



# WAPC

Western  
Australian  
Planning  
Commission

September 2025

## **Metropolitan Region Scheme Amendment 1425 (Standard Amendment)**



## **Helena Valley Urban Precinct**

Report on Submissions  
Submissions

Shire of Mundaring  
City of Swan

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**Metropolitan Region Scheme  
Amendment 1425  
(Standard Amendment)**

**Helena Valley Urban Precinct**

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**Report on Submissions  
Submissions**

**Shire of Mundaring  
City of Swan**



September 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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Gordon Stephenson House  
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Locked Bag 2506  
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MRS Amendment 1425 (Standard) Report on Submissions  
Submissions

File RLS/1033

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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

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## Submissions



## Report on Submissions

# Metropolitan Region Scheme Amendment 1425 (Standard)

## Helena Valley Urban Precinct

### Report on Submissions

#### 1 Introduction

At its May 2024 meeting, the Western Australian Planning Commission (WAPC) resolved to proceed with this amendment to the Metropolitan Region Scheme (MRS) in accordance with the provisions of section 35 of the *Planning and Development Act 2005* and regulation 5 of the Planning and Development (Region Planning Schemes) Regulations 2023.

#### 2 The proposed amendment

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

The purpose of the amendment is to transfer approximately:

- (a) 11.56 hectares within Lots 250 & 254 Helena Valley Road and parts of Lots 1, 5 & 253 Helena Valley Road, and part of the road reserve for Helena Valley Road in Helena Valley from the Rural zone to the Urban zone;
- (b) 3.04 hectares of land within parts of Lots 5, 250, 253 & 254 Helena Valley Road in Helena Valley from the Rural zone to the Urban Deferred zone;
- (c) 5,970 m<sup>2</sup> within part of Lot 500/Reserve 27688 Midland Road in Bushmead from the Rural zone to the Regional Open Space (ROS) reservation; and
- (d) 1,220 m<sup>2</sup> of land within the road reserves for Midland Road in Helena Valley from the Rural zone to the Primary Regional Roads (PRR) reservation.

The proposed Urban zoning will facilitate the planning and development of this part of the amendment area for residential and commercial purposes. The proposed PRR and ROS reservations will more accurately identify the land requirements for Roe Highway and reflect the environmental values of the remnant native vegetation within Lot 500 Midland Road, Bushmead.

#### Lifting of Urban Deferment Requirements

The amendment area is being partly zoned Urban Deferred as the following matter requires resolution prior to the transfer of this land to the Urban zone:

- The final extent of the regional road requirements for the potential future realignment of the Bushmead Road/Helena Valley Road bridge over the Roe Highway being appropriately determined, or it being demonstrated that this matter can be appropriately addressed in subsequent stages of the planning process.

### 3 Environmental Protection Authority advice

On 29 May 2024, the Environmental Protection Authority (EPA) determined that the amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* and provided the following advice on flora and vegetation, terrestrial fauna, Inland waters and social surroundings. These matters will require further consideration in subsequent planning stages.

A copy of the notice from the EPA is in Appendix A of the ***Amendment Report***.

### 4 Call for submissions

The amendment was advertised for public submissions for a total of 42 days from 08 July to 19 August 2024.

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

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

### 5 Submissions

Seventeen submissions were received on the amendment. Six submissions were objections, six of comment from government agencies and five of support.

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

### 6 Main issues raised in submissions

#### Environmental Impacts

Submitters have advised that the proposed amendment will impact on existing flora and fauna in the locality.

WAPC Comment: The *North-East Sub-regional Planning Framework* (the Framework) guides the future development of the Perth metropolitan area and does not identify any additional ROS reserves for the amendment site. The Framework identifies the amendment site as Urban and Urban Expansion with a Short-Medium Term (2015-2031) timeframe; therefore, finalisation of the amendment implements this recommendation. The amendment proposes to rezone the site to Urban in the MRS; however, this does not necessarily result in the clearing and/or residential development of the entire site. The amendment site will be subject to future detailed structure planning.

The EPA determined not to assess the proposed amendment and provided detailed advice on the amendment and its expectations in relation to the retention of vegetation, fauna habitat and inland water values around Kadina Brook.

## **Area of Urban Deferred Land**

Two submissions raise issue with the extent of Urban Deferred land required.

