planning process, pursuant to the recommendations of draft State Planning Policy 2.9 Planning for Water (draft SPP 2.9), Liveable Neighbourhoods and GS 33.
- d) Environment Black cockatoo habitat: Comments noted. The amendment area contains approximately 1.6 hectares of remnant native vegetation which may potentially be foraging habitat for threatened black cockatoo species. The need to retain part of this vegetation within public open space areas is most appropriately considered in subsequent planning stages.
- e) <u>Stormwater</u>: Comments noted. Refer to 'Part 6 Stormwater Management' within the **Report on Submissions**.
- f) Ancestor Retreat: Comments noted. It has been confirmed that it is proposed that the constructed extent of Ancestor Retreat will be dedicated as a public road. When this occurs, the WAPC will be able to consider including a proposal in a future MRS amendment to transfer the land within the proposed road reserve to the Urban zone.
- g) <u>Bushfire</u>: Comments noted. However, the bushfire management plan prepared in support of the

amendment generally indicates that bushfire mitigation measures can be contained within the amendment area or adjacent road reserves, without there being any need to rely upon the clearing of remnant vegetation in the surrounding area. As such, the amendment is consistent with the recommendations of SPP 2.8 and SPP 3.7.

h) <u>Proposed local scheme amendment</u>: Comments noted.

Determination: Submission noted.

Submission: 12

Submitter: Department of Health

Summary of Submission: COMMENT

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

- a) Water supply and wastewater disposal: The amendment is to require that all future developments be connected to scheme water, and reticulated sewerage in accordance with the Government Sewerage Policy.
- b) Public health impacts: The DoH provides comments in regard to publications it has prepared on health active living and other matters which should be considered in the planning and development of residential areas.
- c) Medical entomology: The amendment area is located in an area that may be prone to mosquitos as wetlands (Beenyup Swamp) are in the vicinity. Developments in locations close to mosquito breeding habitat present a significantly higher risk to future residents contracting debilitating diseases, such as Ross River Virus and Barmah Forest Virus.

To protect the health and lifestyle of communities, all land use planning decisions should include consideration of mosquitos and their management. While it is well documented that mosquito-borne diseases occur in the Perth Metropolitan area, the risk of exposure to mosquitos and their diseases for future residents in Woodvale is not clearly defined. Prior to any

development of the amendment area, the DoH recommends that:

- the proponent works with the City of Wanneroo to determine the extent of risk from mosquitos and mosquito-borne diseases for the location;
- if that risk is considered medium or high by the City, a mosquito management plan should be established and adequately funded; and
- the City should ensure it has sufficient resources to continue mosquito management for any future development associated with the amendment.

The DoH also advises that the design of stormwater management infrastructure should be consistent with the recommendations of the *Stormwater Management Manual of Western Australia*.

- d) Chemical hazards: The western part of the amendment area has been used for intensive agriculture, which is a potentially contaminating land use as set out in the Assessment and Management of Contaminated Sites Guidelines (DWER, 2021). As such, the amendment area should be subject to, as a minimum, a preliminary site investigation and human health risk assessment prior to any subdivision and development of the amendment area, conducted in accordance with the National Environmental Protection (Assessment of Site Contamination) Measure and the Contaminated Site Regulations 2006.
- e) <u>Hazardous materials</u>: The DoH also advises that Cockman House and other heritage buildings may contain hazardous materials (e.g., lead paint and asbestos) which will need to be safely removed prior to any demolition, redevelopment, or reuse.
- f) Separation distances: The DoH recommends that appropriate separation distances be provided between commercial land uses and sensitive land uses, in accordance with the recommendations of GS33 where there may be significant offsite impacts. Furthermore, the DoH recommends that the potential off-site impacts from the proposed commercial development (e.g., dust, fumes, noise, and light) are considered, prior to determining the suitability of the amendment area for the proposed Urban zone, in order to minimise the impacts of public health risk arising from the encroachment of incompatible land use.

- g) Public health risks flooding: The amendment area is adjacent to low-lying land within the Yellagonga Regional Park and Lake Joondalup floodplain. As such, the impacts and public health risks from flooding will need to be assessed and managed.
- h) Acid sulfate soils: The amendment area may be located within an area of acid sulfate soil risk, and any disturbance of soils and shallow groundwater will be required to be managed to minimise groundwater and surface water impacts.

Planning Comment:

- a) Water supply and wastewater management: Comments noted. It is likely that any future development within the amendment area will be connected to the reticulated water and sewerage networks in the locality. Such an outcome would be consistent with the recommendations of draft SPP 2.9 and the Government Sewerage Policy.
- b) & c) <u>Public health impacts</u>, and <u>Medical entomology</u>: Comments noted. These matters are most appropriately considered and addressed in the subsequent planning stages.
- d) <u>Chemical hazards</u>: Comments noted, but not supported. No part of the amendment area is identified as being a potential contaminated site on the DWER Contaminated Sites Database. More importantly, it considered appropriate for any potential contaminated site risk within the amendment area to be investigated and addressed in the subsequent local structure planning and subdivision stages of the planning process.
- e) <u>Hazardous materials</u>: Comments noted, but not supported. This matter is beyond the scope of the amendment given that Cockman House and other heritage buildings are located outside of the amendment area, and that this matter is most appropriately addressed in the subsequent stages of the planning process.
- f) <u>Separation Distances</u>: Comments noted, but not supported. The Urban zone under the MRS is a broad land use classification which provides for a wide range of land uses (e.g., residential, commercial, light industrial and public open space) to be determined in the subsequent and more detailed stages of the planning process. It is considered appropriate for this matter to be addressed in subsequent planning stages where the more detailed land uses for the amendment area will be determined.
- g) <u>Public health risks flooding</u>: Comments noted, but not supported. Any potential public health risks associated with the flooding or inundation of low-lying areas adjacent to the amendment area are most appropriately considered in the

