

June 2025

Metropolitan Region Scheme Amendment 1439 (Standard Amendment)



Dayton Urban Precinct

Amendment Report

City of Swan

**Metropolitan Region Scheme
Amendment 1439
(Standard Amendment)**

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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.

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MRS Amendment 1439 (Standard) Amendment Report
File RLS/1158

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

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Abbreviations

ACH	Aboriginal Cultural Heritage
AHA	<i>Aboriginal Heritage Act 1972</i>
CBD	Central Business District
DPLH	Department of Planning, Lands and Heritage
EPA	Environmental Protection Authority
LPS	Local Planning Scheme
MEL	Morley Ellenbrook Line
MRS	Metropolitan Region Scheme
SPP	State Planning Policy
SWALSC	South West Aboriginal Land and Sea Council
WAPC	Western Australian Planning Commission
WMR	Water Management Report

Amendment Report

Metropolitan Region Scheme Amendment 1439 (Standard)

Dayton Urban Precinct

Amendment Report

1 Planning objective

The purpose of the amendment is to transfer approximately 4.02 ha of land in Dayton from the Public Purposes - Special Use and Primary Regional Roads reservations to the Urban zone in the Metropolitan Region Scheme (MRS), as shown on **Amendment Figure - Proposal 1**.

The Urban zoning proposed by this amendment will enable the subject land to be developed for residential and related uses within the existing suburb of Dayton.

2 Background

The lots within the amendment area are owned by the Western Australian Planning Commission (WAPC) and State of Western Australia. The land is located east of Drumpellier Drive and north of Reid Highway approximately 14 km north-east of the Perth CBD.

The amendment area is 4.02 ha over five lots:

- Lots 202, 711 and 8014 Montana Crescent are reserved for Public Purposes - Special Uses in the MRS.
- The majority of Lot 3001 Montana Crescent within the amendment area is reserved for Public Purposes - Special Uses, with a small portion on the western side of the lot reserved for Primary Regional Roads. The proposed amendment will align the Primary Regional Roads reserve to the western lot boundary.
- The western portion of Lot 1 Grandis Road is reserved for Public Purposes - Special Uses in the MRS. The remainder of the lot is zoned Urban and does not form part of the amendment area.

The amendment area is predominantly cleared and largely devoid of vegetation, with some scattered areas of established vegetation. Urban development and road infrastructure surrounds the amendment area.

Drumpellier Drive is located to the west of the amendment area, reserved Primary Regional Roads. This section of Drumpellier Drive was constructed in 2019 to improve the intersection with Reid Highway and increase capacity to cater for the ongoing development of the Swan Urban Growth Corridor. Land to the east of the subject lots is zoned Urban and is mostly developed as a residential suburb.

The METRONET Morley-Ellenbrook Line (MEL) is located to the north-west of the amendment area, with the nearest station at Whiteman Park 2.8 km north of the site. The MEL opened in December 2024.

The Public Purposes - Special Uses reserved corridor along the eastern side of Drumpellier Drive was originally reserved to set aside land required for a proposed public transit corridor between the Ellenbrook town centre and the Midland passenger rail line.

However, this land is no longer required for this purpose as a result of the Ellenbrook passenger railway line being constructed on the western side of Drumpellier Drive in this locality. This land is now surplus to State Government requirements, and it is considered appropriate for it to be transferred to the Urban and Urban Deferred zones as this would facilitate the planning of this land for residential and related land uses and its divestment.

The use and development of land within the amendment area is currently controlled by the MRS through its designation as a reserve. Should this proposed amendment be approved, the land will be subject to the requirements of the City of Swan Local Planning Scheme No. 17 (LPS 17).

3 Discussion

Strategic Planning Context

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

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

The *North-East Sub-regional Planning Framework* (the Framework) reflects the MRS Public Purposes - Special Uses reservation, with adjacent land to the east designated as Urban with a short-medium term (2015-2031) staging timeframe. The Framework indicates a proposed high-frequency transit corridor along Drumpellier Drive/Lord Street, utilising the existing Public Purposes - Special Uses reservation over the amendment area and the adjacent Primary Regional Roads reservation. This transit corridor has been delivered west of Drumpellier Drive and is no longer required for this purpose.