WAPC Comment: The proposed Urban Deferred zoning is to provide for the extent of land required for regional road purposes to be determined prior to this land be transferred to the Urban zone. The proposed PRR and ROS reservations will more accurately identify the land requirements for Roe Highway and reflect the environmental values of the remnant native vegetation within Lot 500 Midland Road, Bushmead.

One of the submissions requests that the proposed Urban Deferred zoned land is zoned Urban as, it contends that the extent of proposed Urban Deferred zoned land is a 'worst-case / maximum land requirement scenario' that ultimately burdens the subject site. It maintains that, if the land was instead zoned Urban, this does not prevent the acquisition of the land by Main Roads WA. It also asserts that the 'intersection upgrades have been known for some time, and it is only the lodgement of this amendment that has triggered Main Roads to examine land requirements, primarily as an attempt to reduce compensation payable.'

The land requirement is a consequence of the future Midland Freight Rail Realignment (MFRR) and the reconstruction and potential realignment of the Bushmead Road/Helena Valley Road bridge over Roe Highway.

The purpose of the Urban Deferred zone is to 'provide for future urban development but where there are various planning, servicing and environmental requirements that need to be addressed before urban development can take place'. As the land requirement is currently not finalised and the purpose of the Urban zone is 'to provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities', it would be premature to remove the proposed Urban Deferred zoning.

## **State Planning Policy 5.1 - Land Use Planning in the Vicinity of Perth Airport**

Perth Airport raises concerns as the site is subject to noise exposure to aircraft noise and residential or noise-sensitive development should be prohibited.

WAPC Comment: The amendment area is subject to the provisions of *State Planning Policy 5.1 - Land Use Planning in the Vicinity of Perth Airport* (SPP 5.1) as it is located within the 20-25 and 25-30 ANEF noise contours of Perth Airport. In accordance with the requirements SPP 5.1, residential development is limited to a maximum density of R20 between the 20-25 ANEF contours. This also includes consideration of noise insulation, notifications on title and advice to protective purposes of aircraft noise nuisance in subsequent planning stages.

The western part of the amendment area is located between the 25-30 ANEF contours, and SPP 5.1 states that only non-sensitive land uses are to be located within this area. It has been confirmed that commercial (or other similar land uses) are to be located within this contour area. Therefore, given the above the amendment is consistent with the recommendations of SPP 5.1.

## **Incompatible Land Uses**

Submitters have advised of the potential for impacts from industrial land uses in the Hazelmere locality.

WAPC Comment: *State Planning Policy 4.1 - Industrial Interface* (SPP 4.1) is applicable as parts of the amendment area are located within 1,000 to 1,500 metres of several industrial facilities in the Hazelmere Industrial Area. These facilities include a rendering facility, an

asphalt plant and a concrete batching plant. However, it is not likely that these industrial facilities would adversely impact on the amenity of the amendment area given:

- Only part of the site, outside the 25-30 Perth Airport ANEF contour, is proposed for residential development;
- The conditions of prescribed premises licences issued under the *Environmental Protection Act 1986*, which referenced that existing residential development was approximately 460 metres away; and
- Existing regulatory requirements will require consideration i.e. Environmental Protection (Noise) Regulations 1997 and Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998.

At the local structure planning stage, further detailed consideration will be given to the allocation of appropriate land uses, commercial uses and Public Open Space (POS) for example, in accordance with the provisions of SPP 4.1.

## **7 Responses and determinations**

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

## **8 Coordination of region and local planning scheme amendments**

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

In this respect, the WAPC has resolved to concurrently amend the Shire of Mundaring Local Planning Scheme No. 4, to transfer the area being zoned Urban to the Development zone.

## **9 Conclusion and recommendation**

This report summarises the background to Amendment 1425 and examines the various submissions made on it.

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

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

## 11 Ministers decision

Amendments to the Metropolitan Region Scheme being progressed as a standard amendment in accordance with the *Planning and Development Act 2005* and regulation 5 of the Planning and Development (Region Planning Schemes) Regulations 2023 require the WAPC to provide a report and recommendation to the Minister for Planning for approval. The Minister may approve, approve with modification, or decline to approve the proposed amendment.

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

Amendment 1425 is now finalised as advertised and shown on Amending Plan 3.2837 and has effect in the Metropolitan Region Scheme from the date of notice in the *Government Gazette* on Friday 26 September 2025.

