

March 2025

**Metropolitan Region  
Scheme Amendment  
1436** (Standard Amendment)



**Lots 22-25 Halleendale Road  
Walliston**

Amendment Report

City of Kalamunda

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Amendment 1436  
(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 1436 (Standard) Amendment Report  
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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

<b>ACH</b>	Aboriginal Cultural Heritage
<b>AHA</b>	<i>Aboriginal Heritage Act 1972</i>
<b>BMP</b>	Bushfire Management Plan
<b>DPLH</b>	Department of Planning, Lands and Heritage
<b>EPA</b>	Environmental Protection Authority
<b>GSP</b>	Government Sewage Policy
<b>LPS</b>	Local Planning Scheme
<b>LWMS</b>	Local Water Management Strategy
<b>MRS</b>	Metropolitan Region Scheme
<b>SPP</b>	State Planning Policy
<b>SSE</b>	Site and Soil Evaluation
<b>SWALSC</b>	South West Aboriginal Land and Sea Council
<b>WAPC</b>	Western Australian Planning Commission

## **Amendment Report**

# Metropolitan Region Scheme Amendment 1436 (Standard)

## Lots 22-25 Halleendale Road, Walliston

### Amendment Report

#### 1 Planning objective

The purpose of the amendment is to transfer approximately 16 hectares of land within Lots 22-25 Halleendale Road, Walliston from the Rural zone to the Urban zone 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 land for residential purposes in accordance with the surrounding area.

#### 2 Background

The amendment area is in the City of Kalamunda and is located approximately 20 kilometres east of the Perth Central Business District and approximately 3.5 kilometres south-east of the Kalamunda town centre.

The subject land is zoned Rural under the MRS and Rural Agriculture in the City of Kalamunda Local Planning Scheme No. 3 (LPS 3). The land has been historically cleared to accommodate rural uses. The land currently accommodates four residential dwellings with associated out buildings and an orchard. Remnant Marri trees are located on the southeast of the site. No wetlands or Bush Forever sites are located within the subject land.

The land to the west, north and south is zoned Rural and Urban under the MRS and 'Residential', with R5 and R10 density codes, and 'Special Rural' in LPS 3. Land to the south is reserved Parks and Recreation under the MRS.

#### 3 Discussion

##### Strategic Context

##### **Perth and Peel@3.5million / North-East Sub-regional Planning Framework**

*The Perth and Peel@3.5million* suite of strategic planning documents have been prepared to establish a long-term, integrated planning framework for land use and infrastructure to guide the future planning and development of the Perth and Peel regions.

The North-East Sub-regional Planning Framework (the Framework), which forms part of this suite of documents, designates land within the subject site as 'Rural', consistent with the current zoning of the land under the MRS and LPS 3. The surrounding land is designated as 'Urban', 'Rural Residential' and 'Open Space', consistent with the current zoning and reservation of land under the MRS and LPS 3.

The Frameworks are the first step in the ongoing process of refining and detailing planning proposals for an area. The Frameworks state that this refinement will continue through the MRS local planning schemes, structure planning, subdivision and/or development.

A key principle of the Frameworks is to develop a consolidated urban form that limits new greenfield areas to where they provide a logical extension to the urban form. The Framework's definition of 'Urban Consolidation' includes 'the logical extension or 'rounding off' of existing urban and industrial areas to more-effectively utilise existing social, service and transport infrastructure'.

The land to the north, east and west of the subject land accommodates residential and rural residential development. The surrounding residential uses constrain the subject land's ability to accommodate a viable agricultural/horticultural operation without affecting the amenity of the surrounding land uses. Subsequently, the subject land is unable to be optimised for rural purposes in accordance with its Rural zoning and has become an underutilised pocket of rural land. Transitioning the subject land to the Urban zone is therefore considered to accord with the principle of Urban Consolidation in that it is a logical 'rounding-off' of the surrounding urban area which provides for a more efficient use of the land. As such, the proposed amendment is broadly consistent with the intent, planning, principles and recommendations of the Framework.

### **State Planning Policy 2.0 - Environmental and Natural Resources Policy**

*State Planning Policy 2.0 - Environmental and Natural Resources Policy* (SPP 2.0) provides guidance on the integration of environmental considerations into the land use planning system. Section 5.1 states that planning decision-making should support the conservation and protection of remnant vegetation where possible, in order to enhance soil and water quality, biodiversity, fauna habitat, landscape, amenity values and ecosystem function.