The proposed Urban zoning is broadly consistent with the intent of the Framework for the following reasons:

- The Public Purposes - Special Uses designation of the amendment area is no longer relevant as this land is not required for a public transit corridor.
- The proposed Urban zoning will enable infill development in the existing suburb of Dayton; and
- The proposed Urban zoning is consistent with the Urban zoning of adjacent land to the east and would represent the most appropriate land use classification for this land given it is no longer required for a public transit corridor.

State Planning Policy 2.8 - Bushland Policy for the Metropolitan Area (SPP 2.8)

SPP 2.8 aims to provide a policy and implementation framework that will ensure bushland protection and management issues are addressed and integrated with broader land use planning and decision-making. In general, the policy does not prevent development where it is consistent with policy measures and other planning and environmental considerations.

An Environmental Assessment of the amendment area has been prepared to inform the proposed amendment. The Environmental Assessment confirms that the amendment area does not contain any Bush Forever areas or local bushland.

Draft State Planning Policy 2.9 - Planning for Water (draft SPP 2.9)

Draft SPP 2.9 seeks to ensure that planning and development considers water resource management and includes appropriate water resource management measures to achieve optimal water resource outcomes at the various stages of the planning process.

A Water Management Report (WMR) has been prepared to inform the proposed amendment. The WMR is consistent with draft SPP 2.9 and identifies appropriate water management strategies including water sustainability initiatives, wastewater treatment and disposal, groundwater management, surface water management, and management of disease vectors and nuisance insects.

State Planning Policy 3.0 - Urban Growth and Settlement (SPP 3.0)

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

SPP 3.0 sets out that the key requirements for sustainable communities include making the most efficient use of land in urban areas through the use of vacant and underutilised land, and providing a variety and choice in the size, type and affordability of housing in response to housing demand and preference.

The subject land is currently underutilised due to its designation as a Public Purposes - Special Uses reserve. The proposed amendment will integrate the subject land with the broader locality, optimise the use of existing urban infrastructure, contribute to the supply of land for housing and provide housing choice within the existing suburb of Dayton.

State Planning Policy 5.4 - Road and Rail Noise (SPP 5.4)

SPP 5.4 aims to minimise the adverse impact of road and rail noise on noise-sensitive land-use and/or development within the specified trigger distance of strategic freight and major traffic routes and other significant freight and traffic routes.

SPP 5.4 is applicable as parts of the proposed amendment area are located within the policy trigger distances for Drumpellier Drive and Reid Highway. A noise exposure forecast will be undertaken for the amendment area, in accordance with the Road and Rail Noise Guidelines, to inform the proposed amendment and ensure that any future sensitive land uses in this area will be capable of achieving compliance with the recommendations of SPP 5.4. Some noise mitigation measures are anticipated to be required as part of future structure planning and development.

Infrastructure and Servicing

An Engineering Servicing Report, prepared to inform the proposed amendment, found that the land is capable of supporting urban development, with the logical progressive extension of infrastructure and base capacity. Sewer, water, electricity, communications and gas are available at the site boundary and have sufficient capacity to service the amendment area.

4 Aboriginal cultural heritage

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

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

The preliminary Aboriginal Heritage Survey prepared to inform the proposed amendment has identified no sites or heritage places within the amendment area. However, the amendment will be formally referred to SWALSC during the public advertising period.

5 Coordination of local and region scheme amendments

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

In this respect, the WAPC has the option of concurrently amending the City of Swan Local Planning Scheme No. 17, to transfer the amendment area to a zone which is consistent with the objectives of the Urban zone under the Metropolitan Region Scheme. In accordance with standard practice a determination on the concurrent amendment of the respective local planning scheme will be made after the close of the public submission period.