## **Schedule 1**

### **Listing of submissions**

**Listing of Submissions**  
**Metropolitan Region Scheme Amendment 1425 (Standard)**  
**Helena Valley Urban Precinct**

Submission Number	Name
1	ATCO Gas
2	Department of Water and Environment Regulation
3	Department of Health
4	Dynamic Planning and Developments Pty Ltd (on behalf of the owners of Lot 5 (No. 145) and Lot 250 (No. 230) Helena Valley Road)
5	Main Roads WA
6	Department of Energy, Mines, Industry Regulation and Safety
7	Shire of Mundaring
8	Department of Education
9	Water Corporation
10	Department of Transport
11	<i>Name removed at the request of the submitter</i>
12	<i>Name removed at the request of the submitter</i>
13	Perth Airport
14	Jenny Salter
15	Urbis Ltd (on behalf of the owners)
16	Department of Primary Industries and Regional Development
17	Department of Fire and Emergency Services



## **Schedule 2**

### **Summary of submissions and determinations**

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

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**Submission:** 1, 3, 5, 6, 8, 9, 10

**Submitter:** ATCO Gas, Department of Health, Main Roads Western Australia, Department of Energy, Mines, Industry Regulation and Safety, Department of Education, Water Corporation & Department of Transport

**Summary of Submission:** COMMENT

The above State Government agencies and infrastructure providers raise no objections or provide general comments on the amendment.

**Planning Comment:** Comments noted.

**Determination:** Submissions noted.

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**Submission:** 2

**Submitter:** Department of Water and Environment Regulation

**Summary of Submission:** COMMENT

The Department of Water and Environmental Regulation (DWER) does not support the proposal proceeding further in the planning process until the associated District Water Management Strategy (DWMS) has been modified and updated consistent with DWER's previous advice.

**Additional Information:** Since the above comments were provided, DWER received a revised DWMS in December 2024 and endorsed it in February 2025.

**Determination:** Submission noted.

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**Submission:** 4

**Submitter:** Dynamic Planning and Developments Pty Ltd (on behalf of the owners of Lot 5 No. 145 and Lot 250 No. 230 Helena Valley Road)

**Summary of Submission:** SUPPORT

The submitter provides site context, site background and the purpose of their submission.

Firstly, the landowner is supportive of the MRS amendment to re-zone the subject sites from 'Rural' to 'Urban' however there is objection to the proposed 'Urban Deferred' zoning over significant portions of the subject sites. We do not consider the 'Urban Deferred' zoning to be necessary and request this land be zoned 'Urban' for the following reasons:

1. The purpose of the 'Urban Deferred' zone is to reserve land in order to ultimately confirm land requirements for the upgrade of the Roe Highway and Helena Valley Road intersection. The extent of 'Urban Deferred' land appears to account for the upgrades in a worst-case / maximum land requirement scenario. This ultimately burdens the subject sites [sic] development potential which could be realised sooner than the road intersection land requirements.
2. Should the subject sites be re-zoned to 'Urban' in their entirety, this does not prevent the acquisition of land by Main Roads when their land requirement is understood. They are still able to acquire/reserve land in the 'Urban' zone.
3. The intersection upgrades have been planned for some time, and it is only the lodgement of this amendment that has triggered Main Roads to examine land requirements, primarily as an attempt to reduce the compensation payable. Given this, it is not reasonable or fair to burden land, punish landowners and potentially delay development delivery because Main Roads have delayed determination of their land requirements because the land remained in the 'Rural' zone.
4. It is not reasonable to potentially delay development implementation until such time as Main Roads determine their land requirement. Should the land requirements be delayed, development should be able to proceed and when Main Roads are ready, they can reserve and acquire land under whatever scenario/framework is applicable at the time.

Finally, a concurrent Local Planning Scheme amendment to the Shire of Mundaring Local Planning Scheme No. 4 to rezone the amendment area to 'Development' is warranted as:

1. It will ensure consistency with the MRS zoning which is required under Part 9 of the *Planning and Development Act 2005*.
2. It won't prevent further, more detailed planning as the 'Development' zone requires the preparation and assessment of a Local Structure Plan prior to subdivision and development.

**Planning Comment:** Support noted. Refer to Points 6(b) and Part 8. Coordination of region and local planning scheme amendments section of the report for advice on these matters.