No significant environmental issues have been identified. It is noted that remnant Marri trees are located in the south-east corner of the site. Consistent with SPP 2.0, subsequent structure planning and subdivision stages will provide opportunities for retention and protection of remnant vegetation on the site.

### **State Planning Policy 2.5 - Rural Planning**

The intent of *State Planning Policy 2.5 - Rural Planning* (SPP 2.5) is to ensure the protection of rural land, particularly priority agricultural land, due to the importance of its economic, natural resource, food production, environmental and landscape value. Ensuring broad compatibility between land uses is essential to delivering this outcome. SPP 2.5 sets out that zoning proposals affecting rural land should only be supported where proposals are consistent with endorsed planning strategies, or in exceptional circumstances, where the proposal meets the objectives and intent of WAPC policy. The objectives of SPP 2.5 include the protection of rural land for primary production and the avoidance of land use conflict between rural and other land uses.

An Agricultural Impact Report has been prepared for the site and notes that the subject land is representative of the declining trend in small scale stone fruit producers in the vicinity of urban areas. Due to the changing nature of markets, small scale producers are unable to compete with larger scale corporate producers. As such, small-scale operations are unviable. While the subject land historically accommodated small scale orchards which produced stone fruit, the remaining orchard generates an income through a tourism venture with most of the fruit harvested by visitors picking their own fruit.

It is noted that expansion of the existing orchard on the subject land to achieve a viable operation, presents a potential land use conflict as a large-scale orchard may impact upon the amenity of the surrounding residential uses. Therefore, due to changing market conditions, its size and the proximity of surrounding residential uses, the subject land is no longer viable for primary production purposes.



In this respect, transitioning the subject land to urban would not reduce the supply of land appropriate for primary production. It would however resolve a potential land use conflict arising from the lands existing Rural zoning. The amendment is therefore consistent with SPP 2.5.

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

*Draft State Planning Policy 2.9 - Planning for Water* (draft SPP 2.9) seeks to ensure that planning and development considers water resource management and includes appropriate water resource management measures to achieve optimal water resource outcomes at the various stages of the planning process. In this respect, the Department of Water and Environmental Regulation advises that it supports the District Water Management Strategy prepared for the site. On this basis, the amendment is considered to be consistent with the recommendations of draft SPP 2.9.

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

*State Planning Policy 3.0 - Urban Growth and Settlement* (SPP 3.0) sets out the principles and considerations that guide the development of new urban growth areas and settlements. Its objectives include promoting a sustainable and well-planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreational facilities and open space.

SPP 3.0 sets out that the key requirements for sustainable communities include making the most efficient use of land in urban areas through the use of vacant and underutilised land, and providing a variety and choice in the size, type and affordability of housing in response to housing demand and preference. The subject land is currently underutilised due to its surrounding urban setting. Transitioning the subject land to urban will integrate the land with the broader locality, avoid potential land use conflict associated with the rural use of the land, optimise the use of existing urban infrastructure, contribute to the supply of land for housing and provide housing choice. The amendment is therefore consistent with SPP 3.0.

### **State Planning Policy 3.7 - Bushfire (SPP 3.7)**

*State Planning Policy 3.7 - Bushfire* (SPP 3.7) seeks to implement effective, risk-based land use planning and development which in the first instance avoids the bushfire risk, but where unavoidable, manages and/or mitigates the risk to people, property and infrastructure to an acceptable level. The preservation of life and the management of bushfire impact are paramount.

A Bushfire Management Plan (BMP) has been prepared to support the amendment consistent with SPP 3.7. The BMP demonstrates compliance with SPP 3.7, and the associated guidelines can be achieved at subsequent stages of the planning process.

### **Government Sewage Policy**

The Government Sewage Policy (GSP) establishes the Western Australian Government's position on the provision of sewerage services in the State through the planning and development of land. It requires reticulated sewerage to be provided during the subdivision and development of land. In instances where reticulated sewerage cannot be provided, it adopts a best practice approach to the provision of on-site sewage treatment and disposal.

The subject land, and the broader locality, is remote from Water Corporation's wastewater network and unsewered residential development is proposed e.g. R5 etc. As such, a site and Soil Evaluation (SSE) has been conducted to support the amendment. The SSE demonstrates that compliance with the requirements of the GSP can be achieved at subsequent planning stages.

### **Statutory Context**

#### **Environment**

No significant environmental issues have been identified.

#### **Infrastructure**

##### **Water and Wastewater**

The Water Corporation advises that there is adequate capacity in its network to service future residential development of the subject land with a reticulated water supply.

