

June 2025

**Metropolitan Region  
Scheme Amendment  
1406/57 (Minor Amendment)**



**Lot 30 Soldiers Road, Cardup**

Report on Submissions  
Submissions

Shire of Serpentine-Jarrahdale

---

**Metropolitan Region Scheme  
Amendment 1406/57  
(Minor Amendment)**

**Lot 30 Soldiers Road, Cardup**

---

**Report on Submissions  
Submissions**

**Shire of Serpentine-Jarrahdale**



June 2025

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.

#### **Disclaimer**

This document has been published by the Western Australian Planning Commission. Any representation, statement, opinion, or advice expressed or implied in this publication is made in good faith and on the basis that the government, its employees, and agents are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be, in respect of any representation, statement, opinion or advice referred to herein. Professional advice should be obtained before applying the information contained in this document to particular circumstances.

© State of Western Australia

Published by the  
Western Australian Planning Commission  
Gordon Stephenson House  
140 William Street  
Perth WA 6000

Locked Bag 2506  
Perth WA 6001

MRS Amendment 1406/57 (Minor) Report on Submissions  
Submissions  
File RLS/1098

Published June 2025

Internet: [www.wa.gov.au/dplh](http://www.wa.gov.au/dplh)  
Email: [info@dplh.wa.gov.au](mailto:info@dplh.wa.gov.au)  
Phone: (08) 6551 8002  
Fax: (08) 6552 4417  
National Relay  
Service: 13 36 77

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

# Contents

## Report on Submissions

1	Introduction .....	1
2	The proposed amendment .....	1
3	Environmental Protection Authority advice .....	1
4	Call for submissions .....	1
5	Submissions.....	2
6	Main issues raised in submissions .....	2
7	Modifications .....	3
8	Determinations .....	3
9	Coordination of region and local scheme amendments .....	3
10	Conclusion and recommendation .....	4
11	Ministers decision.....	4

Schedule 1     Listing of submissions

Schedule 2     Summary of submissions and determinations

Schedule 3     Amendment Figure - Proposal 1 (as advertised)

Schedule 4     Amendment Figure - Proposal 1 (as modified)

Appendix A     List of plans (as advertised)

Appendix B     List of plans (as modified)

## Submissions



## Report on Submissions

# Metropolitan Region Scheme Amendment 1406/57

## Lot 30 Soldiers Road, Cardup

### Report on Submissions

#### 1 Introduction

At its May 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 the former section 57 of the *Planning and Development Act 2005*.

The principle differences between the minor and major MRS amendment processes are that the former includes a 60 day advertising period while the period for the latter is 90 days, the former is not required to be placed before Parliament (for 12 sitting days) while the latter is, and there is no requirement for submitters to be offered hearings for minor amendments.

#### 2 The Proposed Amendment

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 59.8 hectares of land in Cardup from the Rural zone to the Urban zone under the Metropolitan Region Scheme (MRS), as shown on the ***Amendment Figure - Proposal 1***.

The proposed amendment will facilitate the further planning and development of the amendment area for residential purposes.

#### 3 Environmental Protection Authority advice

On 5 July 2023, the Environmental Protection Authority (EPA) determined that the amendment did not require assessment under Part IV of the *Environmental Protection Act 1986*. It also provided advice on flora and vegetation, terrestrial fauna, inland waters and social surroundings environmental factors relevant to the amendment, the potential impacts of development on remnant vegetation, black cockatoo habitat and inland waters, and noted the proximity of the amendment area to existing industrial land uses. The EPA advised that these matters can be appropriately addressed in subsequent stages of the planning process.

#### 4 Call for submissions

The amendment was advertised for public submissions from 15 September 2023 to 17 November 2023, and was made available for public inspection during ordinary business hours at the:

- i) Department of Planning, Lands and Heritage, Perth
- ii) Shire of Serpentine Jarrahdale
- iii) State Reference Library, Northbridge

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

## 5 Submissions

Thirteen submissions, including one late submission, were received on the amendment from the Shire of Serpentine-Jarrahdale (the Shire), State Government agencies, service providers, an adjacent landowner and a member of the public. An index of all submissions is provided at Schedule 1.

Eleven submissions from the Shire, State Government agencies and service providers either supported, raised no objections and or provided comment on the amendment. One submission from an adjacent landowner requested the amendment be modified to include this adjacent land, and one submission from a member of the public objected to the amendment and raised concerns about the suitability of the amendment area for urban land uses and potential environmental impacts.

A summary of each submission with WAPC comments and determinations is at Schedule 2. A complete copy of all written submissions is contained in this report.

## 6 Main issues raised in submissions

### Separation distances to industrial land uses

The Department of Water and Environmental Regulation (DWER), Department of Health and the Shire provide comment on the recommendations of *State Planning Policy 4.1 – Industrial Interface* (SPP 4.1) and the *EPA Guidance Statement No. 3 – Separation Distances Between Industrial and Sensitive Land Uses* (GS3) and the need for appropriate separation distances to industrial land uses located to the north-east of the amendment area. In this respect, a concrete products manufacturing facility and a timber preserving facility are located approximately 200 metres and 400 metres north-east of the amendment area.

*WAPC Response: The comments on the recommendations of SPP 4.1 and GS3 are noted, but it is also noted that SPP 4.1 recommends that a range of factors be considered in the determination of the potential impact area for industrial land uses which may have off-site impacts. These factors include the recommendations of GS3, any existing requirements of prescribed premises licences issued under the Environmental Protection Act 1986 and the consistency of the design and operation of the industrial land use with environmental policy or prescribed standard, amongst other matters. In this respect, it is noted that existing regulatory requirements and the conditions of a prescribed premises licence and a development approval for the abovementioned industrial land uses are likely to appropriately mitigate any emissions arising from the operation of these facilities and any potential amenity impacts on future sensitive land uses within the amendment area, as outlined below.*

*Timber Preserving Premises: The timber preserving premises is subject to a prescribed premises licence issued by DWER under the Environmental Protection Act 1986, and the conditions of this licence require the implementation of mitigation measures to manage dust and odour emissions from this facility to appropriate levels. Additionally, the Environmental Protection (Noise) Regulations 1997 (the Noise Regulations) regulates the control of noise levels emitting from industrial premises such as this facility.*

*Concrete products manufacturing facility: The concrete products manufacturing facility is subject to the requirements of the Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998 and the Noise Regulations.*

*Additionally, the Outer Metropolitan Development Assessment Panel recently approved a retrospective development application under the Shire of Serpentine-Jarrahdale Local Planning Scheme No. 3 (LPS 3) for this facility, which is subject to conditions which require the implementation of mitigation measures to manage dust and noise emissions from this facility.*

*The combined effect of the requirements of the abovementioned regulations and the conditions of the prescribed premises licence and the development approval is likely to result in noise, dust and odour emissions being reduced to levels which would not have a significant impact on the amenity of any future sensitive land uses (i.e., residential land uses) within the amendment area. Furthermore, any residual impacts from these emissions on future development within the amendment area can be appropriately addressed in the preparation and assessment of a future local structure plan for this site. On this basis, the amendment is consistent with SPP 4.1.*

## **7 Modifications**

The proposed amendment has been modified to transfer approximately 8.96 hectares of land in the southern and eastern parts of the amendment area to the Urban Deferred zone instead of the Urban zone. This also includes the reservation of part of Betts Road and Lot 30 as Other Regional Roads.

Further transport planning investigations to be undertaken to confirm the extent of land required for the potential upgrade of Bishop and Betts Roads to regional roads and the potential construction of a grade separated crossing over the Perth-Bunbury railway line for Bishop Road.

### Lifting of Urban Deferment Requirements

Part of the amendment area is being transferred to the Urban Deferred zone as the following requirement needs to be addressed and resolved prior to the lifting of the Urban Deferment:

- Confirmation of the extent of land within the amendment area which is likely to be required for the future upgrade of Bishop and Betts Roads and the construction of a grade-separated crossing for Bishop Road over the Perth-Bunbury railway line.

## **8 Determinations**

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

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

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

The proponent requests that the Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 (LPS 3) be concurrently amended to transfer the parts of amendment area which are being transferred to the Urban zone under the MRS to the 'Urban Development' zone. This concurrent amendment is supported by the Shire.

In this respect, the WAPC has resolved to concurrently amend LPS 3 to transfer the parts of the amendment area which are being transferred to the Urban zone under the Metropolitan Region Scheme to the 'Urban Development' zone.

## 10 Conclusion and recommendation

This report summarises the background to MRS Amendment 1406/57 and examines the various submissions made on it.

The WAPC, after considering the submissions, is satisfied that the minor amendment, as modified, shown generally on the **Amendment Figure - Proposal 1** in Schedule 4, should be approved and finalised.

The WAPC recommends that the Minister for Planning approves the amendment, as modified.

## 11 Ministers decision

Amendments to the Metropolitan Region Scheme using the provisions of former section 57 of the *Planning and Development Act 2005* require the WAPC to provide a report and recommendation to the Minister for Planning for approval. The Minister may approve, approve with modification or decline to approve the proposed amendment.

The Minister, after considering the amendment, has agreed with the recommendation of the WAPC and approved the amendment with modification.

Amendment 1406/57 is now finalised as modified and shown on WAPC Amending Plan 3.2811/2 and has effect in the Metropolitan Region Scheme from the date of notice in the *Government Gazette* on Tuesday 03 June 2025.

## **Schedule 1**

### **Listing of submissions**

**Listing of Submissions**  
**Metropolitan Region Scheme Amendment 1406/57 (Minor)**  
**Lot 30 Soldiers Road, Cardup**

<b>Submission Number</b>	<b>Name</b>
1	ATCO Gas Australia
2	Department of Primary Industries and Regional Development
3	Main Roads of Western Australia
4	Vicini, Tamara
5	Department of Water and Environmental Regulation
6	Department of Energy, Mines, Industrial Regulation and Safety
7	Department of Transport
8	Department of Biodiversity, Conservations and Attractions
9	Department of Fire and Emergency Services
10	Harley Dykstra Planning & Survey Solutions
11	Department of Health
12	Shire of Serpentine-Jarrahdale
<b>Late Submissions</b>	<b>Name</b>
13	Water Corporation

## **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

**Submitted by:** ATCO Gas Australia

**Summary of Submission:** COMMENT

ATCO Gas Australia raises no objection to the amendment, and provides advice in regards to gas pipelines located within the amendment area and how any potential risks to these pipelines should be managed in subsequent stages of the planning process.

**Planning Comment:** Comments noted.

The management of any potential risks to the abovementioned infrastructure is most appropriately addressed in subsequent stages of the planning process.

**Determination:** Submission noted.

---

**Submission:** 2 & 6

**Submitted by:** Department of Primary Industries and Regional Development;  
Department of Energy, Mines, Industry Regulation and Safety

**Summary of Submissions:** NO OBJECTION / COMMENT / NO COMMENT

The submitters do not object to the amendment and/or provide comments on matters which are most appropriately addressed in subsequent stages of the planning process, or had no comments to provide on the amendment.

**Planning Comment:** Comments noted.

**Determination:** Submissions noted.

---

**Submission:** 3

**Submitted by:** Main Roads Western Australia

**Summary of Submission:** SUPPORT / COMMENT

Main Roads Western Australia (MRWA) supports the amendment and provides the following comments on the amendment:

- (a) The amendment area current abuts a section of the Mundijong freight rail line and the *Perth and Peel @3.5 million* planning framework indicates that this freight rail line will be realigned in the future. MRWA is currently progressing the planning for this realignment.

- (b) It understands that the Department of Planning, Lands and Heritage (DPLH) is currently investigating a more direct road connection from Bishop Road to Norman Road including the provision for the future grade separation of the rail line. This is likely to have land impacts on the amendment area.