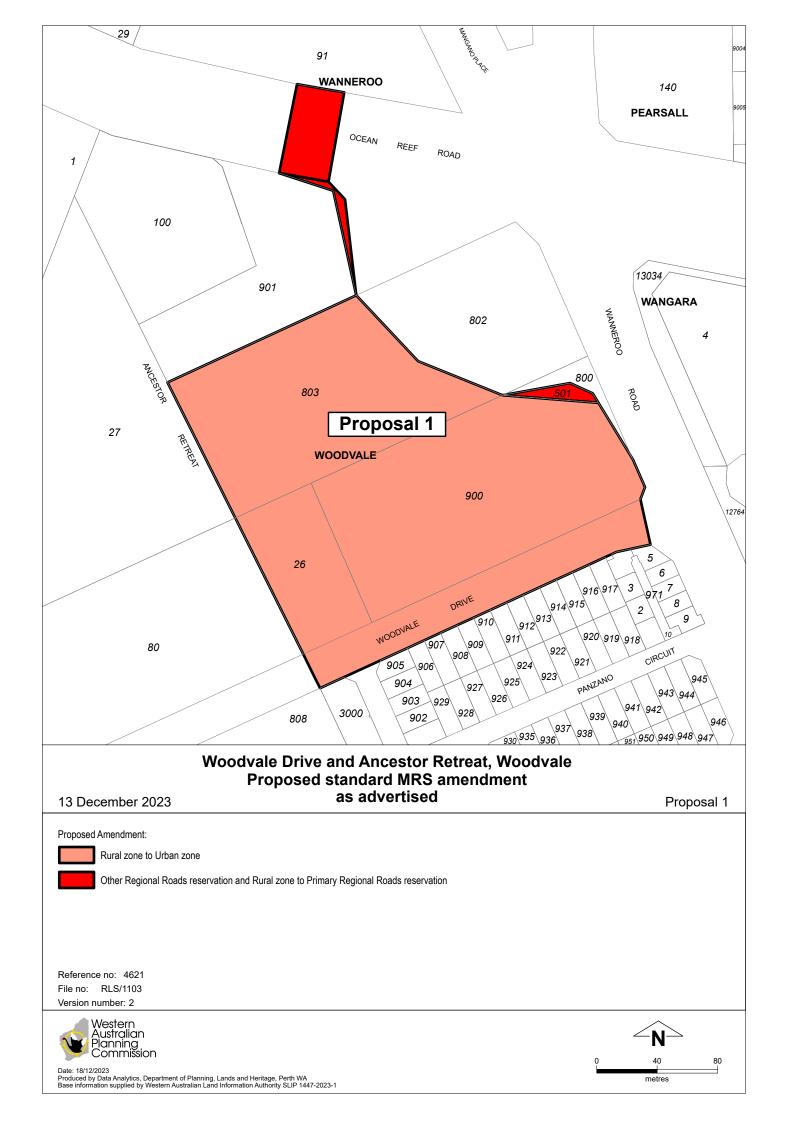
preparation and assessment of a future local structure plan and a future local water management strategy for the amendment area. As such, this matter is most appropriately considered in the subsequent local structure planning stage of the planning process.

h) A<u>cid sulphate soils</u>: Comments noted. The western part of the amendment area is classified as having a high to moderate risk of acid sulphate soils. However, the potential risks associated with the disturbance of acid sulphate soils within the amendment area are most appropriately addressed in subsequent planning stages, in accordance with the recommendations of *State Planning Policy 2.0 - Environmental and Natural Resources Policy, Liveable Neighbourhoods* and the WAPC *Acid Sulfate Soils Planning Guidelines*.

Determination: Submission noted.

Schedule 3

Amendment Figure - Proposal 1 (as advertised)



Appendix A

List of plans
(as advertised)

Metropolitan Region Scheme Amendment 1419 (Standard) Woodvale Drive and Ancestor Retreat, Woodvale

as advertised

Amending Plan 3.2826

Submissions

Development Services

629 Newcastle Street PO Box 100 Leederville WA 6007 Leederville WA 6902 **F** (08) 9420 3193

T (08) 9420 2099



Your Ref: RLS/1103 Our Ref: MRS401434 Enquiries: Matt Calabro Direct Tel: 9420 2099

14 March 2024

Secretary Department Of Planning Lands and Heritage Locked Bag 2506 PERTH WA 6001

Attention of: Brett Pye

Re: Proposed Metropolitan Region Scheme Amendment 1419 (Standard) -**Woodvale Drive and Ancestor Retreat, Woodvale**

Thank you for your letter dated 14th March 2024. Water Corporation offers the following comments regarding this proposal.

The Proposed MRS Amendment just not affect any of Water Corporations assets. Water and wastewater are available in the area to support the future land use of the area.

Water Corporation has no objection to the proposed MRS Amendment.

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

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

Should you have any queries or require further clarification on any of the above please do hesitate to contact issues, not me at matt.calabro@watercorporation.com.au

Regards,

Matt Calabro Senior Advisor – Land Planning **Development Services**

From: Chris Crowson

To: Region Planning Schemes; Brett Pye

Subject: ATCO Response - LM01126295 - Proposed Metropolitan Region Scheme Amendment 1419 (Standard) -

Woodvale Drive and Ancestor Retreat, Woodvale - RLS/1103

Date: Tuesday, 19 March 2024 9:23:21 AM

Attachments: LM01126295.pdf

PlanWA Trigger Distance - LM01126295.pdf

Good morning

RE: Proposed Metropolitan Region Scheme Amendment 1419 (Standard) - Woodvale Drive and Ancestor Retreat, Woodvale - RLS/1103 ATCO Reference: LM01126295

To respond to this email or liaise with our Engineering team regarding your enquiry, please use the **Email Reply** button

ATCO Gas Australia (ATCO) has **no objection** to the proposed application, based on the information and plan provided, subject to the following advice notes:

Advice notes:

- The proposed areas fall within the WAPC Draft Development Control 4.3 Trigger Distance for ATCO Infrastructure (area hatched blue in attachment). Any sensitive land use or high density community use developments within this Trigger Distance of a High Pressure Gas Pipeline requires further consultation with ATCO prior to preliminary designs being finalised. Please consider the WAPC's draft DC4.3 and also the site; PlanWA for development planning.
- Anyone proposing to carry out construction or excavation works within 15 metres of Critical Asset Infrastructure must contact 'Before You Dig Australia' (www.byda.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
- All works occurring within 15 metres of Critical Asset Infrastructure must undergo ATCO Engineering Assessment to determine if additional safety measures are required. Risk mitigation and asset protection measures may be necessary. Notification for the works must be submitted to ATCO via the online web portal.
- All works occurring within 15 metres of Critical Asset Infrastructure must comply with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&M-PR24 https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html
- Future construction and any proposed access roads across the ATCO Critical Asset gas mains (including proposed roads and road upgrades) need to be managed in accordance with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&M-PR24 https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html
- Anyone proposing to carry out construction or excavation works must contact 'Before You Dig Australia' (www.byda.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
- If the disconnection and/or removal of an ATCO gas service is required, a request can be submitted via the online ATCO portal found here.

Please accept this email as ATCO's written response.

Should you have any queries regarding the information above, please contact us on 13 13 56 or eservices@atco.com.