6 Substantiality

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

- The amendment is not complex and does not represent a significant change to the strategic planning for the Metropolitan region.
- The amendment is broadly consistent with the intent of the Framework given that the Public Purposes - Special Uses reserved land is no longer required for a public transit corridor.
- The amendment is not likely to result in significant impacts to the environmental values of the amendment areas and the surrounding localities.
- Key State Government agencies have not raised any matters which would prevent the initiation and advertising of the amendment.

7 Environmental Protection Authority advice

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

The EPA has advised that the proposed amendment does not require formal assessment under Part IV of the *Environmental Protection Act 1986*. A copy of the notice from the EPA is included at Appendix A.

8 The amendment process

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

- formulation of the amendment by the WAPC
- referral to the EPA for environmental assessment
- completion of an Environmental Review (if required) in accordance with EPA instructions
- public submissions being sought on the proposed amendment (including Environmental Review if required)
- consideration of submissions
- approval, with or without any modifications in response to submissions, or refusal to approve, by the Minister
- the amendment takes legal effect with Gazettal of the Minister's approval.

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

9 Submissions on the amendment

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

The amendment is being advertised for public submissions for a period of 42 days from Friday 20 June 2025 to Friday 01 August 2025.

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

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

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

RegionPlanningSchemes@dplh.wa.gov.au

or posted to:

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

and **must be received by 01 August 2025.**

All submissions received by the WAPC will be acknowledged.

For your convenience a submission form is contained in this report (Appendix D). Additional copies of the form are available from the Department of Planning, Lands and Heritage [website](#).

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

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

10 Modifications to the amendment

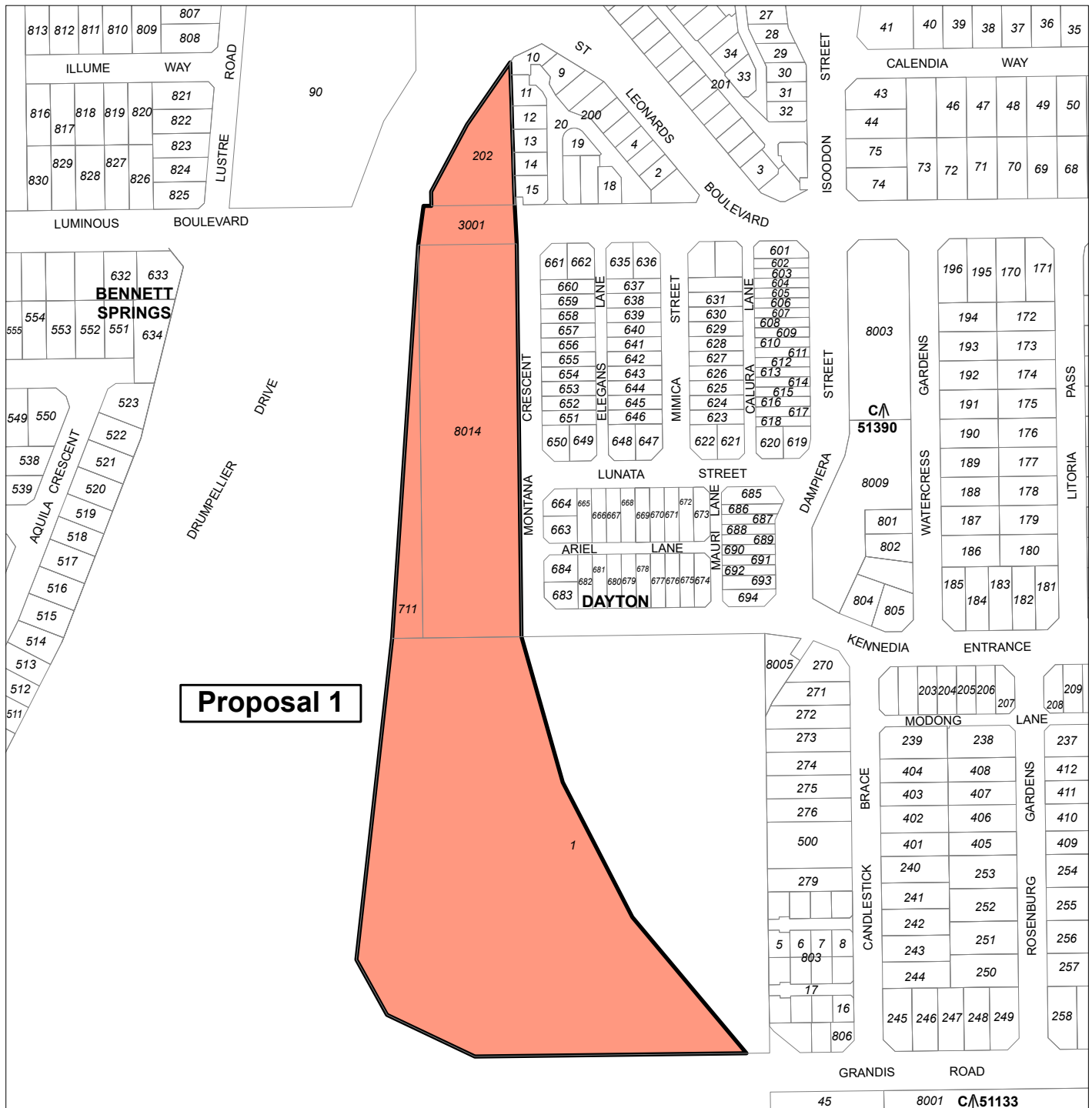
After considering any comments received, the WAPC may recommend that the Minister for Planning modify the amendment. The Minister may approve the amendment, with or without any modifications in response to submissions, or decline to approve.