**Planning Comment:**

- (a) Comments noted.
- (b) Comments noted. Preliminary transport planning investigations undertaken for the site indicate that up to approximately 8.96 hectares of land within the southern and western parts of the site may be required for the future upgrade of Bishop and Betts Roads and the potential construction of a grade separated crossing over the Perth-Bunbury railway line for Bishop road. On this basis, the amendment has been modified to transfer this land to the Urban Deferred zone, instead of the Urban zone, in order to provide for the final extent of the land requirements for these road upgrades to be determined through the finalisation of the draft Mundijong District Structure Plan and any future local structure plan which is prepared for the site.

**Determination:** Submission noted.

---

**Submission:** 4

**Submitted by:** Tamara Vicini

**Summary of Submission:** OBJECTION / COMMENT

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

- (a) The amendment area should not be used for urban purposes. If anything, this land should be used for Court Grammar School or be made into public open space.
- (b) The road and infrastructure surrounding the amendment area is not up to a standard that would be able to maintain the increase in usage.
- (c) The wildlife and vegetation would also be highly affected. As these two things have already been affected by the development of the school. Upsetting another natural landscape for the benefit of human 'progress' would actually be regression.

**Planning Comment:**

- (a) Comment noted, but not supported. The proposed Urban zoning is consistent with the South Metropolitan Peel Sub-regional Planning Framework which designates the amendment area as an 'Urban expansion' area and, as such, the proposed Urban zoning is considered to be appropriate for the amendment area.
- (b) Comment noted, but not supported. It is noted that the road network and infrastructure in this area will need to be upgraded to facilitate the development of the amendment area for urban purposes. The upgrades which will be required can be appropriately considered and addressed in the subsequent local structure planning and subdivision stages of the planning process.
- (c) Comment noted, but not supported. It is noted that parts of the amendment area contain areas of remnant vegetation and a waterway which traverses through the middle of the amendment area.

In this respect, appropriate consideration will be given to the need to retain these areas in a foreshore reserve and public open space in the subsequent stages of the planning process in accordance with the relevant recommendations of the State Planning Framework and any other relevant requirements.

**Determination:** Submission dismissed.

---

**Submission:** 5

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

**Summary of Submission:** COMMENT

The Department of Water and Environmental Regulation (DWER) provides the following advice on the amendment:

- (a) Separation distances to industrial land uses – DWER has reviewed the information provided and advises that the proposed Urban zoning may depart from the recommendations of *State Planning Policy 4.1 – Industrial Interface* (SPP 4.1) and the *Environmental Protection Authority Guidance Statement No. 3 – Separation Distances Between Industrial and Sensitive Land Uses* (GS3). Although the South Metropolitan Peel Sub-regional Planning Framework designates the amendment area as ‘Urban expansion’, there may be conflicts with surrounding premises that may cause impacts on amenity.

The purpose of SPP 4.1 is to ‘seek to prevent conflict and encroachment between industrial and sensitive land uses’. In contemplating any rezoning from Rural to Urban, the decision-maker is to ‘ensure that the sensitive zone does not overlap with any buffer determined to be necessary as a result of introducing the new zone, and the area within the buffer should retain its Rural zoning until such time as the buffer is no longer required’. Urban development is a sensitive land use in this location is within a buffer to licenced premises which is further discussed below.

GS3 provides advice on the use of generic separation distances (buffers) between industrial and sensitive land uses (including urban) to avoid conflicts between incompatible land uses. Conflicts may include impacts to amenity caused by emissions (including noise, dust and odour) and infrastructure from nearby premises. However, GS3 does not take into consideration cumulative impacts.

The amendment area is located near two premises that are licenced under the *Environmental Protection Act 1986*, being a concrete batching plant (works approval W6658/2022/1) and a timber preserving premises (L5982/1994/11).

To avoid or minimise the potential for land use conflict, the recommended generic separation distances between these industrial land uses and sensitive land uses are:

- 1,000 to 1,500 metres for cement product manufacturing works with a design capacity greater than 150,000 tonnes per year; and
- 300 to 500 metres (depending on size) for timber preserving premises.

The amendment area is located within the recommended separation distances for the concrete batching premises and timber premises. Therefore, the proposed sensitive land use would be within two buffers and may be adversely impacted upon with emissions from these premises.

However, DWER notes that GS3 specifies that the generic separation distances do not take cumulative impacts into account and, as such, should be used with caution in strategic and structure planning exercises.

Where emissions may result in cumulative impacts, GS3 recommends a site-specific technical study be conducted. However, DWER has an established position that technical and scientific studies generally cannot provide certainty around a buffer definition for planning purposes.

Further, it is noted that liabilities associated with the resolution of land use incompatibilities generally default to the State. Following development, should environmental or population impacts become evident later, the ability to apply retrospective mitigation or remedial actions are limited and, as such, a precautionary approach is recommended. This should include the proposed management of the residual risk by the proponent, which is an important consideration in the planning decision. Proposed management of the residual risk should be cognisant of future changes, including increases in emissions from sources resulting from throughput increases, new emission points closer to the boundary of the premises or plant upgrades.

- (b) Draft State Planning Policy 2.9 – Planning for Water (draft SPP 2.9) –DWER advises it has reviewed the *Lot 30 Soldiers Road, Cardup District Water Management Strategy* prepared for the amendment area and found it to be acceptable.

**Planning Comment:**

- (a) Separation distances to industrial land uses – Comments noted, but not supported. Refer to 'Part 6 (a) – Separation distances to industrial land uses' of the Report on Submissions.
- (b) Draft SPP 2.9 – Comments noted.

**Determination:** Submission noted.

---

**Submission:** 7

**Submitted by:** Department of Transport

**Summary of Submission:** SUPPORT / COMMENT

The Department of Transport supports the amendment and provides the following advice:

- (a) The amendment area abuts primary routes in the Long-Term Cycle Network (LTCN), and opportunities should be identified to provide cycling connections to the longer-term cycling network in subsequent planning stages.
- (b) The amendment area abuts a freight rail corridor and close attention should be paid to future development in the amendment area in relation to this corridor and related impacts, including those addressed by *State Planning Policy 5.4 – Road Rail Noise*.

**Planning Comment:** Comments noted.

These matters can be appropriately addressed in the subsequent local structure planning and subdivision stages of the planning process.

**Determination:** Submission noted.

---

**Submission:** 8

**Submitted by:** Department of Biodiversity, Conservation and Attractions

**Summary of Submission:** COMMENT

The Department of Biodiversity, Conservation and Attractions (DBCA) provides the following advice:

- (a) Bush Forever Area 350 (BFA 350) – BFA 350 adjoins the eastern boundary of the amendment area and contains:
- Conservation category wetland areas (UFI 15462 & UFI 15463)
  - Occurrences of the Threatened Ecological Community (TEC) Floristic Communities – Floristic Community Type 20b (FCT 20b) *Banksia attenuata* and/or *Eucalyptus marginata* woodlands on the eastern side of the Swan Coastal Plain, which is listed as Critically Endangered in Western Australia under the *Biodiversity Conservation Act 2016* (the BC Act) and Federally under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
  - Populations of the threatened species *Synaphea* sp. *Serpentine* and *Synaphea* sp. *Pinjarra Plain*, which are respectively listed as Critically Endangered and Endangered under the State BC Act and the Federal EPBC Act.

The TEC and threatened flora populations are located on the eastern side of Soldiers Road.

- (b) The structure plan, local water management strategy and urban water management plans prepared for the amendment area will need to demonstrate that the proposed development will not impact the SCP20b TEC, the threatened flora populations, or the conservation category wetland area within BFA 350, and also consider any buffer requirements.
- (c) It is DBCA's expectation that detailed planning for the site will identify and seek to retain black cockatoo habitat, and that the proponent will consider requirements for referral of the proposal to the Commonwealth Department of Climate Change, Energy, the Environment and Water under the EPBC Act.

**Planning Comment:** Comments noted.

The protection of the significant environmental values within the amendment area is most appropriately considered and addressed in the subsequent local structure planning and subdivision stages of the planning process, pursuant to the relevant recommendations of the State Planning Framework and any other relevant requirements.

**Determination:** Submission noted.

---

**Submission:** 9

**Submitted by:** Department of Fire & Emergency Services

**Summary of Submission:** COMMENT

The Department of Fire & Emergency Services (DFES) provides the following advice on the bushfire management plan (BMP):

- (a) Vegetation classification – Plot 2: Vegetation Plot 2 cannot be substantiated as Class B Woodland vegetation with the photographic evidence available. The foliage cover appears to exceed 30%. There appears to be no difference in the photographic evidence supplied to support the Forest or Woodland classifications.

The BMP should detail specifically how the Class B Woodland classification as opposed to Class A Forest. If unsubstantiated, the vegetation classification should be revised to consider the vegetation as per *Australian Standard 3959:2018 – Construction of Buildings in Bushfire Prone Areas*, or the resultant bushfire attack level (BAL) rating may be inaccurate.

- (b) Vegetation classification – Landscape strips: The BMP has notated areas called 'Landscape strips' on the boundary with the train line in the south and on the northern boundary. Figure 1 'Concept Plan' does not show any perimeter roads on these boundaries. It is unclear how these landscape strips will be managed to low threat. Unmanaged landscape strips may result in lots with a BAL rating of BAL-40 or BAL-FZ.
- (c) Vegetation exclusions: Figure 6 in the BMP has excluded the retained creek line vegetation which runs through the centre of the amendment area. The referral included the Environmental Protection Authority (EPA) response where the EPA supports the retention of riparian vegetation (through the establishment of an appropriate foreshore reserve) and the completion of a black cockatoo habitat survey informs future planning design to maximise retention and enhancement of black cockatoo habitat. The BMP has not responded to the EPA recommendation in the form of vegetation classification and design.
- (d) Location and Siting and Design – A1.1 and A2.1 not demonstrated: There are issues with the current vegetation exclusions which will impact the bushfire hazard level (BHL) ratings across the amendment area. The BMP focusses on the future dwellings being able to achieve a BAL-29 BAL rating, but at this level of planning the BMP should focus on achieving lots with a BAL rating of BAL-29 or below.
- (e) Vehicular Access – A3.4 not demonstrated: The BMP states that perimeter roads will be considered at the local structure planning stage, however a commitment should be made to ensure perimeter roads form part of the design at the highest level of planning.
- (f) Recommendation – Compliance with acceptable solutions not demonstrated – Modifications required: DFES has identified a number of critical issues that need to be addressed prior to providing support for the proposal.

**Planning Comment:** Comments noted.

It is noted there a number of issues with the BMP which need to be addressed in order for it to be fully consistent with the recommendations of SPP 3.7 and the *Guidelines for Planning in Bushfire Prone Area* (the Guidelines). However, the BMP contains sufficient detail to demonstrate that compliance with the recommendations of the Guidelines can be achieved in the subsequent stages of the planning process, where these outstanding matters are most appropriately addressed. As such, the amendment is consistent with SPP 3.7.

**Determination:** Submission noted.

---

**Submission:** 10

**Submitted by:** Harley Dykstra, on behalf of Wellstand Pty Ltd

**Summary of Submission:** NO OBJECTIONS/COMMENT

The submitter provides the following comments on the amendment, on behalf of the owner of Lot 103 Bishop Road, Cardup:

- (a) There are no planning, environmental, servicing or other constraints preventing Lot 103 Bishop Road to remained joined with Lot 30 in the planning process towards urbanisation, and that there are sound planning grounds to rezone and structure plan both parcels simultaneously. As such, it is requested the amendment be modified to include Lot 103 within the amendment area, for the reasons outlined below.
- (b) Lot 103 is cleared of remnant vegetation given the previous and current agricultural land uses, is not known to have any known threatened ecological communities or conservation or resource enhancement wetlands located within it. Lot 103 is less constrained than the amendment area.
- (c) Both lots are identified as 'Urban Expansion', with a 'Long term (Beyond 2031)' staging timeframe in the *South Metropolitan Peel Sub-regional Planning Framework*. In respect of the amendment area, it has been determined that this land can be provided with appropriate services and be developed without adversely impacting on other Urban zoned land in the locality. This is equally applicable to Lot 103.
- (d) The amendment area contains some areas of remnant vegetation which may provide habitat for threatened black cockatoo species, and is partly affected by Bush Forever Area 350. Lot 103 is not subject to these environmental constraints.
- (e) A structure plan and local water management strategy will be required for the amendment area in order to demonstrate, inter-alia, that future development will not have a significant adverse impact on the environmental values of this site. Particularly, in relation to water management, planning over both land parcels simultaneously will provide greater confidence and improved design opportunities to satisfy this requirement in an optimally planned manner.
- (f) The district water management strategy prepared for the amendment area, and considered acceptable by the Department of Water and Environmental Regulation, applies to a larger area which includes Lot 103.
- (g) The amendment report states that the amendment is consistent with *State Planning Policy 3.0 – Urban Growth and Settlement*, given the proposed Urban zoning will facilitate the development of suitably serviced land in a suitable location for residential and related land uses. This applies equally to Lot 103.
- (h) The amendment is consistent with *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* (SPP 3.7) given that the bushfire management plan adequately demonstrates that compliance with the bushfire protection criteria of the *Guidelines for Planning in Bushfire Prone Areas* can be achieved in subsequent stages of the planning process. Lot 103 is less constrained from a bushfire perspective and both parcels can achieve compliance with SPP 3.7 in the subsequent stages of the planning process.