Regards

Chris Crowson

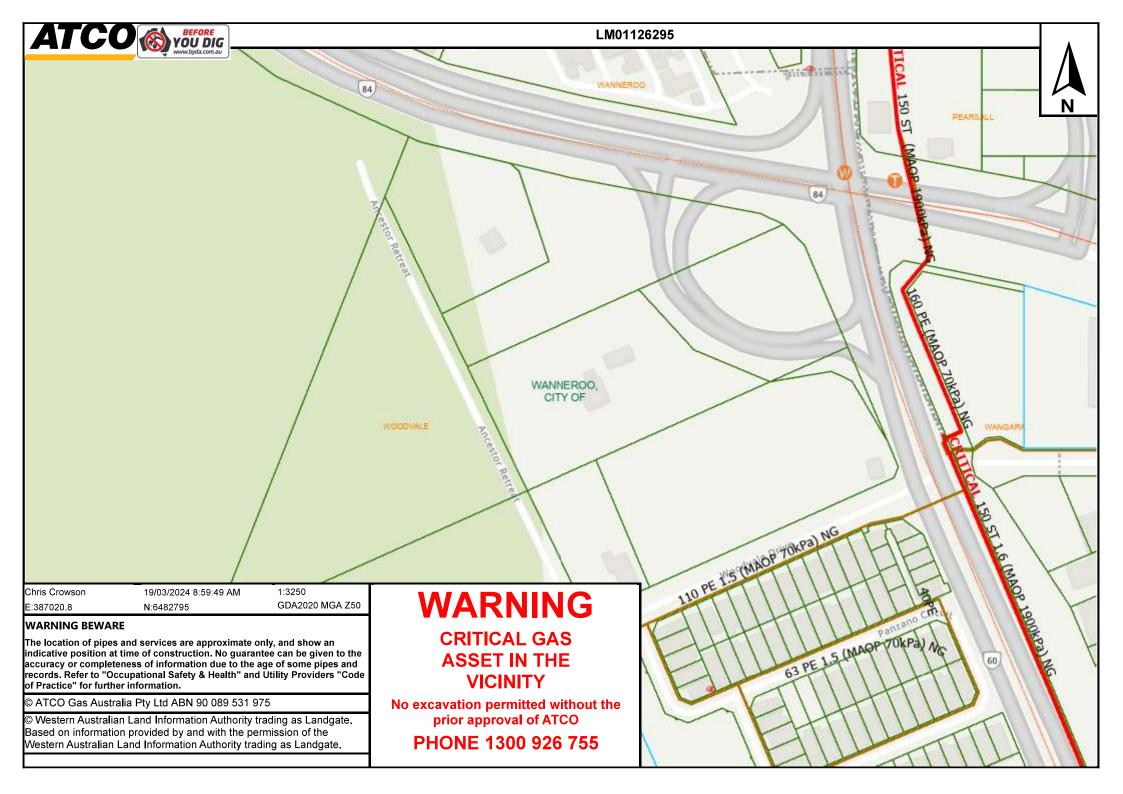
Land Management Coordinator ATCO, Gas Division, Australia

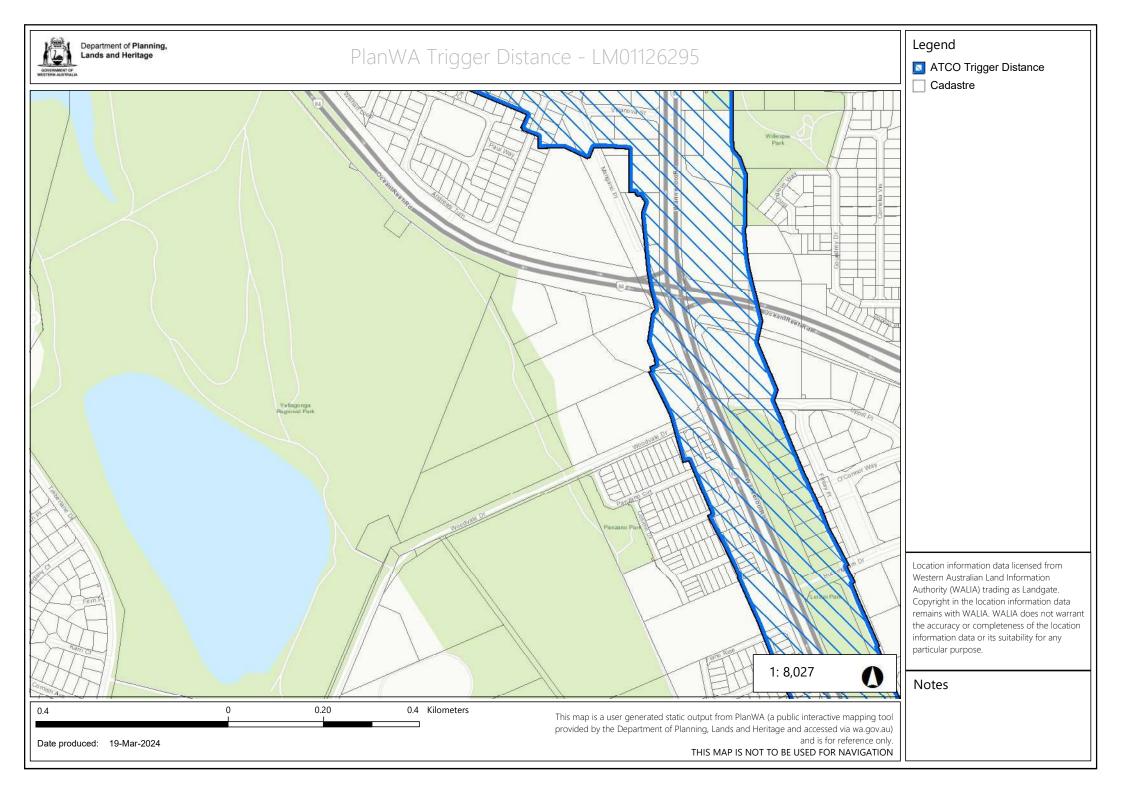
A. 81 Prinsep Road, Jandakot, Western Australia, 6164

atco.com.au LinkedIn Facebook X



ATCO acknowledges the Traditional Owners of country throughout Australia and their continuing connection to land, sea and community. We pay respect to their Elders past, present and emerging, and in the spirit of reconciliation, we commit to working together for our shared future.







Your ref RLS/110
Our ref DMS0508/2024

Enquiries Steven Batty — 9222 3104

Steven.BATTY@dmirs.wa.gov.au

Brett Pye
Senior Planner | Schemes and Strategies
Department of Planning, Lands and Heritage
Sent by Email — brett.pye@dplh.wa.gov.au
140 William Street, Perth WA 6000

Dear Brett Pye

MRS AMENDMENT 1419 - LOT 26 AND 900 WOODVALE DRIVE - LOT 803 ANCESTOR RETREAT - WOODVALE - RLS/110

Thank you for your letter dated 14 March 2024 inviting comment on the proposed Metropolitan Region Scheme (MRS) amendment 1419 (standard) - Woodvale Drive and Ancestor Retreat, Woodvale - RLS/1103.

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

DEMIRS lodges no objections to the above MRS amendment.

Yours sincerely

Steven Batty | Senior Geologist

Mineral and Energy Resources Directorate

19 March 2024

From: <u>Jim Mackintosh</u>

To: Region Planning Schemes

Cc: Brett Pye

Subject: RE: Proposed Metropolitan Region Scheme Amendment 1419 (Standard) - Woodvale Drive and Ancestor

Retreat, Woodvale - RLS/1103

Date: Wednesday, 20 March 2024 11:18:30 AM

OFFICIAL

OFFICIAL

OFFICIAL

Dear DPLH,

Thank you for the above referral. The Department of Water and Environmental Regulation has considered the proposal and has no objections and no further comments.