11 Final outcome

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

**Metropolitan Region Scheme
Amendment 1439 (Standard)
Dayton Urban Precinct**

Amendment Figure - Proposal 1



Dayton Urban Precinct Proposed Standard MRS amendment as advertised

20 November 2024

Proposal 1

Proposed Amendment:

- Public purposes - special uses and
- Primary regional roads reservations to Urban zone

Reference no: 5075

File no: RLS/1158

Version number: 1

Appendix A

Notice of environmental assessment



Environmental Protection Authority

s.48A Referrals

Title: Metropolitan Region Scheme Amendment 1439 - Dayton Urban Precinct

Location: Lots 202, 8014 Montana Crescent, and Lot 104 Grandis Road, Dayton

Description: The amendment proposes to transfer 4.02 ha of land in Dayton from the 'Public Purposes – Special Use' and 'Primary Regional Roads' reserves to the 'Urban' zone.

Ref ID: APP-0028804 / REC-0001396

Date Received: 29/04/2025 **Date Sufficient Information Received:** 29/04/2025

Responsible Authority: Western Australian Planning Commission

Contact: Lainy Collisson

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

Potential Significant Effects: Future development may result in clearing of small pockets of degraded vegetation that provides low-quality foraging habitat for threatened black cockatoos, and potential impacts to surface water drainage line (which is part of the Bennett Brook catchment).

Protection: Potential impacts associated with implementation of the scheme amendment are unlikely to be significant and can be mitigated through future planning processes. The Environmental Protection Authority (EPA) recommends that future planning design considers the retention of mature trees, where possible.

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

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

This Determination is not appealable.

Chair's Initials:

Date:

14 May 2025

Appendix B

List of plans supporting the amendment

**Metropolitan Region Scheme
Amendment 1439 (Standard)**

Dayton Urban Precinct

as advertised

Amending Plan 3.2863

Appendix C

Preparing a submission

Preparing a Submission

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

What is a submission?

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

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

What should I say?

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

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

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

Before lodging your submission

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

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

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

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

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

Appendix D

Submission form for this amendment

FILE
RLS/1158

[illegible]

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

Signature Date

**Note: Submissions MUST be received by the advertised closing date on 01 August 2025.
Late submissions will NOT be considered.**