- (i) The amendment area is located near industrial land uses in Cardup, to the east, and the Amendment Report states that these land uses are not likely to generate off-site impacts which cannot be appropriately mitigated in subsequent planning stages. Lot 103 is located on the western side of the amendment area further away from these industrial land uses and, accordingly, these land uses are less likely to have an impact on Lot 103.
- (j) A noise exposure forecast undertaken for the amendment area demonstrates that any future sensitive land uses within the amendment area should be capable of achieving compliance with the recommendations of *State Planning Policy 5.4 – Road and Rail Noise* (SPP 5.4). Lot 103 would be capable of achieving compliance with SPP 5.4 given it is located the same distance from the railway line.
- (k) Both lots have been included in the draft Mundijong District Structure Plan, forming part of a new urban precinct north of Bishop Road.
- (l) In terms of the planning for regional roads and rail crossings, it would represent orderly and proper planning for Lot 103 and the amendment area to be structured planned together.
- (m) Water and wastewater solutions are same for both lots, with Lot 103 being located closer to the planned wastewater pumping station.
- (n) Both lots are not located within or adjacent to an existing Aboriginal heritage site. It is acknowledged that Aboriginal heritage matters will be considered further in subsequent stages of the planning process.
- (o) In summary, there no constraints which would prevent Lot 103 from being progressed to the Urban zone simultaneously with the amendment area. Indeed there are compelling reasons to support this, as detailed in the above rationale. In the event that the procedural protocol means a modified amendment needs to be referred to the Environmental Protection Authority and readvertised, this will only slightly delay the current Amendment, in contrast to the prospect of commencing a new process for Lot 103. On the basis of the above supporting evidence and rationale it is requested that the amendment be modified to include Lot 103.

**Planning Comment:** Comments noted, but not supported.

Whilst there may potentially be merit for considering an amendment to transfer Lot 103 to the Urban zone under the MRS, such a modification is outside the scope of the advertised amendment, given it would require reconsideration by the Environmental Protection Authority and readvertising given the scale of the change proposed. Essentially, the MRS amendment process would need to be recommenced from the start. On this basis, it is considered more appropriate for this potential amendment proposal for Lot 103 to be considered as part of a future MRS amendment.

**Determination:** Submission noted, but not supported.

---



---

**Submission:** 11

**Submitted by:** Department of Health

**Summary of Submission:** COMMENT

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

- (a) Wastewater management – The DoH does not object to the amendment, subject to all future developments being connected to reticulated deep sewerage in accordance with the *Government Sewerage Policy*.
- (b) Chemical hazards – As the submission relates to rezoning land from the Rural zone to the Urban zone for future residential development, it is recommended that conditions be applied to ensure appropriate investigations are conducted after the removal of chemicals and building infrastructure has occurred. This will ensure the land is suitable for the intended uses. For example, if soil and groundwater contamination has occurred where agrochemicals have been stored, or, if asbestos containing structures are demolished leaving residual asbestos on site, these must be remediated and made safe prior to approval of the development. The DoH expects that evidence be produced to demonstrate that this has occurred, before being asked to support any subdivision or development applications. The Department of Water and Environmental Regulation should be consulted regarding what constitutes an appropriate investigation to clear conditions aimed to protect public health of future residents.
- (c) Separation distances – Given the nearby concrete batching plant and timber preserving premises to the north-east of the amendment area, the need to refer to the *Environmental Protection Authority Guidance Statement No. 3 – Separation Distances Between Industrial and Sensitive Land Uses* is reiterated to ensure that the development does not impact on these businesses, or the businesses do not impact on the health, safety and well-being of future residences.
- (d) Medical entomology – 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 some parts of the Perth Metropolitan area, the risk of exposure to mosquitos and their diseases for future residents in Cardup is not well defined. If the rezoning results in future development, the DoH recommends that:
  - the proponent works with the local government to determine the extent of risk from mosquitos and mosquito-borne diseases for future developments;
  - if that risk is considered medium or high by the local government, a mosquito management plan should be established and adequately funded; and
  - the local government should ensure it has sufficient resources to continue mosquito management for any future development within the amendment area.

**Planning Comment:**

- (a), (b) & (d) Comments noted. These matters are most appropriately addressed in the subsequent local structure planning and subdivision stages of the planning process.
- (c) Separation distances - Comments noted, but not supported. Refer to 'Part 6 (a) – Separation distances to industrial land uses' of the Report on Submissions.

**Determination:** Submission noted.

---

**Submission:** 12

**Submitted by:** Shire of Serpentine-Jarrahdale

**Summary of Submission:** SUPPORT/COMMENT

The Shire of Serpentine-Jarrahdale (the Shire) supports the amendment and the following matters are discussed in the Council report on the amendment:

- (a) Strategic planning framework – The amendment is consistent with the *South Metropolitan Peel Sub-regional Planning Framework* and the *Shire of Serpentine-Jarrahdale Local Planning Strategy*.
- (b) Local Planning Scheme No. 3 (LPS 3) – The Shire supports the concurrent amendment of LPS 3 in accordance with the *Planning and Development Act 2005*.
- (c) Draft Mundijong District Structure Plan (the draft DSP) – The amendment is consistent with the draft DSP, and the key matters identified for the amendment area can be addressed in the subsequent local structure planning stage of the planning process.
- (d) Transport network – The transport planning considerations for the amendment and the recommendations of *State Planning Policy 5.4 – Road and Rail Noise*.
- (e) Rural living interface – The need to provide an appropriate development interface between future development within the amendment area and the Rural Residential zoned area to the north in subsequent stages of the planning process.
- (f) Industrial interface – The planning which is currently being undertaken in the Cardup Business Park, and the potential impacts of nearby industrial land uses on the amenity of the amendment area.
- (g) Water management – The Shire provides comment on the future planning requirements for a water course which traverses the site and the need for a local water management strategy at the local structure planning stage of the planning process.
- (h) Environmental considerations – The Shire provides comment on the likely need to consider the retention and protection of environmentally significant areas of remnant vegetation within the amendment area in the subsequent stages of the planning process.
- (i) Sustainable development approach – The Shire advises of the potential affordable and sustainable housing opportunities within the amendment area.

**Planning Comment:**

- (a) Strategic planning framework – Comments noted.
- (b) Local Planning Scheme No. 3 – Comments noted. Refer to 'Part 8 - Co-ordination of region and local scheme amendments' of the Report on Submissions.
- (c)-(e) and (g-i) Comments noted. These matters are most appropriately addressed in the subsequent local structure planning and subdivision stages of the planning process.
- (f) Industrial interface – Comments noted. Refer to 'Part 6 (a) – Separation distances to industrial land uses' of the Report on Submissions.

**Determination:** Submission noted.

---

**Submission:** 13 (Late Submission)

**Submitted by:** Water Corporation

**Summary of Submission:** NO OBJECTION/COMMENT

The Water Corporation raises no objections to the amendment and provides the following comments on it:

- (a) the amendment area is contained within the long-term planning for the area.
- (b) Whilst the amendment area is located within the planned scheme area, it is remove to any existing infrastructure. The subdivision and servicing of the amendment area is dependent on the prior development of other land as well as the construction of downstream infrastructure.

**Planning Comment:** Comments noted.

It is noted that the future planning and development of the amendment area will be dependent upon the design and construction of a waste water pumping station (WWPS) on a site located to the south-west of the amendment area, and that:

- the Water Corporation has previously advised it would be appropriate for the proponent for this site to work with other landowners in the broader locality to facilitate the funding and delivery of this WWPS; and
- this matter and the timing and staging of the development of the amendment area can be appropriately addressed in the draft Mundijong District Structure Plan and in any future local structure plan which is prepared for this site.

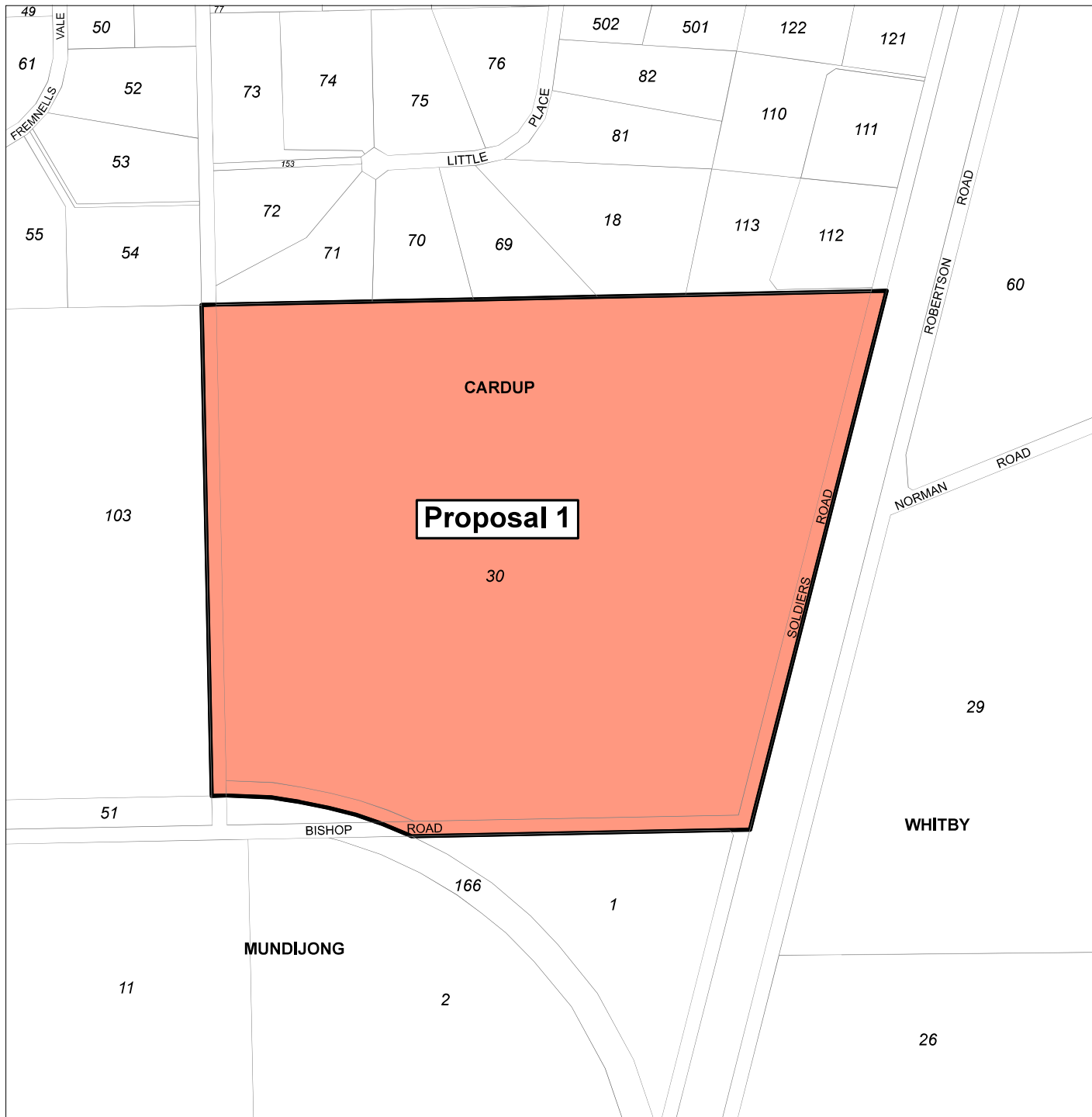
On this basis, this matter can be appropriately addressed in the subsequent stages of the planning process.