**Determination:** Submission noted.

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**Submission:** 7

**Submitter:** Shire of Mundaring

**Summary of Submission:** COMMENT

Foothills Growth Strategy

The subject properties form part of Precinct 11 of the Foothills Growth Strategy, which is designated for 'medium density residential development and commercial mix'.

The western-most extent of the Helena Valley study area adjacent to Roe Highway is within the ANEF 20-25 noise contour and is not suitable for residential land use unless measures are implemented in accordance with SPP 5.1.

Foreshore Vision Plan

The Shire prepared a Foreshore Vision Plan over predominately State land for the area immediately to the north of the subject properties. The Shire invites the Department to consider this future significant social and ecological asset. The plan illustrates how urban expansion could lead to the creation of reserve around the Helena River and be developed to simultaneously cater for recreational needs and deliver environmental benefits.

How future development interfaces with this area, particularly as a non-residential interface will need to be taken into consideration by the proponent and WAPC.

Local Commercial Strategy

The Shire's Local Commercial Strategy establishes a hierarchy of centres in the Shire. Relative to Helena Valley, the Local Commercial Strategy contemplates the potential for a Light Industrial I Service Commercial centre in Helena Valley for the western portion of the subject area.

Although the site is reasonably close to Midland, due to the limited access to and from Roe Highway, the future 'non-residential' nature of the area will require careful consideration. Importantly, the Shire is unlikely to support light industrial or other uses that may conflict with the prevailing residential use and traffic.

North-East Sub-Regional Planning Framework

North-East Sub-Regional Planning Framework shows the subject properties as 'Urban Expansion' land - reflecting the

proposed MRS zone. Considering all of the above and acknowledging that 'Urban' under the MRS provides for a range of non-residential zones under the Local Planning Scheme No. 4, the proposal complies with the applicable strategic planning framework.

### Proposed Zonings

#### Foreshore Area for Kadina Brook

Kadina Brook flows through the northern portion of the subject area. The protection and management of riparian areas is essential for maintaining healthy watercourses. Protected foreshores preserve aquatic, littoral and terrestrial habitat for native flora and fauna while providing amenity and maintaining scenic quality and landscape values.

Significant portions of the subject land will be required to be ceded for foreshore. To better manage expectations and ensure the ongoing protection of the foreshore it is recommended that the foreshore area be accurately defined now (generally the north-eastern portion of the subject area), and this land remain Rural under the MRS. Following more detailed planning and subdivision, the surplus Rural land (foreshore) could then be subsequently ceded to the Crown, for normalisation as a P&R Reserve at a future point.

This work will also serve to frame subsequent pieces of work, including the structure planning and coordination issues between landowners.

#### Proposed Road Upgrades

The future proposed widening of Roe Highway to 6 lanes and the lifting of the Helena Valley Road / Bushmead Road bridge to accommodate the future freight line will have the effect of raising the alignment of Helena Valley Road going east. This will also affect the Midland Road and Helena Valley Road intersection which will probably have to be redirected through the site, and to the east of its current location.

The site will require a comprehensive drainage and geotechnical investigation. There may a possibility that the northern lots could be contaminated this have to be investigated.

The applicant is to liaise with the Shire's Infrastructure Department (tel: 9290 6666) regarding this matter.

#### Location of Western Power Infrastructure

A Western Power overhead transmission line exists through the subject area. This will have implications for where future residential development may be able to occur. It is recommended that the MRS amendment not proceed until the necessary approvals are obtained from Western Power and the adjoining affected landowners for the relocation of the transmission line.

#### Other Matters

In addition to the above, the Shire advises the following:

- The south-western portion of the subject area contains remnant banksia woodland which is a federally protected TEC.
- The area surrounding Kadina Brook is listed as an ESA and possibly contains TECs (banksia attenuata woodlands).
- Any future subdivision and redevelopment of the subject area will require a Foreshore Management Plan to be prepared for the Shire's consideration and approval. The applicant is to liaise with the Shire's Environment Department regarding this.
- Further investigation required of the northern lots for possible contamination.
- The proponent will need to ensure that fire access is possible around the foreshore pre and post subdivision and construction stages.