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

Visit our website www.dwer.wa.gov.au



Your reference: MRS AMD 1419

(RLS/1103)

Our reference: LUP 1827 Enquiries: Louise Murray

Zoë Chalwell-James, Planning Administration Coordinator Department of Planning, Lands and Heritage Bunbury Tower, Level 6, 61 Victoria Street, Bunbury WA 6230

Email: regionplanningschemes@dplh.wa.gov.au

Date: 11 April 2024

Dear Zoe

PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1419 (STANDARD) - WOODVALE DRIVE AND ANCESTOR RETREAT, WOODVALE - RLS/1103

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal, which includes the rezoning of Rural land.

DPIRD notes that:

- The land has not been identified by DPIRD as high-quality agricultural land.
- The land is identified for future urban land use in the 2018 North-West Subregional Planning Framework.
- The land currently contains a garden centre. 'Garden centre' is a discretionary use in the City of Wanneroo's District Planning Scheme No.2, and a prohibited use in the City's Residential zone.
- In accordance with clause 5.12.5 of State Planning Policy 2.5 Rural Planning, the transition of the land from rural to urban use will need to be managed, so that existing operators can continue to function, and new landowners have reasonable expectations.

That being so, DPIRD has no objection to the proposed amendment.

For more information, please contact Louise Murray on 9368 3833 or louise.murray@dpird.wa.gov.au

Yours sincerely

Mr Timothy Overheu

(Iverheu

Acting Director Agriculture Resource Management Assessment Sustainability and Biosecurity

From: DFES Land Use Planning
To: Region Planning Schemes

Cc: Brett Pye

Subject: RLS/1103 - Woodvale Drive and Ancestor Retreat Woodvale - Proposed Metropolitan Region Scheme Amendment

1419 (Standard) - DFES Second Response (attached)

Date: Tuesday, 23 April 2024 7:56:18 AM

Attachments: image001.png image002.png

RLS 1103 - Woodvale Drive & Ancestor Retreat Woodvale - DFES Response.pdf

Our Ref: D29369 Your Ref: RLS/1103

Dear Mr Pye

RE: PROPOSED MRS AMENDMENT 1419 – WOODVALE DRIVE AND ANCESTOR RETREAT, WOODVALE

In relation to the above application, the following comments are provided.

DFFES has previously reviewed the submitted bushfire management plan (Version V2, prepared by Envision dated 4 July 2023), with comments provided to DPLH on 11 September 2023.

As no changes have occurred to the BMP following DFES' previous response, no further review has been undertaken.

A copy of DFES previous response has been attached for your records.

Should you require clarification of the matters raised, please do not hesitate to contact me on the undersigned.

Kind regards

Michael Ball

Senior Land Use Planning Officer

20 Stockton Bend, Cockburn Central, Perth WA 6164

T: 08 9395 9819 | E: advice@dfes.wa.gov.au | W: 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.







Our Ref: D29369 Your Ref: RLS/1103

Brett Pye Department of Planning, Lands and Heritage mrs@dplh.wa.gov.au

Dear Mr Pye

RE: PROPOSED MRS AMENDMENT 1103 - WOODVALE DRIVE AND ANCESTOR RETREAT, WOODVALE - PRELIMINARY COMMENTS

I refer to your email dated 9 August 2023 regarding the submission of a Bushfire Management Plan (BMP) (Version V2), prepared by Envision dated 4 July 2023, for the above Scheme Amendment.

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

1. Policy Measure 6.3 a) (i) Results of a Bushfire Hazard Level (BHL) Assessment

Issue	Assessment	Action
Vegetation classification	Vegetation Plot 3 cannot be substantiated as Class G Grassland. The submitted photos are low quality, and do not clearly detail the drain to the southwest of site (in the foreground of Photo ID 3.1) which appears to contain vegetation consistent with the Class C Shrubland present in the adjoining Plot 8. The BMP should detail specifically how the classification was derived particularly where the worst-case scenario is not applied (i.e. Grassland as opposed to another vegetation classification).	Additional evidence should be provided for subsequent stages.
Vegetation Classification	Vegetation Plot 6 cannot be substantiated as Class B Woodland. The area adjoining Plot 4 and the photos provided for Plot 6 do not appear to detail two different vegetation types. Further, a review of the aerial imagery submitted presents a canopy cover greater than 30% within Plot 6. It is acknowledged that this is unlikely to impact the BAL/BHL of the site, however the BMP should detail specifically how the classification was derived	Additional evidence should be provided for subsequent stages.

	particularly where the worst-case scenario is not applied (i.e. Woodland as opposed to Forest).	
BAL assessment	For future BMPs, the inputs (i.e. slope/vegetation classification) need to be included in the BMP to demonstrate the methodology applied to determine the BAL outputs within the Contour Map. This would generally be provided in a table detailing each plots inputs and outputs. The BAL contours should extend from all areas of classified vegetation.	BMPs for future stages to address requirements.

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

Issue	Assessment	Action
Location	A1.1 – not demonstrated The BAL ratings cannot be validated, as the vegetation classification inputs require modification as per the above table.	BMPs for future stages to address requirements.
	The assessment at this level should inform the design and layout of subdivision and reduce the vulnerability of people and property from the impact of bushfire.	
	There appear to be no constraints to development on the site that would limit the ability of all development lots being subject to BAL-29 or lower through appropriate use of hazard separation (e.g. perimeter roads, managed open space) and this should be demonstrated for all lots at all stages of delivery through future planning processes.	
Vehicular Access	A3.4 – not demonstrated The BMP states that 'The site is separated from classified, continuous landscape vegetation by a perimeter road. Ancestor Retreat separates the site from the Walluburnup Swamp Reserve.'	BMPs for future stages to address requirements.
	Future planning stages should incorporate perimeter roads on all boundaries where the development site abuts vegetation. The BMP should be updated to clarify the perimeter roads will be considered are provided where required at future planning stages.	

Recommendation - advice only

The BMP has adequately identified issues arising from the bushfire hazard level assessment and considered how compliance with the bushfire protection criteria can be achieved at subsequent planning stages.

However, modifications (as detailed in the table above) to the BMP are necessary to ensure it accurately identifies the bushfire risk and necessary mitigation measures. As these modifications

will not affect the MRS 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 and development applications).

Should you require further information, please contact me on telephone number 9395 9819.

Yours sincerely

Michael Ball

SENIOR LAND USE PLANNING OFFICER

11 September 2023

CC brett.pye@dplh.wa.gov.au

From: <u>Catherine Prideaux</u>

To: <u>Brett Pye</u>; <u>Region Planning Schemes</u>

Cc: Gaudoin, Carrie

Subject: FW: Proposed Metropolitan Region Scheme Amendment 1419 (Standard) - Woodvale Drive and Ancestor Retreat,

Woodvale - RLS/1103

Date: Tuesday, 23 April 2024 12:10:03 PM

Attachments: <u>image002.png</u>

MRS amendment Woodvale Drive Ancestor Retreat Aug 2023.pdf

OFFICIAL

Hi Brett

Thank you for your email of 14 March. DBCA's preliminary comment on the proposed MRS amendment was sent to DPLH on 4 September 2023, comments remain relevant to the initiated amendment and are attached as part of DBCA's submission.

Further advice is provided specifically in relation to the **Stormwater Management** section of the attached letter.