**Determination:** Submission noted.

---

### **Schedule 3**

**Amendment Figure - Proposal 1  
(as advertised)**



## Lot 30 Soldiers Road, Cardup Proposed minor amendment as advertised

31 May 2023

Proposal 1

Proposed Amendment:

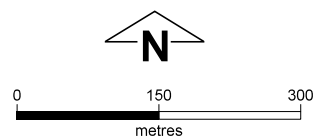
 Urban zone

Reference no: 2916

Version number: 2

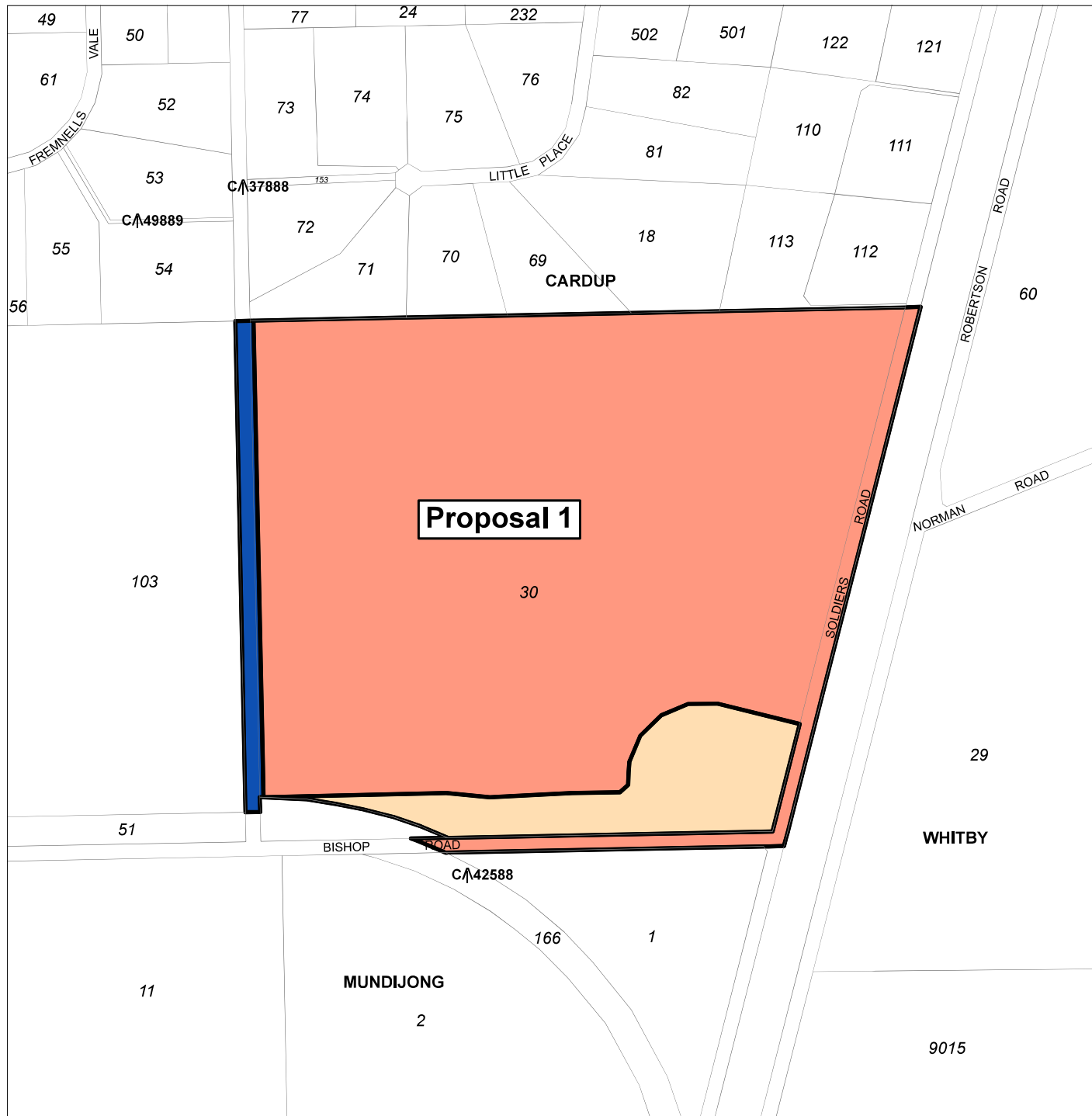


Date: 6/06/2023  
Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA  
Base information supplied by Western Australian Land Information Authority SLIP 1180-2020-1



## **Schedule 4**

### **Amendment Figure - Proposal 1 (as modified)**



## Lot 30 Soldiers Road, Cardup Proposed minor amendment as modified

19 March 2025

Proposal 1

Proposed Amendment:

- Rural zone to Other regional roads reservation
- Rural zone to Urban zone
- Rural zone to Urban deferred zone

Reference no: 2916

Version number: 6

## **Appendix A**

### **List of plans (as advertised)**



**Metropolitan Region Scheme Amendment 1406/57 (Minor)**  
**Lot 30 Soldiers Road, Cardup**

**as advertised**

**Amending Plan 3.2811**

## **Appendix B**

### **List of plans (as modified)**

**Metropolitan Region Scheme Amendment 1406/57 (Minor)**  
**Lot 30 Soldiers Road, Cardup**

**as modified**

**Amending Plan 3.2811/2**

**Submissions**

---

**From:** Engineering Services <eservices@atco.com>  
**Sent:** Monday, 18 September 2023 9:01 AM  
**To:** Region Planning Schemes  
**Subject:** RE: LM23749 Referral - Advertising of Proposed MRS Amendment 1406/57 - Lot 30 Soldiers Road Cardup  
**Attachments:** Cardup - LM23749.pdf

**Categories:**

OFFICIAL - Sensitive

Good Morning,

**RE: Advertising of Proposed MRS Amendment 1406/57 - Lot 30 Soldiers Road Cardup**  
**ATCO Reference: LM23749**

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 hachured 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.
- ATCO identifies that the proposed future development may require additional safety measures to be considered, identified and in place for the high pressure gas pipeline risk mitigation
- 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](http://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](http://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>

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](mailto:eservices@atco.com).

Kind Regards

**Kim Hatcher**

Land Liaison/Engineering Coordinator

ATCO, Gas Division, Australia

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

[atco.com.au](http://atco.com.au) [Facebook](#) [Twitter](#) [LinkedIn](#)



*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.*

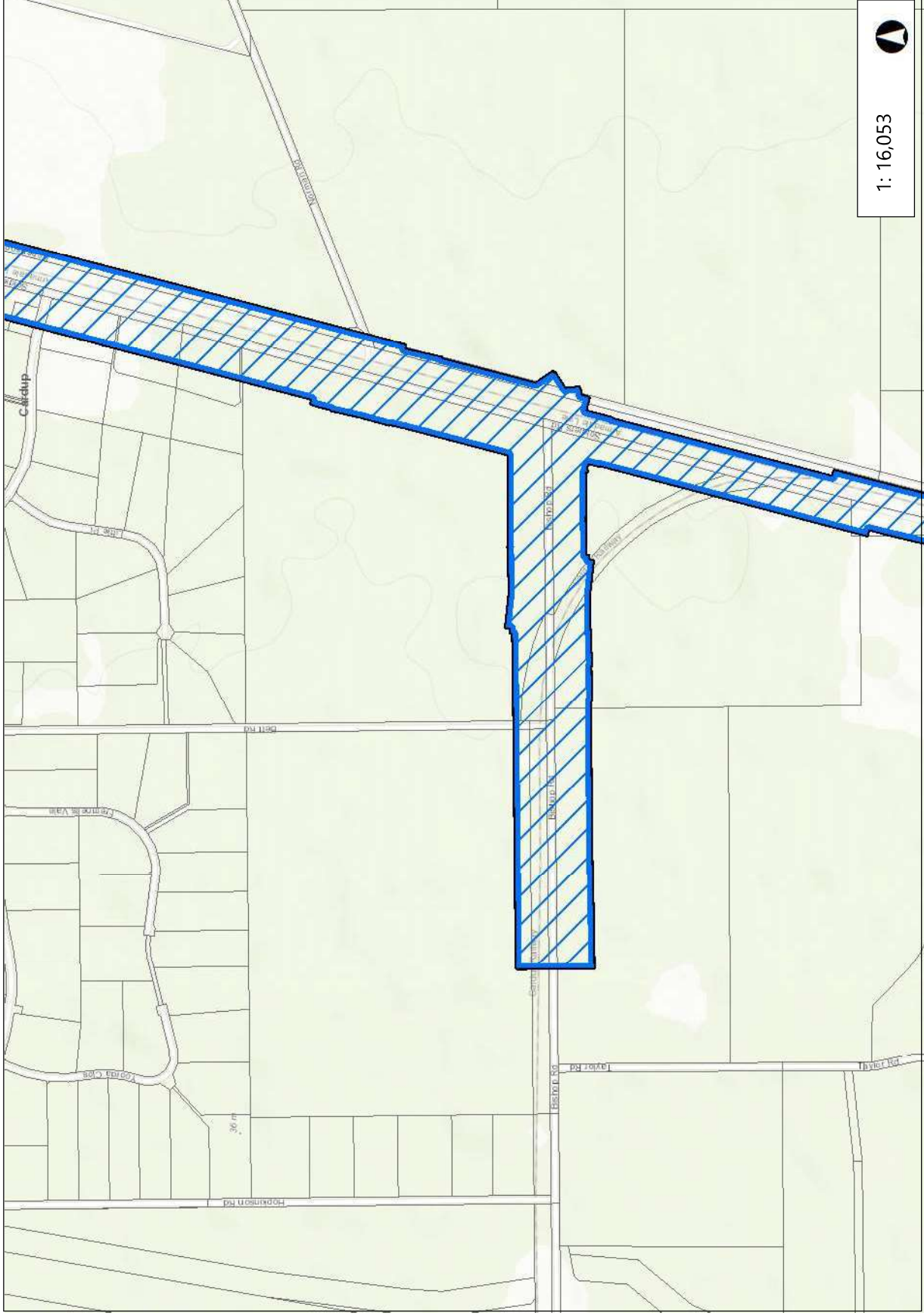


Department of Planning,  
Lands and Heritage

## Trigger Distance - LM23749

### Legend

- ☒ ATCO Trigger Distance
- ☐ Cadastre



1: 16,053



This map is a user generated static output from PlanWA (a public interactive mapping tool provided by the Department of Planning, Lands and Heritage and accessed via [wa.gov.au](http://wa.gov.au)) and is for reference only.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

0.8 Kilometers



Date produced: 18-Sep-2023

Landgate information contained in this printed map is for personal and non-commercial use and is to be used as a guide only. Use for commercial advantage or monetary compensation is strictly prohibited. The Western Australia Land Information Authority (Landgate) takes no responsibility as to the reliability, currency, or accuracy of Landgate data contained on this website or any output derived from that data.

### Notes



Your reference: 1406/57  
Our reference: LUP 1692  
Enquiries: Greg Doncon

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
140 William Street Perth WA 6000

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

Date: 6 Oct 2023

Dear Sam

**Proposed Metropolitan Region Scheme Amendment 1406/57  
Lot 30 Soldiers Road, Cardup**

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on amendment 1406/57. The amendment proposes to transfer approximately 59.8 ha of land in Cardup from the 'Rural' zone to the 'Urban' zone in the Metropolitan Region Scheme.