The submission includes an image taken from a previously approved Foreshore Management Plan for the north-eastern portion of the subject area which identifies how such fire access could be possible. The wetland area on Lot 254 has been fenced and set back a minimum of 20 m from the edge of the (southernmost) vegetation. It also includes a gate wide enough to allow access for a fire vehicle. A recent site visit concluded that the fencing should be revised to what was originally agreed to in the Foreshore Management Plan. If necessary, the applicant is to liaise with the Shire's Environment department regarding this matter.

**Planning Comment:** Comments noted. Should this amendment be approved, the Shire of Mundaring's advice may need further consideration as the detailed planning for the site progresses.

**Determination:** Submission noted.

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**Submission:** 11

**Submitter:** *Name removed at the request of the submitter*

**Summary of Submission:** OBJECTION

Natural bushland, including large native trees are at risk of being destroyed. Large areas of biodiverse native bushland are the lungs of the area east of Roe Highway, as well as cooling the whole area in the hotter months. This is terrible to think the government is planning to ignore the current situation not only with the lack of green canopy in the area but also destroying thousands of homes for local wildlife. When I first moved to the

area 8 years there was several flocks of not only white but black and red cockatoo, these have dwindled to only one flock of the white cockatoo. I strongly object to the proposed amendment to the MRS and hope we can save our local green corridors.

**Planning Comment:** Comments noted, refer to 'Part 6 - Main issues raised in submissions' in the ***Report on Submissions*** for advice on this matter.

**Determination:** Submission dismissed.

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**Submission:** 12

**Submitter:** *Name removed at the request of the submitter*

**Summary of Submission:** OBJECTION

This land is a gateway from the Midland/Hazelmere industrial area to the Perth Hills. Being close to the airport and rail links, it provides some of the first glimpses of Perth that tourists see. Should they see ugly housing? The housing development in this state is by and large uninspiring, not ecologically sound and not innovative. In short, it involves large amounts of fill, flattening of trees and packed in housing. It is not beautiful to look at - it hurts the soul to look at housing estates in, for example, Dayton and Brabham. The Helena Valley is beautiful.

This is also an important ecological link from coast to hills and if housing is allowed it will cut off that linkage and thereby cut off the traffic of wildlife to the hills. Let's stop justifying putting houses where we can on the basis of a housing "crisis" and reserve the use of the word "crisis" for those who actually are in crisis for housing - Gaza, Ukraine, Syria etc. Let's think about the beauty that we need around us and how we can foster that - trees are a dashed good solution. Trees, community gardens, community projects on the land to learn about rehabilitation, places to exercise, place to meet up, BBQs, community centre etc. All these benefits to getting outside in nature and we will save money on mental health issues elsewhere. I think people of Bushmead would enjoy such a space and what a lovely entry that would make to the Perth Hills. Please - no more rooves in these beautiful areas.

**Planning Comment:** Objection noted, refer to 'Part 6 - Main issues raised in submissions' in the ***Report on Submissions*** for advice on these matters.

**Determination:** Submission dismissed.

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**Submission:** 13  
**Submitter:** Perth Airport  
**Summary of Submission:** OBJECTION

Perth Airport advises that the proposal is conditionally acceptable in *State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport* for both residential and commercial land uses.

The subject site will experience 100-200 N65 and 20-50 N60 aircraft noise events. The NASF Guideline advises any rezoning of land to permit residential or noise-sensitive development should be prohibited, based on the extreme levels of exposure to aircraft noise. Perth Airport therefore objects to the proposed rezoning from Rural to Urban for future residential development.

Should the Department resolve to recommend approval of the proposal, Perth Airport recommends subsequent planning stages require:

- notifications be placed on the Certificates of Title to notify prospective landowners of aircraft noise impacts; and
- residential development be constructed to meet Australian Standard AS2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.

**Planning Comment:** Submission noted, refer to 'Part 6 - Main issues raised in submissions' in the ***Report on Submissions*** for advice on this matter.

**Determination:** Submission noted.

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**Submission:** 14  
**Submitter:** Jenny Salter (interested resident)  
**Summary of Submission:** OBJECTION

The submitter is opposed to the inclusion of their property, Lot 1 Helena Valley Road, in the amendment as it results in their property being dual zoned. The submitter requests that their property be excluded so that they can continue to improve the biodiversity of the land for native fauna.

**Planning Comment:** Comments noted. The boundaries of the amendment area are consistent with those shown for the 'Urban Expansion' area in the *North-East Sub-regional Planning Framework*.