It is understood that "DWER has considered the proposal and while the Department has no objections and no further comments, the assessment and endorsement of the associated DWMS is deferred to DBCA as the subject site is located adjacent to a State significant wetland." (Jim Mackintosh, Planning Advice Section, email to DPLH dated 9/10/2023)

DBCA seeks assurance that the groundwater management that is proposed is appropriate in a system that is experiencing a rise in groundwater, and that the development will not exacerbate the problem that has become evident. The City of Wanneroo also has similar concerns of potential groundwater rise and how it could become a problem for DBCA and the City to manage if drainage (stormwater and subsoil) is directed to Walluburnup Swamp rather than being retained within the development area.

DBCA recommends that the DWMS be revised prior to the finalisation of the amendment and endorsed by DBCA and the City of Wanneroo. The issue should not be deferred to the Structure Planning stage.

Please let me know if there are any queries.

Kind regards

Catherine

Catherine Prideaux | Planning Officer | Peer Supporter | Regional Parks Unit | Swan Region

Parks and Wildlife Service
Department of Biodiversity, Conservation and Attractions
Cnr Australia II Drive and Hackett Drive, Crawley
Locked Bag 104, Bentley Delivery Centre, WA 6983

Office 9442 0351 Mobile 0418 536106



Department of Biodiversity,
Conservation and Attractions







Department of **Biodiversity**, **Conservation and Attractions**



Your ref: RLS/1103

Our ref: 2018/001125 (PRS 50971) Enquiries: Catherine Prideaux

Phone: 08 9442 0300

Email: Catherine.Prideaux@dbca.wa.gov.au

Mr Brett Pye Regional Scheme Administration Land Use Planning Department of Planning, Lands and Heritage 140 William Street PERTH WA 6000

Dear Mr Pye

PROPOSED METROPOLITAN REGION SCHEME AMENDMENT – WOODVALE DRIVE AND ACESTOR RETREAT, WOODVALE - REQUEST FOR PRELIMINARY COMMENT

I refer to the email dated 8 August 2023 to the Department of Biodiversity, Conservation and Attractions (DBCA) requesting preliminary comment on the proposed amendment to rezone the above 4-hectare site comprising Lots 900 Wanneroo Road, 26 Woodvale Drive and 803 Ancestor Retreat, from 'Rural' to 'Urban' in the Metropolitan Region Scheme (MRS).

Planning context

The proposed amendment area is directly adjacent to Bush Forever Site 299 (Yellagonga Regional Park, Wanneroo/Woodvale/Kingsley) which forms part of the Yellagonga Regional Park managed by DBCA and reserved for Parks and Recreation in the MRS. A portion of the amendment area is within the buffer to a Conservation Category wetland (CCW) known as Walluburnup Swamp, located within the regional park. The regional park, Cockman House and private residences are accessed via Ancestor Retreat as they have otherwise become inaccessible since construction of the Wanneroo Road and Ocean Reef Road interchange.

The Perth and Peel @ 3.5 Million (DPLH and WAPC, 2018) and the North-West Metropolitan Peel Sub-regional Planning Framework (DPLH, 2018) identifies the proposed amendment area as Urban.

Flora and Vegetation Assessment

The Woodvale MRS Amendment – Environmental Assessment Report (EAR) (PGV Environmental July 2023) is included in the amendment documentation. The EAR included a reconnaissance flora and vegetation survey undertaken on 16 March 2023. The site contains about 1.57 ha of native vegetation which is described as follows:

Af Allocasuarina fraseriana (Sheoak) Low Open Woodland with some *Eucalyptus marginata* (Jarrah) over weeds; and

Bp A small stand of *Banksia prionotes* Low Open Woodland over weeds.

The Priority 4 species Jacksonia sericea was recorded on the site.

The reconnaissance survey was not undertaken at the optimal time of year to identify threatened and priority flora species and ecological communities and is therefore not in accordance with current Environmental Protection Authority technical guidance (*Flora and Vegetation Surveys for Environmental Impact Assessment,* 2016). It is noted however that due to the site's vegetation condition being mapped as predominantly Degraded due to the paucity of understorey species and abundance of weeds, there appears to be a low likelihood of threatened flora or threatened ecological communities occurring on the site. Due to the low risk of significant environmental values occurring on site, an additional spring survey is not considered necessary to inform future planning stages.

Wetlands

A portion of the amendment area is within the 50-metre buffer to the CCW known as Walluburnup Swamp (UFI 15458); however, the buffer has been substantially modified by the construction of Ancestor Retreat. It is acknowledged that given the existing constraints of the site, the allocation of a wetland buffer within the development is no longer considered necessary.

Stormwater Management

The District Water Management Strategy: Lots 26, 803 & 900 Wanneroo Road Woodvale (DWMS) (JDA Consultant Hydrologists, June 2023) has been included in the amendment documentation.

Following review of the DWMS it is noted that surface and groundwater water flows from the site towards Walluburnup Swamp to the west. It is also noted that subsoil drainage will be required to manage post development rise in groundwater levels, particularly in low lying areas (page 13). Rising groundwater levels are of increasing concern to DBCA where sections of dual use path within the regional park have become flooded and impassable, with the rising ground water table also associated with the death of fringing melaleucas around Lake Joondalup.

Advice should be sought from the Department of Water and Environmental Regulation regarding the consistency of the DWMS with 'Better Urban Water Management (DoW 2008)' to ensure the design of the stormwater management system maintains the pre-development hydrological regime.

The DWMS commits to the development and implementation of a Local Water Management Strategy as part as part of the local structure planning process (page 21).

Development within Bush Fire Prone Area

Given the location of the proposed amendment area on the eastern side of Walluburnup Swamp, the prevailing south-westerly winds in summer, the highly flammable *Typha orientalis* and other wetland vegetation and the wetland's peat base there is likely to be significant bushfire risk from the adjacent regional park. It is DBCA's expectation that the applicant, the City of Wanneroo and the WAPC will comply with State Planning Policy 3.7 *Planning for Bushfire Prone Areas* to ensure adequate separation is provided between residences and the neighbouring conservation area. Bushfire mitigation measures are to be contained within the development area and must not place impositions or reliance upon the management of adjoining conservation areas.

Ancestor Retreat

The Engineering Infrastructure Report Lot 803, Lot 26 Lot 900 Wanneroo Road, Woodvale (TABEC Pty Ltd, July 2023) indicates that Ancestor Retreat could be used for services to the

urban area such as gas, telecommunications, sewer and water supply. It is possible that Ancestor Retreat is also being considered for access to the future residential and/or commercial area, although no concept plan has been presented to verify this.

Ancestors Retreat is within Lot 80 and Lot 27, landholdings owned by the State of Western Australia and included in the regional park boundary. DBCA was advised in October 2019 that Main Roads WA was arranging for the road to be dedicated as a public road, however this does not appear to have occurred. DBCA suggests that the road should also be removed from the Parks and Recreation reservation and Bush Forever designation and included in the current proposed MRS amendment to rezone the road portion to Urban.