DPIRD does not object to the proposal to rezone this lot from 'Rural' to 'Urban'. This change of land use, from 'Rural' to an area for future 'Urban Expansion', had been identified in the Mundijong District Structure Plan (2021).

For more information, please contact Greg Doncon on 90813117 or  
[greg.doncon@dpird.wa.gov.au](mailto:greg.doncon@dpird.wa.gov.au)

Yours sincerely

Mr Timothy Overheu  
**Acting Director Agriculture Resource Management Assessment  
Sustainability and Biosecurity**





**mainroads**  
WESTERN AUSTRALIA

**Submission 003**

Enquiries: Belinda Hill on (08) 9323 4572  
Our Ref: 17/1196 (D23#967089)  
Your Ref: RLS/1104

9 October 2023

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

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

Attention: Brett Pye

Dear Sir,

**PROPOSED METROPOLITAN REGION SCHEME AMENDMENT RLS/1104 –  
REQUEST FOR COMMENTS LOT 30 SOLDIERS ROAD CARDUP**

Thank you for your correspondence dated 15 September 2023 inviting Main Roads to comment on the above proposal.

Main Roads can support the proposed amendment and reiterates the previous advice submitted.

1. Lot 30 currently abuts a section of the freight rail line. The 3.5m Sub-regional Planning Framework indicates that this will be realigned in the future and Main Roads is currently progressing the planning for the realignment. Further information can be found at <https://www.mainroads.wa.gov.au/projects-initiatives/all-projects/metropolitan/mundijong-freight-rail-realignment/>
2. Main Roads understands that DPLH is currently investigating a more direct road connection from Bishop Road to Norman Road including provision for the future grade separation of the rail line. This is likely to have land impacts on Lot 30 Soldiers Road.

Main Roads requests a copy of the WAPC's final recommendation to be sent to [planninginfo@mainroads.wa.gov.au](mailto:planninginfo@mainroads.wa.gov.au) quoting the file reference above.

If you require any further information, please contact Strategic Planning Officer Belinda Hill on (08) 9323 4572 or via email at [belinda.hill@mainroads.wa.gov.au](mailto:belinda.hill@mainroads.wa.gov.au).

Yours sincerely

Lindsay Broadhurst  
**Director Road Planning**

Enc.

Main Roads correspondence with reference D22#929222 and dated 03/05/2023.



**mainroads**  
WESTERN AUSTRALIA

Enquiries: Yohan Nugraha (08) 9323 4309  
Our Ref: 17/1196 (D22#929222)  
Your Ref: RLS/0671

03 May 2023

Brett Pye  
Department of Planning Lands and Heritage  
140 William Street  
PERTH WA 6000  
Email: [brett.pye@dplh.wa.gov.au](mailto:brett.pye@dplh.wa.gov.au)

Dear Sir,

**PRELIMINARY COMMENT – PROPOSED METROPOLITAN REGION SCHEME  
AMENDMENT – LOT 30 (496) SOLDIERS ROAD, CARDUP**

Thank you for your correspondence dated 20 July 2022 requesting Main Roads preliminary comments on the above MRS Amendment. Based on the submitted documents, Main Roads can support the proposed amendment and provide the below advice for your consideration.

1. Lot 30 currently abuts a section of the freight rail line. The 3.5m Sub-regional Planning Framework indicates that this will be realigned in the future and Main Roads is currently progressing the planning for the realignment. Further information can be found at <https://www.mainroads.wa.gov.au/projects-initiatives/all-projects/metropolitan/mundijong-freight-rail-realignment/>
2. Main Roads understands that DPLH is currently investigating a more direct road connection from Bishop Road to Norman Road including provision for the future grade separation of the rail line. This is likely to have land impacts on lot 30 Soldiers Road.

Main Roads requests that should any amendment to this proposal occur, these amendments are sent to [planninginfo@mainroads.wa.gov.au](mailto:planninginfo@mainroads.wa.gov.au) quoting the file reference above for assessment.

If you require any further information, please contact A/Planning Information Manager Yohan Nugraha by phone or email at [Yohan.Nugraha@mainroads.wa.gov.au](mailto:Yohan.Nugraha@mainroads.wa.gov.au).

Yours sincerely

Lindsay Broadhurst  
Director Road Planning

Submitted to MRS Minor amendment 1406/57 - Lot 30 Soldiers Road, Cardup  
Submitted on 2023-09-22 08:51:44

## About you

1 What is your first name?

First name:

Tamara

2 What is your surname?

surname:

Vicini

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

No

4 Are you responding on behalf of an organisation?

No

Organisation:

5 What is your email address?

Email:

tamara.vicini@me.com

6 What is your address?

address:

62 Byford Meadows Drive, OAKFORD WA 6121

62 Byford Meadows Dr

7 Contact phone number:

phone number:

0408802225

## 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:

This land should not be used for Urban purposes. If anything this land should be used for Court Grammer School or be made into a Public Open Space for users of the area.

The road and infrastructure surrounding this lot is not up to a standard that would be able to maintain the increase in usage.

The wildlife and the vegetation would also be highly affected. As these two things have already been affected by the development of the school, upsetting another natural landscape for the benefit of human "progress" would actually be regression.

File 1:

No file uploaded

File 2:

No file uploaded

File 3:

No file uploaded



Your ref: RLS/1104  
Our ref: RF9831-02, PA 058912  
Enquiries: Jane Sturgess, Ph 9550 4228

Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Dear Secretary

**PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1406/57– LOT 30  
SOLDIERS ROAD, CARDUP**

Thank you for your request received 15 September 2023, requesting advice upon an amendment to the Metropolitan Region Scheme for Lot 30 Soldiers Road in Cardup from Rural to Urban.

The Department has reviewed the information provided and wishes to advise that the proposed urban land use may depart from recommendations provided in *State Planning Policy 4.1 – Industrial Interface* (WAPC, 2022) and *Guidance Statement No 3 – Separation Distances Between Industrial and Sensitive Land Uses* (EPA, 2005). Although the *South Metropolitan Peel Sub-Regional Planning Framework* (WAPC, 2018) identifies this site as “Urban Expansion” for long-term population growth, there may be conflicts with surrounding premises that may cause impacts on amenity.

Through the implementation of the *State Planning Policy 4.1 – Industrial Interface* (WAPC, 2022) (SPP 4.1), the purpose is to “seek to prevent conflict and encroachment between industrial and sensitive land uses”. In contemplating any rezoning from rural to urban, the decision maker is to “ensure that the sensitive zone does not overlap with any buffer determined to be necessary as a result of introducing the new zone, and the area within the buffer should retain its rural zoning until such time as the buffer is no longer required”. Urban development is a sensitive land use and in this location, is within a buffer to licenced premises which is further discussed below.

*Guidance Statement No 3 – Separation Distances Between Industrial and Sensitive Land Uses* (EPA, 2005) (GS3) provides advice on the use of generic separation distances (buffers) between industrial and sensitive land uses (including urban) to avoid conflicts between incompatible land uses. Conflicts may include impacts to amenity caused by emissions (including noise, dust and odour) and infrastructure from nearby premises. However, GS3 does not take into consideration cumulative impacts.

The subject site is located near two premises that are licenced under Part V of the *Environmental Protection Act 1986*, being a concrete batching plant (works approval [W6658/2022/1](#)) and a timber preserving premises (licence [L5982/1994/11](#)).

To avoid or minimise the potential for land use conflict, the recommended generic separation distances between these industries and sensitive land uses are:

- 1000-1500m for cement product manufacturing works with a design capacity greater than 150,000 tonnes per year; and
- 300-500m (depending on size) for timber preserving premises.

Lot 30 is located within the recommended separation distance for the concrete batching premises and timber preserving premises. Therefore, the proposed sensitive land use would be within two buffers and may be adversely impacted upon with emissions from these premises.

However, the Department notes that GS3 specifies that the generic separation distances:

- do not take cumulative impacts into account
- should be used with caution in strategic and structure planning exercises, and in situations where cumulative impacts may result from the co-location of many industries.

Where emissions may result in cumulative impacts, GS3 recommends a site-specific technical study be conducted. However, the Department has an established position that technical and scientific studies generally cannot provide certainty around buffer definition for planning purposes.

Further, it is noted that liabilities associated with the resolution of land use incompatibilities generally default to the State. Following development, should environmental or population impacts become evident later, the ability to apply retrospective mitigation or remedial actions are limited and as such a precautionary approach is recommended. This should include the proposed management of the residual risk by the proponent, which is an important consideration in the planning decision.

Proposed management of the residual risk should be cognisant of future changes, including increases in emissions from sources resulting from throughput increases, new emission points closer to the boundary of the premises or plant upgrades.

In addition and consistent with *Better Urban Water Management* (WAPC, 2008) and policy measures outlined in *Draft State Planning Policy 2.9: Planning for Water* (WAPC, 2021), the proposed scheme amendment is required to be supported by a District Water Management Strategy (DWMS) to demonstrate that the subject area can support the proposed change in zoning with regard to water resources.

The Department has previously reviewed the *Lot 30 Soldiers Road, Cardup - District Water Management Strategy* (360 Environmental, October 2017) and was found to be suitable for managing water resources.

Should you require any further information on this matter, please contact the undersigned at the Department's Mandurah office on 9550 4228.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'J Sturgess', with a stylized, flowing script.

Jane Sturgess  
A/Program Manager – Planning Advice  
Kwinana Peel Region

10 / 11 / 2023



Government of Western Australia  
Department of Mines, Industry Regulation and Safety  
Resource and Environmental Regulation

Your ref 833-2-29-17 Pt 1 (RLS/1104)  
Our ref A0148/202301  
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 Mr Pye

**MRS Amendment 1406/57 - Lot 30 Soldiers Road Cardup - Shire of Serpentine-Jarrahdale**

Thank you for your letter dated 15/09/2023 inviting comment on the Metropolitan Regional Scheme (MRS) Amendment 1406/57 at Lot 30 Soldiers Road, Cardup in the Shire of Serpentine-Jarrahdale.

The Department of Mines, Industry Regulation and Safety (DMIRS) has assessed this proposal with respect to mineral and petroleum resources, geothermal energy, and basic raw materials and makes the following comments.

- The area is overlain by a geothermal exploration permit, GEP 48, held by Good Earth Energy Corporation Pty Ltd. The tenement holder was not contacted, and this change is unlikely to affect their exploration activities.
- The eastern half of the area is within the 500m notification zone to a Titanium-Zirconium resource which is located to the East of Soldiers Road. The nearest resource is located on P70/1532 held by Gold Fusion Pty Ltd.

DMIRS lodges no objections to the above MRS amendment.

Yours sincerely

**Steven Batty** | Senior Geologist  
Mineral and Energy Resources Directorate  
14 November 2023



---

**From:** Nugraha, Yohan <Yohan.Nugraha@transport.wa.gov.au>  
**Sent:** Wednesday, 15 November 2023 11:50 AM  
**To:** Region Planning Schemes  
**Cc:** Brett Pye  
**Subject:** RE: Referral - Advertising of Proposed MRS Amendment 1406/57 - Lot 30 Soldiers Road Cardup

**Categories:**

**OFFICIAL**

Your ref: 833-2-29-17 Pt1 (RLS/1104)

Our ref: DT/15/05120

Enquiries: Yohan Nugraha (6551 6103)

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
140 William St, Perth WA 6000  
By email: [regionplanningschemes@dplh.wa.gov.au](mailto:regionplanningschemes@dplh.wa.gov.au)

Attn: Brett Pye

Dear Ms Fagan

**RE: PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1406/57– LOT 30 SOLDIERS ROAD, CARDUP.**

Thank you for your email dated 15 September 2023 inviting the Department of Transport (DoT) to provide comment on the above proposed development. The Urban Mobility (UM) division of DoT have reviewed the submitted documents and advise that, given the nature of the proposed amendments, DoT support the proposal in principle, however, notes the following:

- The Amendment Area abuts primary routes in the Long-Term Cycle Network (LTCN), and opportunities should be identified to provide cycling connections to the longer-term cycling network in subsequent stages of planning and development.
- The Amendment Area abuts a freight rail corridor and close attention should be paid to future development in the amendment area in relation to this corridor and related impacts, including those addressed in SPP 5.4 Road and Rail Noise.