The Water Corporation also advises that the subject land is within a Water Corporation Drainage Catchment. Water Corporation's drainage system can only take predevelopment flows. As such, the developer will need to compensate any additional flows on their own land.

##### **Transportation**

Main Roads Western Australia advises that it has no objection to the proposed rezoning.

## **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 recognition of 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 local and region scheme amendments**

Pursuant to section 126(3) of the *Planning and Development Act 2005* (the Act), where land is being transferred to the Urban zone under a region scheme, the WAPC can resolve to concurrently amend the respective local planning scheme to transfer this land to a zone or reservation which is consistent with the objective of the Urban zone.

In this respect, the WAPC has the option of concurrently amending the City of Kalamunda Local Planning Scheme No. 3, to transfer the amendment area to a zone which is consistent with the objectives of the Urban zone under the Metropolitan Region Scheme. In accordance with standard practice a determination on the concurrent amendment of the respective local planning scheme will be made after the close of the public submission period.

## **6 Substantiality**

The Planning and Development (Region Planning Schemes) Regulations 2023 allows for amendments to a region scheme to be processed as either 'complex', 'standard' or 'basic' amendments, depending on the alteration to the scheme. In this regard, the WAPC has resolved to treat this amendment as a standard region scheme amendment for the following reasons:

- The amendment is not complex, and its size and scale is not regionally significant and does not reflect a significant change to the strategic planning for the Metropolitan region.
- The amendment is broadly consistent with the recommendations of the *North-East Sub-regional Planning Framework*.
- The amendment is not likely to result in significant impacts to the environmental values of the amendment area and the surrounding locality.
- The City of Kalamunda and key State Government agencies have not raised any matters which would 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 a region scheme are prescribed by the *Planning and Development Act 2005* and the Planning and Development (Region Planning 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 Friday 28 March 2025 to Friday 09 May 2025.

The amendment report and plans showing the proposed changes are available for public inspection [online](#).

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

However, written submissions commenting on the amendment can be sent to:

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

or posted to:

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

and **must be received by 09 May 2025.**

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](#).

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 comments received the WAPC may recommend that the Minister for Planning 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 1436 (Standard)  
Lots 22-25 Halleendale Road, Walliston**

**Amendment Figure - Proposal 1**



## **Appendix A**

### **Notice of environmental assessment**





## Environmental Protection Authority

s.48A Referrals

**Title:** Metropolitan Region Scheme 1436 – Lots 22-25 Halleendale Road, Walliston

**Location:** Lots 22-25 Halleendale Road, Walliston

**Description:** The amendment proposes to transfer 16.2 hectares (ha) of land within Lots 22-25 Halleendale Road, Walliston from the 'Rural' to the 'Urban' zone.

**Ref ID:** APP-0026742

**Date Received:** 11/12/2024 **Date Sufficient Information Received:** 11/12/2024

**Responsible Authority:** Lainy Collisson

**Contact:** Western Australian Planning Commission

**Preliminary Environmental Factors:** Flora and vegetation, Terrestrial fauna, Inland waters

**Potential Significant Effects:** Implementation of the amendment may result in the clearing of remnant vegetation (marri trees), terrestrial fauna habitat (black cockatoos), alteration of the local hydrological regime, and potential direct and/or indirect impacts to a minor perennial creek line from future residential development.

**Protection:** Future planning processes can manage and mitigate potential impacts. The Environmental Protection Authority (EPA) expects the retention of remnant vegetation (marri trees), to ensure the protection of black cockatoo foraging and breeding habitat.

The EPA notes and supports proposed onsite effluent disposal consistent with the requirements of the *Government Sewerage Policy 2019* (GSP 2019), and stormwater infiltration and treatment consistent with the requirements of *Better Urban Water Management* (WAPC 2008) and *Stormwater Management Manual for Western Australia* (DWER 2004), to mitigate potential impacts to inland waters values.

**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: 17 December 2024

## **Appendix B**

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

**Metropolitan Region Scheme  
Amendment 1436 (Standard)**

**Lots 22-25 Halleendale Road, Walliston**

**as advertised**

**Amending Plan 3.2857**

Detail Plans: 1.6392

## **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://haveyoursay.dplh.wa.gov.au>, however, hardcopy submissions can also be accepted (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**

**FILE**  
RLS/1052

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)

This image shows a full page of white paper with horizontal dotted lines, typical of primary school writing paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**turn over to complete your submission**

[illegible]

- 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.

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

**Note: Submissions MUST be received by the advertised closing date on 09 MAY 2025  
Late submissions will NOT be considered.**