Should rezoning of Ancestor Retreat occur at future planning stages, mitigation measures need to be put forward to address the following:

- The loss of land within the Regional Park boundary that is reserved for Parks and Recreation purposes;
- Impacts to park management and disruption for park users;
- Potential degradation of condition because of disturbance;
- Potential for increase in unauthorised access, fire risk and illegal rubbish dumping.

Matters of National Environmental Significance

The EAR summarises that the native trees on site provide 1.593 ha of foraging habitat for black cockatoos, including about 0.2 ha for Carnaby's black cockatoos (banksia and jarrah trees) and about 1.4 ha for forest red-tailed black cockatoos (sheoak trees) (page 29).

The proposed amendment area contains Matters of National Environmental Significance (MNES) protected under the Commonwealth *Environment Protection and Biodiversity Conservation Act* 1999 (EPBC Act) namely habitat for threatened black cockatoo species. The proponent should therefore be advised to contact the Commonwealth Department of Climate Change, Energy, the Environment and Water to discuss any assessment requirements.

Should you wish to discuss any of the comments provided please contact Planning Officer Catherine Prideaux of this office on telephone 9442 0300, or by email at catherine.prideaux@dbca.wa.gov.au in the first instance.

Yours sincerely

Benson Todd

REGIONAL MANAGER

4 September 2023

cc. Xin Xu, Senior Planner, City of Wanneroo

From: Golestani, Shanthi

To: Region Planning Schemes

Cc: Brett Pye

Subject: DoT comments Re: Proposed Metropolitan Region Scheme Amendment 1419 (Standard) - Woodvale Drive

and Ancestor Retreat, Woodvale - RLS/1103

Date: Tuesday, 23 April 2024 2:30:42 PM

Attachments: <u>image006.png</u>

OFFICIAL

OFFICIAL

Your ref: RLS/1103 Our ref: DT/24/0037 Enquiries: Shanthi Golestani (9216 8774)

Ms Sam Boucher Secretary, Western Australian Planning Commission Department of Planning, Lands and Heritage 140 William Street PERTH WA 6000

Attention: Brett Pye

Dear Brett,

RE: PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1419 (STANDARD) - WOODVALE DRIVE AND ANCESTOR RETREAT, WOODVALE - RLS/1103

Thank you for your email dated 14 March 2024 inviting the Department of Transport (DoT) to provide comment on the above proposed amendment. The Urban Mobility (UM) division of DoT and the Public Transport Authority (PTA) have reviewed the submitted documents and advise that DoT and PTA support the proposal. We provide the following comments:

- The area is relatively well served by public transport with existing bus services on Wanneroo Road and Woodvale Drive.
- The pedestrian and cycling networks around the proposed development have recently been overhauled due to the grade separation of Wanneroo Road and Ocean Reef Road.
- Detailed planning will need to ensure that the internal pedestrian network of
 the future development connects effectively with the footpath network to
 existing bus stops on Woodvale Drive and Wanneroo Road to maximise
 walkability and public transport accessibility, as well as to Yellagonga Park to
 the west of the proposed urban area.
- The transport impact assessment prepared for the amendment identified

issues with the operation and safety of the Woodvale Drive and Wanneroo Road intersection. It is noted the proponent is liaising with Main Roads WA to modify this intersection to make it a signalised intersection in order to provide for its safe and efficient operation. This assessment and intersection improvements should include provision of safe, signal protected pedestrian crossing of Wanneroo Road at this location to provide pedestrian safety, permeability and good public transport accessibility.

We understand Main Roads WA will send their response directly.

If you wish to follow up, please do not hesitate to contact me.

Kind regards,

Shanthi Golestani

Senior Project Officer - Transport Planner | Urban Mobility | Department of Transport

GPO Box C102, Perth WA 6839

Tel: (08) 92168774

Email: Shanthi.Golestani@transport.wa.gov.au | Web: www.transport.wa.gov.au

Part time - Tues/Thurs/Fri



We acknowledge the Traditional Custodians of this land and pay respect to the Elders past and present.

Response ID ANON-PW5G-HUE6-U

Submitted to Metropolitan Region Scheme Amendment 1419 (Standard) - Woodvale Drive and Ancestor Retreat, Woodvale Submitted on 2024-04-22 09:18:10

About you

1 What is your first name?
First name: Details removed at the request of the submitter
2 What is your surname?
surname:
3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?
Yes
4 Are you responding on behalf of an organisation?
No
If yes, please fill in the name of your company.:
5 What is your email address?
Email:
6 What is your address?
address:
25 Woodvale Drive Woodvale WA 6026
7 Contact phone number:
Phone Number:
Submissions
8 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?
Oppose
9 Please type your submission (reasons for support/opposition) into the the box below. Any supporting documents may be uploaded.

Submission:

General comments

It is challenging to respond in detail the proposal as outlined in the above Proposed Metropolitan Region Scheme Amendment without more detail which I am sure will be provided in the future, however I wish to make the following comments:

Submission Proposed Metropolitan Region Scheme Amendment 1419 (Standard) Woodvale Drive and Ancestor Retreat, Woodvale City of Wanneroo.

- There is no signage along the impacted land on Woodvale Drive and Ancestor Retreat. Why? Are you trying to limit the scrutiny? Surely it would make sense to do this as this is a busy road and such signage could be viewed by significant passing traffic, a lot of whom would have more than a passing interest in the proposal.
- It is widely known that Woodvale Drive is very heavy with traffic already. Being a resident of 25 Woodvale Drive it can be difficult to enter Woodvale Drive from the house as early at 7.00 am in the morning. Further it is even worse to enter our property during the school run in the afternoon, where traffic can be backed up for hundreds of meters at the corner of Woodvale and Wanneroo Road. Clearly the addition of more residential properties in the area will not ease this issue. Of course, there are accidents almost every day at this intersection of Wanneroo Road and Woodvale Drive as it was poorly planned in the first place following the recent changes to nearby Ocean Reef Road.

• Clearly, we need more detail of the proposed development for example, how many residences, how would those residence link up with existing roads? It is noted the EPA appear to be adverse to any commercial developments, but of course there is already the Wanneroo Fish & Lily Farm which is commercial. If there is a proposal for commercial use, what would that be? Not sure we would be in favour of fast food outlets for example.

Possible matters to consider:

- Reconfiguration of the intersection of Woodvale Drive & Wanneroo Road, possibly removing the ability to turn right and creation of a left only lane.
- Reduce speed limit along the affected areas to 40Km per hour.
- Roundabout at the corner of Woodvale Drive and Ancestor Retreat. Currently this is a straight stretch that encourages hoon driving early in the morning and late at night.
- Make the impacted area "local traffic" only.
- · Divert traffic to Whitfords Drive and away from Woodvale/Wanneroo Road intersection which can more readily cater with increased traffic,

Summary

In summary I cannot gleam too many benefits for impacted residences to agree to the proposal and perhaps more information could be provided in this regard.

As this time for the reasons outlined above, we are opposed to the proposed rezoning.