We understand Main Roads WA and Public Transport Authority will send responses directly and note that nothing in this DoT advice should be taken as contradicting those responses.

If you wish to follow up, please do not hesitate to contact me on 6551 6103.

Kind regards,

Yohan Nugraha



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



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



Your ref: 833-2-29-17 & RLS/1104  
Our ref: PRS51177  
Enquiries: Lyndon Mutter  
Phone: 9442 0342  
Email: lyndon.mutter@dbca.wa.gov.au

Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6000

### **Proposed Metropolitan Region Scheme Amendment 1406/57 Lot 30 Soldiers Road, Cardup**

In reference to your correspondence dated 15 September 2023, the Parks and Wildlife Service of the Department of Biodiversity, Conservation and Attractions (DBCA) provided preliminary comments on the proposed Metropolitan Scheme Amendment on 4 August 2022. These comments, provided below, are still relevant to the proposal.

Bush Forever Site 350 adjoins the eastern boundary of the proposed amendment area. The Bush Forever site contains,

- Conservation Category Wetland areas (UFI 15462 & UFI 15463),
- occurrences of the Threatened Ecological Community (TEC) Floristic Communities – Floristic Community Type 20b (FCT20b) *Banksia attenuata* and/or *Eucalyptus marginata* woodlands of the eastern side of the Swan Coastal Plain, which is listed as Critically Endangered in Western Australia under the *Biodiversity Conservation Act 2016* (BC Act) and Federally under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act), and
- populations of the threatened species *Synaphea sp. Serpentine* and *Synaphea sp. Pinjarra Plain*, which are respectively listed as Critically Endangered and Endangered under the State BC Act and the Federal EPBC Act.

The TEC and threatened flora populations are located on the eastern side of Soldiers Rd.

The Structure Plan, Local Water Management Strategy and Urban Water Management Plans for the site will need to demonstrate that the proposed development will not impact the SCP20b TEC, the threatened flora populations, or the CCW wetland area within Bush Forever Site 360, and also consider any buffer requirements.

It is DBCA's expectation that the detailed planning for the site will identify and seek to retain black cockatoo habitat, and that the proponent will consider requirements for referral of the proposal to the Commonwealth Department of Agriculture Water and Environment under the *Environmental Protection and Biodiversity Conservation Act 1999*.

Thank you for the opportunity to provide comment. Should you have any queries regarding the above comments, please contact Lyndon Mutter on 9442 0342

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Benson Todd', with a stylized, cursive script.

Benson Todd  
REGIONAL MANAGER

15 November 2023



Our Ref: D01387  
Your Ref: RLS/0671

Marija Bubanic  
Western Australian Planning Commission  
[mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au)

Dear Ms Bubanic

## RE: PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1406/57 – LOT 30 SOLDIERS ROAD, CARDUP

I refer to your email dated 15 September 2023 regarding the submission of a Bushfire Management Plan (BMP) (Version 2.0), prepared by Bushfire Safety Consulting and dated 9 March 2022, for the above proposal.

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

### General Comments

- It is noted that DFES provided comment on the same version of the BMP on 24 August 2023. The BMP has not been updated in accordance with DFES advice.

### Assessment

#### 1. Policy Measure 6.3 a) (ii) Preparation of a BAL Contour Map

Issue	Assessment	Action
<b>Vegetation classification – Plot 2</b>	<p>Vegetation plot 2 cannot be substantiated as Class B Woodland with the photographic evidence available. The foliage cover appears to exceed 30%. There appears to be no difference in the photographic evidence supplied to support the Forest or Woodland classifications.</p> <p>The BMP should detail specifically how the Class B Woodland classification was derived as opposed to Class A Forest.</p> <p>If unsubstantiated, the vegetation classification should be revised to consider the vegetation as per AS3959:2018, or the resultant BAL ratings may be inaccurate.</p>	Modification to the BMP is required at lodgement.
<b>Vegetation classification – Landscape Strips</b>	The BMP has notated areas called 'Landscape strips' on the boundary with the train line in the south and on the northern boundary. Figure 1 'Concept' Plan does not show any perimeter roads on these boundaries. It is unclear how	Modification to the BMP is required.

	these landscape strips would be maintained to low threat. Unmanaged landscape strips may result in lots with BAL40/FZ.	
<b>Vegetation Exclusions</b>	Figure 6 in the BMP has excluded the retained creek line vegetation which runs through the centre of the proposed urban area. The referral included the EPA response where the <i>EPA supports the retention of riparian vegetation (through the establishment of an appropriate foreshore reserve) and completion of a black cockatoo habitat tree survey. The EPA recommends the outcomes of the black cockatoo habitat survey informs future planning design to maximise retention and enhancement of black cockatoo habitat.</i> The BMP has not responded to the EPA recommendation in the form of vegetation classification and design.	Modification to the BMP is required.

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

Element	Assessment	Action
<b>Location and Siting and Design</b>	<p><b>A1.1 and A2.1 – not demonstrated</b></p> <p>There are issues with the current vegetation exclusions which will impact the BHL ratings across the site.</p> <p>The BMP focusses on the future dwellings being able to achieve BAL-29 but at this level of planning the BMP should focus on achieving lots with a BAL rating of BAL-29 or below.</p>	Modification to the BMP is required.
<b>Vehicular Access</b>	<p><b>A3.4a – not demonstrated</b></p> <p>The BMP states that perimeter roads will be considered at the LSP stage, however a commitment should be made to ensure perimeter roads form part of the design at the highest level of planning. Perimeter roads will ensure that all lots achieve BAL-29 or lower.</p>	Modification to the BMP is required.

### **Recommendation – compliance with acceptable solutions not demonstrated – modifications required**

DFES has assessed the BMP and identified a number of critical issues that need to be addressed prior to providing support for the proposal (refer to the tables above).

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

Yours sincerely



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

16 November 2023

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

**From:** Riannon Crabbe <riannonc@harleydykstra.com.au>  
**Sent:** Friday, 17 November 2023 12:15 PM  
**To:** Region Planning Schemes  
**Subject:** Submission on MRS Amendment 1406/57 Urban Rezoning Proposal Lot 30 Soldiers Road, Cardup (HD23972)  
**Attachments:** 23972 Letter WAPC\_.pdf; Section 57 Amendment (Minor) Submission.pdf

You don't often get email from riannonc@harleydykstra.com.au. [Learn why this is important](#)

Good Afternoon,

Please find attached a submission form and letter for MRS Section 57 Amendment (Minor) concerning Lot 30 Soldiers Road, Cardup.

Thank you.

Kind regards,

**Riannon Crabbe**  
**Senior Administrator**

T: 08 9495 1947  
Web: [www.harleydykstra.com.au](http://www.harleydykstra.com.au)



**Albany Bunbury Busselton Denmark Forrestdale Perth**

This email message and any attached files may contain information that is confidential and are for use only by the intended recipient. If you are not the intended recipient, you have received this email in error and any use, dissemination, distribution, printing or copying whatsoever by you is strictly prohibited. If you have received this message in error, please inform us immediately and delete this email and any attachments or data. Any data/file(s) that are contained in this transmission is for information purposes only, unless otherwise stated. The data is accurate to the best of our ability at the time of transmission. However we cannot accept responsibility for the accuracy of the data that has originated from another source. While Harley Dykstra employs Anti-Virus Software, we cannot guarantee that this email is free from viruses and we recommend that the email and any attachments be tested before opening.

Planning and Development Act 2005

**Section 57 Amendment (Minor)**  
Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1406/57**

**Lot 30 Soldiers Road, Cardup**

To: Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

OFFICE USE ONLY

SUBMISSION NUMBER
RLS/1104

Title (*Mr, Mrs, Miss, Ms*) Mr Henry Dykstra (PLEASE PRINT CLEARLY)  
Address c/-Harley Dykstra, PO Box 316, Kelmscott WA 6991.  
Contact phone number 94951947  
Email address metro@harleydykstra.com.au; henryd@harleydykstra.com.au  
*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)

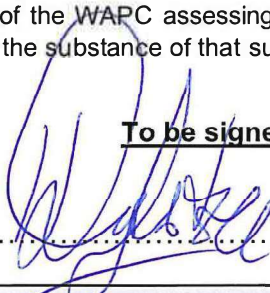
See attached letter of submission prepared by Harley Dykstra on behalf of Wellstrand Pty Ltd, owner of Lot 103 Bishop Rd, Cardup WA

**turn over to complete your submission**

(Submission continued. Please attach additional pages if required)

You should be aware that:

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

 To be signed by person(s) making the submission

Signature ..... Date .16 November 2023

**Note: Submissions MUST be received by the advertised closing date on 17 NOVEMBER 2023.  
Late submissions will NOT be considered.**



Our Ref: 22972

17 November 2023

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

Dear Sir/Madam

**RE: SUBMISSION ON M.R.S AMENDMENT 1406/57 URBAN REZONING PROPOSAL LOT 30 SOLDIERS ROAD, CARDUP (HD23972)**

I refer to the above, and I confirm that Harley Dykstra represents Wellstand Pty Ltd, owner of Lot 103 Bishop Road, Cardup. Lot 103 is part of the same planning precinct as the adjoining Lot 30 Soldiers Road, where both parcels of land were simultaneously earmarked for urbanisation as part of the Peel & Perth 3.5 Planning Investigation Area outcomes and subsequently included as Urban in the updated Mundijong District Structure Plan.



The purpose of this submission is to demonstrate that there are no planning, environmental, servicing or other constraints preventing Lot 103 to remain joined with Lot 30 in the planning process towards urbanisation. This submission will further demonstrate that there are sound planning grounds to rezone and Structure Plan both parcels (both Lot 103 and Lot 30) simultaneously. Lot 103 and Lot 30 are highlighted on the Landgate aerial photo-cadastral overlay above.

This submission requests that the Scheme Amendment 1406/57 be amended to include Lot 103 Bishop Road as part of the Urban Zone under the MRS, and we provide the following compelling reasons in support of this request:

1. Lot 103 is cleared of remanent vegetation given the previous and current agricultural land uses, is not known to have any threatened ecological communities located within it and does not comprise any conservation or resource enhancement wetlands. In terms of being deconstrained in this way, Lot 103 is less constrained than the adjoining Lot 30, which is the subject of the Urban zoning proposal.
2. Lot 30, which is subject of the current amendment, as well as adjoining Lot 103, are both identified as “Urban Expansion” with a “long term (beyond 2031)” staging time frame in the Perth-Peel Planning Framework. In respect of the amendment area (Lot 30), it has been determined that this land can be provided with appropriate services and be developed without adversely impacting upon other urban zoned land within the locality. This is equally applicable for adjoining Lot 103.
3. Lot 30, which is subject of the Urban Rezoning proposal, contains some areas of remanent vegetation which may provide habitat for threatened black cockatoo species. Further, this land also is partly affected by Bushforever Area 350. The adjoining Lot 103 Bishop Road does not have these environmental constraints.
4. A Structure Plan and Local Water Management Strategy will be required over Lot 30 in order to demonstrate, inter-alia, that future development will not have a significant adverse impact of the environmental values of the land. Particularly in relation to water management, planning over both land parcels simultaneously will provide greater confidence and improved design opportunities to satisfy this requirement in an optimal planned manner.
5. The District Water Management Strategy prepared in relation to Lot 30, and considered acceptable by the Department of Water and Environmental Regulation, applies to a larger district that includes Lot 103.
6. The Scheme Amendment proposal relating to Lot 30 states that the Amendment is consistent with SPP3.0 (Urban Growth and Settlement), given that the proposed Urban Zoning will facilitate the development of suitably serviced land in the location that is suitable for residential related land uses. This applies in equal measure to the adjoining Lot 103 (our client’s land).
7. The Amendment proposing to rezone Lot 30 is consistent with SPP3.7 (Planning in Bushfire Prone Area) given that a Bushfire Management Plan was prepared in support, which adequately demonstrates that compliance with the bushfire protection criteria can be achieved in subsequent planning stages. The adjoining lot 103 is even less constrained with vegetation and has the same locational and landform attributes as Lot 30. Accordingly, compliance with the bushfire protection criteria can be achieved in subsequent planning stages for both land parcels.
8. The Amendment that seeks to rezone Lot 30 refers to nearby industrial land uses in Cardup, stating that these industrial land uses are not likely to generate the impacts on the future Urban uses within the Amendment area which cannot be appropriately mitigated in subsequent planning stages. Lot 103 is located on the western side of Lot

30, further away from the Cardup Industrial area and land uses, and accordingly these industrial land uses are even less likely to generate impacts over Lot 103.

9. In relation to road and rail noise, a Noise Exposure Forecast was undertaken for the Amendment area, demonstrating that any future sensitive land uses in the Amendment area would be capable of achieving compliance with the recommendations of SPP5.4. This level of compliance would apply equally to Lot 103, given it has the same distance to the same railway line as Lot 30.
10. Both Lot 30 and Lot 103 has simultaneously been included within the Mundijong District Structure Plan, with both lots forming a new Urban Precinct north of Bishop Road.
11. In terms of planning for Regional roads and rail crossings etc, it would represent orderly proper planning for the entire Urban Precinct north of Bishop Road, namely Lot 30 and Lot 103 to be Structure Planned together.
12. Water and waste water solutions are the same for both land parcels that have been earmarked for urbanisation on the north side of Bishop Road with Lot 103 being in closer proximity to the planned waste water pumping station.
13. Both lot 30 and Lot 103 are not located within or adjoining an existing Aboriginal heritage site. It is also acknowledged that further consideration of Aboriginal cultural heritage would be addressed more specifically at later stages of the planning process, typically at the stage of Local Structure Planning or at subdivision stage.

In summary, there are clearly no constraints that would prevent Lot 103 Bishop Road, Cardup, from being progressed for Urban zoning simultaneously with Lot 30 Soldiers Road. Indeed there are compelling planning reasons to support this, as also detailed in the above rationale. In the event that procedural protocol means a modified Amendment needs to be referred to the EPA and readvertised, this will only slightly delay the current Amendment, in contrast to the prospect of commencing a new process for Lot 103.

On the basis of the above supporting evidence and rationale, on behalf of our client the landowner of Lot 103 Bishop Road Cardup, we respectfully request the WAPC to modify the current Scheme Amendment by including Lot 103 within the Urban Zone under the MRS.

Yours sincerely



**Henry Dykstra**  
**Executive Director / Manager of Planning**  
 T: 08 9495 1947 | M: 0407 405 584  
 Web: [www.harleydykstra.com.au](http://www.harleydykstra.com.au)  
 Unit 15, 2 Hensbrook Loop, Forrestdale WA 6112



Your Ref: 833-2-29-17 Pt 1 (RLS/1104)  
Our Ref: F-AA-90535-6; D-AA-23/400902  
Contact: Chris Hill / Yashvee Manrakhan-Field 9222 2000

Director General  
Department of Planning, Lands and Heritage  
Locked Bag 2506  
PERTH WA 6001

Attention: Brett Pye

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

Dear Sir/Madam

**RE: PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1406/57 –  
LOT 30 SOLDIERS ROAD, CARDUP**

Thank you for your email dated 15 September 2023 requesting comments from the Department of Health (DoH) on the above proposal.

DoH provides the following comment in relation to this proposal:

**1. Wastewater management**

- There is currently no deep sewerage servicing the proposed land and most lots are planned to be sized between 225m<sup>2</sup> – 450m<sup>2</sup>. It is noted that there is an existing deep sewerage pressure main that adjoins the proposed land, and it is anticipated that deep sewerage will be available prior the commencement of development. Therefore, DoH has no objection to the proposal, subject to all future developments being connected to reticulated deep sewerage in accordance with the Government Sewerage Policy.

**2. Chemical hazards**

- As this submission relates to rezoning rural to urban land use for future development for residential and public open space, it is recommended that conditions be applied to ensure appropriate investigations are conducted after the removal of chemicals and building infrastructure has occurred. This will ensure the land is suitable for intended land uses. For example, if soil and groundwater contamination has occurred in areas where agrochemicals have been stored, or, if asbestos containing structures/buildings are demolished leaving residual asbestos on site, these must be remediated and made safe prior to approval of the development. DoH expects that evidence be produced to demonstrate that this has occurred, before being asked to support any subdivision or development applications. Department of Water and Environmental Regulation should be



consulted regarding what constitutes an appropriate investigation to clear conditions aimed to protect public health of future residents.

- Given the nearby batching plant and timber preserving premises to the northeast of the amendment area, the need to refer to the [EPA \(2005\) Guideline on Separation Distances between Industrial and Sensitive Land Uses \(GS 3\)](#) is reiterated to ensure the development does not impact on these businesses, or the businesses do not impact on the health, safety and well-being of future residences.

### **3. Medical entomology**

- 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 some parts of the Perth metropolitan area, the risk of exposure to mosquitoes and their diseases for future residents in Cardup is not well defined. If this rezoning results in future development, the DoH recommends that:
  - proponents work with the relevant local government to determine the extent of risk from mosquitoes and mosquito-borne disease for future developments,
  - if that risk is considered medium or high by the local government, a mosquito management plan should be established and adequately funded and
  - the local government ensures they have sufficient resources to continue mosquito management for any future development associated with the amendment following the handover of responsibility from the developer.

Should you have any queries or require further information please contact Chris Hill or Yashvee Manrakhan-Field on 9222 2000 or [eh.eSubmissions@health.wa.gov.au](mailto:eh.eSubmissions@health.wa.gov.au).

Yours sincerely



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

17 November 2023

All enquiries to Lauren Dujmovic on 9526 1124

Our ref: PA22/538:OC23/22423



27 November 2023

Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Dear Sir/Madam

**Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup - Request for Comment**

The Shire of Serpentine Jarrahdale would like to thank the Western Australian Planning Commission for providing the opportunity to provide comment on the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup. This matter was considered at the Ordinary Council Meeting held on 20 November 2023, where Council resolved the following.

OCM280/11/23

**COUNCIL RESOLUTION / Officer Recommendation**

Moved Cr Mack, seconded Cr Jerrett

That Council PROVIDES comments of SUPPORT in accordance with the content of this report to the Western Australian Planning Commission, on the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup.

**CARRIED UNANIMOUSLY 4/0**

Please find enclosed a copy of the Council report and minutes relating to this matter. If you have any further queries, please contact the undersigned on 9526 1124 or at [ldujmovic@sjshire.wa.gov.au](mailto:ldujmovic@sjshire.wa.gov.au).

Yours faithfully

A handwritten signature in cursive script, appearing to read 'L Dujmovic'.

Lauren Dujmovic  
Coordinator Strategic Planning



T: 9526 1111 F: 08 9525 5441 E: [info@sjshire.wa.gov.au](mailto:info@sjshire.wa.gov.au) W: [sjshire.wa.gov.au](http://sjshire.wa.gov.au)

A: 6 Paterson Street Mundijong Western Australia 6123 ABN: 98 924 720 841

**President Coales declared a Proximity Interest in item 10.1.8 and left the meeting at 8:52pm prior to this item being discussed.**

**The Deputy President, Councillor Duggin assumed the Chair as Presiding Member at 8:52pm.**

**10.1.8 - Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup - Request for Comment (PA22/538)**

<b>Responsible Officer:</b>	Manager Strategic Planning
<b>Senior Officer:</b>	Director Development Services
<b>Disclosure of Officer's Interest:</b>	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

**Authority / Discretion**

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
----------------	--

Proponent:	Western Australian Planning Commission
Owner:	Land Group WA - Cardup Pty Ltd
Date of Receipt:	15 September 2023
Lot Area:	59.8 ha
Local Planning Scheme No 3 Zoning:	Rural
Metropolitan Region Scheme Zoning:	Rural

**Report Purpose**

The purpose of this report is for Council to consider the proposed Metropolitan Region Scheme (MRS) Amendment to rezone Lot 30 Soldiers Road, Cardup from 'Rural' to 'Urban' under the MRS. It is recommended Council provide comment to the Western Australian Planning Commission (WAPC) recommending support for the rezoning, based on the various regional planning considerations and opportunities and alignment to the Shire's local planning framework.

**Relevant Previous Decisions of Council**

<i>Ordinary Council Meeting - 19 September 2022 - OCM222/09/22 - COUNCIL RESOLUTION / Officer Recommendation</i> <i>That Council PROVIDES preliminary comments of SUPPORT in accordance with the content of this report to the Western Australian Planning Commission, on the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup.</i>
--

## Background

At the Ordinary Council Meeting held on 19 September 2022, Council resolved to provide preliminary comments of support to the WAPC on a proposed MRS Amendment to rezone Lot 30 Soldiers Road, Cardup from 'Rural' to 'Urban'. The WAPC has since progressed the Proposed MRS Amendment to formal advertising and are seeking public comment on the proposal.

The Proposed MRS Amendment seeks to rezone a 59.8ha portion of land located at Lot 30 Soldiers Road, Cardup from 'Rural' to 'Urban'. The Proposed MRS Amendment is considered to be a minor amendment. The subject land, which forms part of the future Mundijong Urban Precinct, is located to the north-west of Soldiers Road and Bishop Road as shown in Figure 1. The subject site has operated as a farm for livestock grazing since the 1970s, with several fenced open paddocks, a dwelling, various sheds, and structures. A water course traverses the central portion of the site in an east-west direction and is bordered by trees and some remnant vegetation. The Proposed MRS Amendment is shown in Figure 2.



Figure 1: Subject Site





### Figure 2: Proposed MRS Amendment

## Community / Stakeholder Consultation

The Proposed MRS Amendment is being advertised by the WAPC for public comment for a period of 60 days from 15 September 2023 until 17 November 2023. The formal advertising period provides an opportunity for the Shire, Government agencies, stakeholders and the community to make formal comment on the Proposed MRS Amendment. At the conclusion of the formal advertising period, the WAPC will consider all submissions received prior to making a recommendation to the Minister under Section 59 of the *Planning and Development Act 2005*.

## Statutory Environment

## Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Metropolitan Region Scheme

## State Government Policies

- Perth and Peel @ 3.5 Million - South Metropolitan Peel Sub-Regional Planning Framework
- State Planning Policy suite

## Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Strategy
- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3
- Mundijong District Structure Plan
- Local Planning Policy suite

## **Planning Assessment**

### **Planning Framework**

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

The WAPC's Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks provide a land use planning and infrastructure framework to accommodate 3.5 million people by 2050, defining the urban form of the Perth and Peel regions. Under the South Metropolitan Peel Sub-Regional Planning Framework, the subject site is identified as 'Urban Expansion'. The Framework document defines Urban Expansion as '*land that has been identified for future urban development*'. The subject site is identified by the Framework document as consolidating and rounding off the Mundijong urban area.

#### *Local Planning Strategy*

The subject site is identified as part of Development Investigation Area (DIA) 1 - Bishop Road Precinct under the Shire's approved Local Planning Strategy. The Local Planning Strategy states that all the DIAs identified by the Strategy are located adjacent to existing urban areas and have the potential to be contained within logical boundaries such as major roads. Section 3.1.6 of the Local Planning Strategy outlines a development vision and intent for DIA 1, specifying the matters that require further consideration. These matters include innovative housing opportunities, resource and energy efficiency, managing the transition in land use and density to ensure land use compatibility, landscape protection and the surrounding road network. The Proposed MRS Amendment is consistent with the Shire's Local Planning Strategy.