Sincerely

22/4/2024

File 1:

No file uploaded

File 2:

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File 3:

No file uploaded



File Ref: MRS2023/3 Your Ref: RLS/1103

Enquiries: Emille van Heyningen 9405 5468

2 May 2024

Mr Brett Pye Department of Planning, Lands and Heritage 140 William Street PERTH WA 6000

Dear Mr Pye,

PROPOSED METROPOLITAN REGION SCHEME AMENDMENT (URBAN) - LOT 900 WANNEROO ROAD, LOT 26 WOODVALE DRIVE & LOT 803 ANCESTOR RETREAT, WOODVALE

Thank you for the opportunity to update the City's formal comments on the proposal to amend the Metropolitan Region Scheme (MRS) zoning on Lot 900 Wanneroo Road, Lot 26 Woodvale Drive & Lot 803 Ancestor Retreat, Woodvale (site).

The City notes that the proposal includes:

- The rezoning of land within Lots 26 and 900 Woodvale Drive, Lot 803 Ancestor Retreat, and the road reserve for Woodvale Drive in Woodvale from the Rural zone to the Urban zone; and
- The rezoning of land within the road reserves for Wanneroo and Ocean Reef Roads in Woodvale from the Rural zone and the Other Regional Roads reservation to the Primary Regional Roads reservation

At a strategic level, I note that the site is identified in the City's draft Local Planning Strategy (Strategy) as one of the last remaining rural precincts within an area that is predominately urban in nature. The rezoning of the site to the MRS Urban zone is therefore supported inprinciple as the Urban Zone is considered to better integrate with and support surrounding land uses. It is noted that although the Strategy was approved by Council and the Western Australian Planning Commission (WAPC) for advertising purposes, it is not yet considered a 'seriously entertained proposal' until the document is advertised.

To support order and proper planning, the City, at a more detailed level, considers that some aspects of the MRS rezoning proposal raise a number of issues particularly relating to traffic and environmental considerations which ought to be considered by the WAPC as follows:

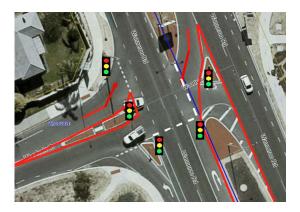
• <u>Traffic</u>

The Transport Impact Assessment outlines that the Wanneroo Road - Woodvale Drive intersection is currently approaching capacity and is at risk of failing in the future unless it is modified. It is noted that as a Primary Regional Road, Wanneroo Road falls within the

jurisdiction of Main Roads WA, and the amendment report notes that this matter will need to be appropriately resolved prior to any rezoning to the Urban zone. The City notes that although the final decision in relation to the intersection design rests with Main Roads WA, the City is obliged to consider and comment on the impact of the design on local residents and their use of Woodvale Drive.

As the majority of Woodvale Drive is located within the City of Joondalup, it is also recommended that Joondalup is consulted for comment in relation to the proposal to modify the intersection as it may impact the overall function of the road under their control and management.

In relation to the MRS amendment proposal to facilitate the partial signalisation of the Wanneroo Road and Woodvale Drive intersection (see image below), I can advise that although the City supports the full signalisation of the intersection, as this would appropriately facilitate the redevelopment of the site, a partial signalisation as proposed is not supported.



This proposed modification will prohibit residents of the properties directly south of Woodvale Drive from turning right onto Wanneroo Road to head south. Rather they will be required to either travel north on Wanneroo Road and perform a U-turn north of the Ocean Reef Road or alternatively travel west along Woodvale Drive, Duffy Terrace, then Whitfords Avenue in order to turn right and eventually travel south along Wanneroo Road. This will detrimentally impact residents south of Woodvale Drive as well as all traffic flows northwards along Wanneroo Road from Prindiville Drive to the U-turn just south of East Road. Due to this, the City recommends that a detailed investigation is undertaken to identify whether there are alternative access arrangements to the Wanneroo Road and Woodvale Drive intersection.

I note that in April 2023, the City was shown concept plans for a future Commercial Centre on Lot 900 Wanneroo Road, Woodvale and the preliminary plans for the intersection provided at the time differ to the plans which are now being proposed as part of the MRS amendment. The preliminary plans (dated March 2023) did not indicate signalisation of the Wanneroo Road and Woodvale Drive junction as is now being proposed.

Environment

The Environment Assessment Report (EAR) states that the 15-25 metres of land east of Ancestor Retreat would not provide an environmental/ecological function as part of a buffer to the nearby wetland, and does not have to be retained as a wetland buffer.

It is noted that the EPA Guidance Statement 33 *Environmental Guidance for Planning and Development* (2008) states that all wetlands that are to be protected should be allocated a minimum 50 metre buffer to maintain wetland values and mitigate impacts from adjacent

land uses. In line with this, the City considers that there is a need for a greater buffer between any proposed development and the wetlands, particularly to deal with the impact of stormwater discharge on the wetlands. If such a buffer is reduced, the City recommends that sufficient, enforceable mitigation measures be put in place to effectively deal with stormwater discharge to the satisfaction of the Environmental Protection Authority (EPA). The City has already experienced significant consequences due to reduced buffer distances applied to developments to the south of the site, and these would likely be repeated if this is not appropriately being dealt with as part of the proposal.

The EAR identifies the presence of 1.593 hectares of native trees that provide foraging habitat for Black Cockatoos and indicates that if all habitat were cleared for development, there would not be a significant impact of foraging habitat. In this regard, the City recommends that the EPA gives strong consideration to the retention of portions of foraging habitat at this location (within reserves or Public Open Space).

Other related issues

Stormwater - Due to the lack of sufficient detail contained in the District Water Management Strategy provided, the City is unable to provide comments. It is suggested that more detail be included particularly in relation to stormwater discharge from Woodvale Drive.

Ancestor Road - As Ancestor Road is an internal access road and not a gazetted road, further consideration should be given to the status of this road within the context of the proposal.

Bushfire - As the site is located within a Bushfire Prone Area, the proposal is required to comply with the provisions of State Planning Policy 3.7 - Planning for Bushfire Prone Areas. It is the City's expectation that all clearing required to establish an appropriate APZ be wholly located within the site and will not encroach into the nearby Bush Forever Site 299 Yellagonga Regional Park in any way. Any clearing within a Bush Forever area is required to demonstrate consistency with the State Planning Policy 2.8 Bushland Policy for the Perth Metropolitan Region to the satisfaction of the WAPC. In this regard, it is recommended that the Bushfire Management Plan considers any revegetation required to offset any reduced wetland buffer and the retention of vegetation for Black Cockatoo habitat.

Please note that the above City response relates to the current MRS amendment only and not any of the related amendments to the City's DPS 2 currently being assessed by the City.

The City is happy to engage further with DPLH officers and the proponent if any further clarification is required.

Yours sincerely,

Emille van Heyningen

Evan Heyning en

MANAGER - STRATEGIC LAND USE PLANNING AND ENVIRONMENT



Your ref: RLS/1103 Our ref: D24/0189627 Enquiries Jack Sirett

Western Australian Planning Commission Department of Planning, Lands and Heritage

Email: regionplanningschemes@dplh.wa.gov.au

Attention: Brett Pye

Principal Planning Officer

Dear Brett,

Proposed Metropolitan Region Scheme Amendment 1419 – Rural to Urban and Primary Regional Road Reserve – Woodvale Drive, Woodvale

Thank you for your email dated 14 March 2024 providing the Department of Education (the Department) with the opportunity to comment on the proposed Metropolitan Region Scheme (MRS) Amendment.

The Department has no in principle objections to the proposed MRS Amendment, although requests to be engaged at the earliest possible opportunity during the preparation of future structure plans or other localised planning instruments to ensure it can suitably forward plan for the public education needs of the area.

Should you have any questions in relation to the above, please do not hesitate to contact Jack Sirett, Senior Consultant – Land Planning on 9264 5374 or email jack.sirett@education.wa.edu.au.

Yours sincerely,

Matt Turnbull

Manager Land and Property

M Zumlul

23 April 2024



Your Ref: MRS Amendment 1419 RLS/1103 Our Ref: F-AA-90444-31/D-AA-24/51197 Contact: System Performance 9222 2000

Mr Brett Pye Senior Planner Department of Planning Lands and Heritage Level 6, 61 Victoria Street BUNBURY WA 6230

Via email: <u>brett.pye@dplh.wa.gov.au</u>; <u>regionplanningschemes@dplh.wa.gov.au</u>

Dear Mr Pye

PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1419 (STANDARD) - WOODVALE DRIVE AND ANCESTOR RETREAT, WOODVALE

Thank you for your letter of 14 March 2024, requesting comments from the Department of Health (DoH) on the above proposal.

1. Water Supply and Wastewater Disposal

The amendment is to require that all future developments be connected to scheme water, reticulated sewerage and be in accordance with the Government Sewerage Policy 2019.

Approval is required for any on-site waste water recycling process with such proposals being in accordance with DoH publications which may be referenced and downloaded from: https://www.health.wa.gov.au/Articles/N R/Recycled-water-in-WA

2. Public Health Impacts

The DoH has developed a document on 'Evidence supporting the creation of environments that encourage healthy active living' which may assist you with planning elements related to the Metropolitan Regional Scheme Amendment. A copy may be downloaded from:

https://www.health.wa.gov.au/~/media/Files/Corporate/general-documents/Environmental-health/Health-risk-assesment/Evidence-statement-BE-Health.pdf

Prior to development of land, public health needs to be considered in the early planning stages to ensure developments do not impact negatively on the health and wellbeing of future populations, as well as enhance the human health benefits of these developments. The DoH's publication on 'Residential estates precincts and urban developments' provides details of issues that should be considered. Available for download from: https://www.health.wa.gov.au/Articles/N_R/Residential-estates-precincts-and-urban-developments.

3. Medical Entomology

The proposal is located in an area that may be prone to mosquitoes as wetlands (Beenyup Swamp) are in the vicinity. Developments in locations close to mosquito breeding habitat (either on-site or off-site) present a significantly high risk to future residents contracting the debilitating diseases, Ross River virus disease and Barmah Forest virus disease.

To protect the health and lifestyle of communities, all land use planning decisions should include consideration of mosquitoes and their management. While it is well documented that mosquito-borne diseases occur in the Perth metropolitan area, the risk of exposure to mosquitoes and their diseases for future residents in Woodvale is not clearly defined. Prior to any future developments resulting from the proposed amendment, the DoH recommends that:

- a) The proponents work with the City of Wanneroo to determine the extent of risk from mosquitoes and mosquito-borne disease for the location,
- b) If that risk is considered medium or high by the City, a mosquito management plan should be established and adequately funded, and
- c) The City of Wanneroo ensures they have sufficient resources to continue mosquito management for any future development associated with the proposed amendment.

Stormwater management infrastructure such as culverts, road drainage systems, etc. should be in accordance with the Department of Water publication *Stormwater Management Manual for Western Australia*, to the satisfaction of the local government - Stormwater management manual of Western Australia (www.wa.gov.au)

Further details on mosquito management may be downloaded from: https://www.health.wa.gov.au/Articles/J M/Mosquito-management

4. Chemical Hazards

The Western part of the site has been used for intensive agricultural (market gardening and fish farming purposes), which are potentially contaminating land-use as set out in Appendix B in the Department of Water and Environmental Regulation's (DWER) "Assessment and management of contaminated sites" (DWER, Nov 2021). As such the site should be subject to, as minimum, a preliminary site investigation and human health risk assessment prior to any subdivision or development of the site, conducted in accordance with National Environment Protection (Assessment of Site Contamination) Measure guidelines and supervision of an accredited Contaminated Sites Auditor in accordance with Regulation 31(1) of the Contaminated Sites Regulations 2006.

The Cockman House and other heritage buildings may contain hazardous materials (e.g., lead paint/asbestos etc.) which will need to be safely removed prior to any demolition, redevelopment, or reuse.

GOVERNMENT OF WESTERN AUSTRALIA

The nature of the proposed commercial redevelopment is not known. EPA (2005) guideline https://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/GS3-Separation-distances-270605.pdf (Section 2.1) recommends that appropriate separation/buffer distances should be established around land uses where they may be significant offsite impacts to existing sensitive land uses.

DoH recommends that the potential off-site impacts (dust/fumes, noise, light) from the proposed commercial redevelopment are consider, prior to determining the suitability of the site for the proposed rezoning, to minimise the impacts and public health risks arising from the encroachment of incompatible land uses.

The site lies adjacent to low-lying land within the Yellagonga Regional Park and Lake Joondalup floodplain and the impacts and public health risks from flooding, now and into the future will need to be assessed and managed. The site may also lie within an area of acid sulfate soils risk and any disturbance of soils and shallow groundwater will be required to be managed to minimise groundwater and surface water impacts.

Should you have any queries or require further information please contact System Performance on 9222 2000 or eh.eSubmissions@health.wa.gov.au

Yours sincerely

Dr Michael Lindsay

EXECUTIVE DIRECTOR

ENVIRONMENTAL HEALTH DIRECTORATE

23 April 2024



Enquiries: Susan Foster - (08) 9323 6180

Our Ref: 23/5643 (D24#547450)

Your Ref: RLS/1103

1 May 2024

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

By email: regionplanningschemes@dplh.wa.gov.au

Dear Sir/Madam

METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1419 – LOT 900 WANNEROO ROAD, LOT 26 WOODVALE DRIVE, AND LOT 803 ANCESTOR RETREAT, WOODVALE

Thank you for your correspondence dated 14 March 2024 requesting Main Roads comments on the above Metropolitan Region Scheme (MRS) proposed rezoning from Rural and Other Regional Road reservation to Urban and Primary Regional Road reservation.

Main Roads has no objection to the proposed amendment.

Main Roads requests a copy of the WAPC's final recommendation be sent to <u>planninginfo@mainroads.wa.gov.au</u> quoting the file reference above.

If you require any further information, please contact the enquiries officer above or email susan.foster@mainroads.wa.gov.au quoting the reference number above.

Yours sincerely

Lindsay Broadhurst Director Road Planning