#### *Local Planning Scheme No. 3*

The subject site is zoned 'Rural' under the Shire's approved Local Planning Scheme No.3. The Proposed MRS Amendment report states that under Section 126(3) of the *Planning and Development Act 2005*, the WAPC has the option of concurrently amending the respective local planning scheme to rezone the land being rezoned 'Urban' under the MRS to a 'Development' zone in the local planning scheme. The report further states that in accordance with standard practice, a decision on the concurrent amendment of the local planning scheme will be made after the close of the public submission period. The Shire is supportive of the concurrent amendment processes, due to the assistance it provides in helping streamline planning processes.

#### *Mundijong District Structure Plan*

The Mundijong District Structure Plan (DSP) was adopted by Council at the Ordinary Council Meeting held on 16 November 2020. The Mundijong DSP was considered by the Statutory Planning Committee (SPC) of the WAPC at its meeting on 29 August 2023. The SPC resolved at this meeting to approve the Mundijong District Structure Plan as a framework for future land use and development subject to a schedule of modifications.

The WAPC required the subject site to be identified as urban land within the Mundijong DSP and be included within a new Local Structure Plan (LSP) Area for Cardup South. The Cardup South LSP Area includes Lot 30 Soldiers Road, Cardup and Lot 103 Bishop Road, Cardup. The Mundijong DSP was required to include the provision of a centrally located primary school in this LSP Area, with an area of District/Neighbourhood Open Space being shown abutting the primary school. Key Matters to be addressed within the LSP Area for Cardup South at the future structure plan stage outlined within the Mundijong DSP include the following:

- *Allowance for any land requirements associated with a rail crossing / interchange.*
- *Possible road widening requirements associated with Soldiers Road, Bishop Road and Bett Road.*
- *Noise mitigation.*
- *Bushfire hazard management.*
- *Verify, retain and protect local natural areas.*
- *Protect wetlands, watercourses and catchments.*
- *Preserve fringing vegetation along roads and waterways.*
- *Consideration of third pipe system.*

The Proposed MRS Amendment is consistent with the urban designation under the Mundijong DSP. Future structure planning of the site can address the identified key matters for consideration within the LSP Area for Cardup South.

### Transport Network

The subject site is bound by Soldiers Road to the east, Bishop Road to south and a proposed north-south District Distributor Road to the west, which extends northwards from Bishop Road, as identified by the Mundijong DSP. The Minister's decision to remove the Planning Investigation Area over the Cardup rural living area to the north of the subject site, means the further extension of this north-south road through this rural living area to the north is not required or supported. Under the State and local strategic planning framework, the Cardup rural living area is to remain an equestrian focussed Rural Residential zone, that reinforces a land use separation between the Byford urban area and the Mundijong urban area. Road connectivity between a residential neighbourhood and an equestrian area is no longer supported. North-south traffic flows can more appropriately be accommodated via the future Hopkinson Road/Doley Road connection, providing a north-south linkage between the Proposed MRS Amendment area and the Byford locality. Additionally, Soldiers Road provides excellent opportunities for connectivity.

The subject site adjoins an existing railway to the east and the Kwinana Freight Rail to the south. The subject site falls within the State Planning Policy 5.4 Road and Rail Noise recommended 200m trigger distance for assessment of transport noise impacts from the Kwinana Freight Railway. Additionally, noise is to be expected to be received from train horns that must be used approaching the level crossing to the south. Potential noise impacts from the Kwinana Freight Rail should be addressed and the interface between the rail and the proposed urban area must be sensitively managed. A vegetation shelter belt should be retained to the north of the freight rail to address this interface. Consideration should also be given to the interface of the proposed urban area with Soldiers Road and the adjacent potential future passenger railway. There are many mature native trees within the road reserve of Soldiers Road on the eastern boundary, which creates a rural tree lined vista.

### Rural Living Interface

The subject site abuts the established Cardup rural living area to the north, which is zoned 'Rural Residential RR-2' under the Shire's Local Planning Scheme No. 3. This area is comprised of existing rural living properties which are approximately 2ha in size. The interface between the Proposed MRS Amendment area and the rural living area must be managed with an appropriate transition in density to minimise adverse impacts on the rural living land uses, amenity and character. Many of the properties abutting the subject site accommodate equestrian activities which should be protected with an appropriate separation to future residential land uses at the subject site.

A sensitive transition in residential density should be identified at the northern interface of the subject site, providing homestead lots with low residential densities (2,000sqm to 4,000sqm), which can accommodate retention of the existing shelterbelt of trees within such allotments. Alternatively, a perimeter shelterbelt linear open space could be utilised as part of such transition and interface. Visual amenity impacts to the rural living properties should be addressed with measures such as landscaped planted buffers and vegetation screening. This is important to retain the established rural lifestyle character and visual amenity of the rural living area. Management of this interface is dependent upon such transitional design arrangements that have been identified for the land.

### Industrial Interface

The Cardup Business Park is currently located to the north-east of the subject site and allows for general industry land uses, provided such land uses have no adverse offsite impacts. At the Ordinary Council Meeting held on 18 September 2023, Council resolved to provide the WAPC with preliminary comments of conditional support for a proposed MRS Amendment to rezone the land within the Cardup Business Park from 'Industry' to 'Urban', with the condition being the exclusion of the land at the northern end of the precinct to retain sufficient industry zoned land to protect existing development and ensure effective interfacing. Industrial development within the Cardup Business Park is constrained given the urban and rural living areas which surround the site that prevent future expansion. As demand for industrial land within the Shire increases, the expansion of the West Mundijong Industrial Area further west provides a more logical and strategic opportunity to accommodate industrial growth than the Cardup Business Park.

An unapproved concrete product making general industry is currently operating within the Cardup Business Park, approximately 220m from the site of the Proposed MRS Amendment. This operation is currently seeking a retrospective development approval, which is yet to be determined. It is noted that existing dwellings and residents of Cardup are located closer to the general industry than this subject land, and have raised a number of complaints about adverse impacts experienced from the unapproved operations. As a result of the documented and verified adverse impacts associated with emissions from the operations, the DWER imposed an Environmental Protection Notice on the general industry. This restricts operations from taking place, until such time that DWER are satisfied that emissions are capable of being managed in a compliant manner. This will require such operations to manage its impacts, without creating an unacceptable amenity outcome.

### Water Management

An existing water course traverses the subject site, which will be developed as a multiple use corridor (MUC) as part of the future development of the site. This central MUC will provide an ordering element for the future development. Consideration should be given to the amount of land required for the water course, drainage and an appropriate foreshore reserve. As the site is located on clay soils with limited infiltration, an area of land may be required for drainage.

Future planning of the subject site should ensure that the function of public open space areas includes useable active recreational spaces. A Local Water Management Strategy (LWMS) will be required to be provided at the future structure planning stage to address these matters.

### Environmental Considerations

The subject site accommodates existing vegetation along the site boundaries and the existing water course. It should be noted that there is significant value in the individual and shelter belt tree retention at the subject site. It is recommended that an assessment of trees be undertaken at the structure plan stage to determine tree retention and identify trees that provide habitat for black cockatoos, as well as broader landscape values. Significant trees for retention should be indicatively identified at the future structure plan stage to ensure trees are incorporated into public open space and road reserves.

Native vegetation within road reserves should be retained, with the Soldiers Road reserve being identified as a Bush Forever site. Fauna management and relocation should also be addressed as part of the future structure planning of the site, given the potential habitat at the site. Local native species should be recommended for future landscaping to support a sustainable, resource efficient approach to the proposed development. The Bushfire Management Plan, which will accompany the future structure planning of the site, should allow for vegetation retention and revegetation of the water course.

### Sustainable Development Approach

There is potential for the subject site to be developed to provide affordable housing and sustainable housing opportunities in the locality. This aligns with the objectives specified for the subject site under the Shire's Local Planning Strategy and the Mundijong DSP. The site has the capacity to be developed into 'themed' neighbourhoods, under the overarching sustainable development vision.

## **Options and Implications**

### Option 1

That Council PROVIDES comments of SUPPORT in accordance with the content of this report to the Western Australian Planning Commission, on the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup.

### Option 2

That Council PROVIDES comments NOT SUPPORTING the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup to the Western Australian Planning Commission.

Option 1 is recommended.



## Conclusion

The Proposed MRS Amendment seeks to rezone 59.8ha of land located to the north of Mundijong from 'Rural' to 'Urban'. The subject site is identified as 'Urban Expansion' under the WAPC's South Metropolitan Peel Sub-Regional Planning Framework, 'DIA 1' under the Shire's Local Planning Strategy and 'Urban' under the Mundijong DSP. Key considerations for the proposal include the planning framework, the transport network, interface management, water management and environmental considerations. Officers recommend the Proposed MRS Amendment be supported subject to these considerations.

## Attachments (available under separate cover)

- **10.1.8 - attachment 1** - Proposed MRS Amendment Report (IN23/22757)

## Alignment with our Strategic Community Plan

<b>Outcome 1.1</b>	A healthy, active, connected and inclusive community
<b>Strategy 1.1.1</b>	Provide well planned and maintained public open space and community infrastructure
<b>Strategy 1.1.2</b>	Provide a healthy community environment
<b>Outcome 2.1</b>	A diverse, well planned built environment
<b>Strategy 2.1.1</b>	Actively engage in the development and promotion of an effective planning framework
<b>Outcome 2.2</b>	A sustainable natural environment
<b>Strategy 2.2.1</b>	Develop, maintain and implement plans for the management and maintenance of Shire controlled parks, reserves, and natural assets
<b>Strategy 2.2.2</b>	Seek to minimise resource usage and continue to maximise reuse opportunities
<b>Strategy 2.2.3</b>	Continue to minimise the volume and impact of waste generated with the district
<b>Outcome 3.3</b>	An innovative, connected transport network
<b>Strategy 3.3.1</b>	Maintain, enhance and rationalise the Shire's transport network in accordance with affordable sound Asset Management Plans

## Financial Implications

There are no direct financial implications relating to this matter.

## Risk Implications

Risk has been assessed on the Officer Options and Implications:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	This option is considered the lowest strategic risk option.						
2	That Council PROVIDES comments NOT SUPPORTING the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup to the Western Australian Planning Commission, which delays the implementation of the Shire’s adopted planning framework.	Planning legislation and framework.	Social Community Outcomes /	Possible	Moderate	MODERATE	Provide reason for decision.

**Voting Requirements:** Simple Majority

**OCM280/11/23**

**COUNCIL RESOLUTION / Officer Recommendation**

**Moved Cr Mack, seconded Cr Jerrett**

**That Council PROVIDES comments of SUPPORT in accordance with the content of this report to the Western Australian Planning Commission, on the Proposed Metropolitan Region Scheme Amendment - Lot 30 Soldiers Road, Cardup.**

**CARRIED UNANIMOUSLY 4/0**

**President Coales returned to the meeting at 8:55pm.**

**Councillor Duggin advised President Coales of the Council Resolution for item 10.1.8.**

**President Coales resumed the Chair as Presiding Member.**

Development  
Services

629 Newcastle Street  
Leederville WA 6007

PO Box 100  
Leederville WA 6002

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



Your Ref: 1406/57  
Our Ref: 138877535 - MRS353904  
Enquiries: Luke Gabriel  
Direct Tel: 9420 3966  
Email: land.planning@watercorporation.com.au

04 December 2023

Senior Planner  
Western Australian Planning Commission  
LOCKED BAG 2506  
PERTH WA 6001

Attention of: Brett Pye

**Re: Lot 30 Soldiers Rd Cardup**

Thank you for your letter dated 15 September 2023. We offer the following comments regarding this proposal.

The advice that is contained in the proponent's report is largely applicable.

The Water Corporation has no objections to the proposed MRS amendment, the subject land is contained within our long-term scheme planning.

Please bear in mind that the subject land while located within the planned scheme area is remote to any existing infrastructure. The subdivision and servicing of the lot is dependent on prior development of other land as well as construction of downstream infrastructure.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 12 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 issues, please do not hesitate to contact the Enquiries Officer.

Luke Gabriel  
Senior Planner  
Development Services