Noting that the amendment completes, rather than extends the Urban zoning of the land, and existing land uses can continue to remain unchanged.

**Determination:** Submission dismissed.



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<b>Submission:</b>	15
<b>Submitter:</b>	Urbis (On behalf of 145 and 230 Helena Valley Road, Owned by Dodd & Dodd Pty Ltd, 335 Helena Valley Road, Owned by Whitehouse Nominees Pty Ltd, 330 Helena Valley Road, Owned by Ingwe Helena Valley Pty Ltd, 485 Helena Valley Road, Owned by Salter, Jennifer Desiree)
<b>Summary of Submission:</b>	<p>SUPPORT</p> <p>The submitter advises that they are in agreeance with the intent of the amendment which will facilitate planning and development of parts of the amendment area of residential and commercial purposes.</p> <p>The submitter requests that the areas proposed to be rezoned Urban and Urban Deferred be concurrently zoned Development under the Shire of Mundaring Local Planning Scheme No. 4 in accordance with section 126(3) of the <i>Planning and Development Act 2005</i>.</p>
<b>Planning Comment:</b>	Comments noted. In relation to the concurrent rezoning request, refer to 'Part 8 - Coordination of region and local planning scheme amendments' in the <b><i>Report on Submissions</i></b> for advice on this matter.
<b>Determination:</b>	Submission noted.

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<b>Submission:</b>	16
<b>Submitter:</b>	Department of Primary Industries and Regional Development
<b>Summary of Submission:</b>	<p>OBJECTION</p> <p>DPIRD advises that it previously objected to the rezoning of Lots 1, 5, 250, 253 and 254 Helena Valley Road due to the proximity of an agricultural industry site of State significance, Talloman rendering works.</p> <p>Talloman rendering works processes 90% of the State's animal waste. Talloman's works approval under the <i>Environmental Protection Act 1986</i> was recently amended, in October 2023, to allow an increase in throughput from 160,000 to 180,000 tonnes. The approval was conditional upon processing improvements which are expected to minimise odour emissions, but odour emissions are an inherent aspect of the land use, and the recommended buffer distance is 1,500 metres.</p> <p>DPIRD does not support any portion of Lots 1, 5, 250, 253 and 254 Helena Valley Road being rezoned to Urban in the MRS at</p>

this time, due to the lack of restrictions in place to prevent future residential use. This position is consistent with the *North-East Sub-regional Planning Framework*, which:

- acknowledges the Talloman rendering works as a constraint on Urban use;
- designates the land as 'Urban Expansion'; and
- recommends district structure planning for Urban Expansion areas prior to rezoning, where appropriate.

**Planning Comment:**

Comments noted. Refer to 'Part 6 - Main issues raised in submissions' in the ***Report on Submissions*** for advice on this matter.

Table 1.3 of the Framework lists the site as 'Hazelmere (east of Roe Hwy)' and the issues requiring resolution being the 'Poultry farm/rendering plant buffers' that 'given their land use or surrounding land uses, are unlikely to become available for urban development in the short-term'.

The Framework's designation of the amendment site as 'Urban Expansion' does not preclude its rezoning under the MRS to provide for future detailed planning. DPIRD references the need for a district structure plan (where appropriate) for urban expansion areas. The amendment site is not of a size and scale that would necessitate the preparation of a district structure plan.

The recent Environmental Protection Authority approval to increase production at the rendering plant referenced existing residential development being within 460 m of the plant. The amendment site is between 900 m and 1.4 km from the plant. While a concept plan has been submitted indicating potential residential development on part of the amendment site, this should not be interpreted as a definitive outcome. Given the constraints of the amendment site in relation to the 20-25 ANEF contour, the closest that residential development could potentially be constructed to the rendering facility is approximately 900 m.

Should the amendment be approved, this will be given further consideration when detailed planning continues to determine the most appropriate land uses for the area.

**Determination:**

Submission noted.

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**Submission:**

17

**Submitter:**

Department of Fire and Emergency Services

**Summary of Submission:**

COMMENT

DFES advises that the Bushfire Management Plan (BMP) has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved. However, modifications to the BMP are necessary to ensure it accurately identifies the bushfire risk and necessary mitigation measures. As these modifications will not affect the MRS design, these modifications can be undertaken without further referral to DFES.

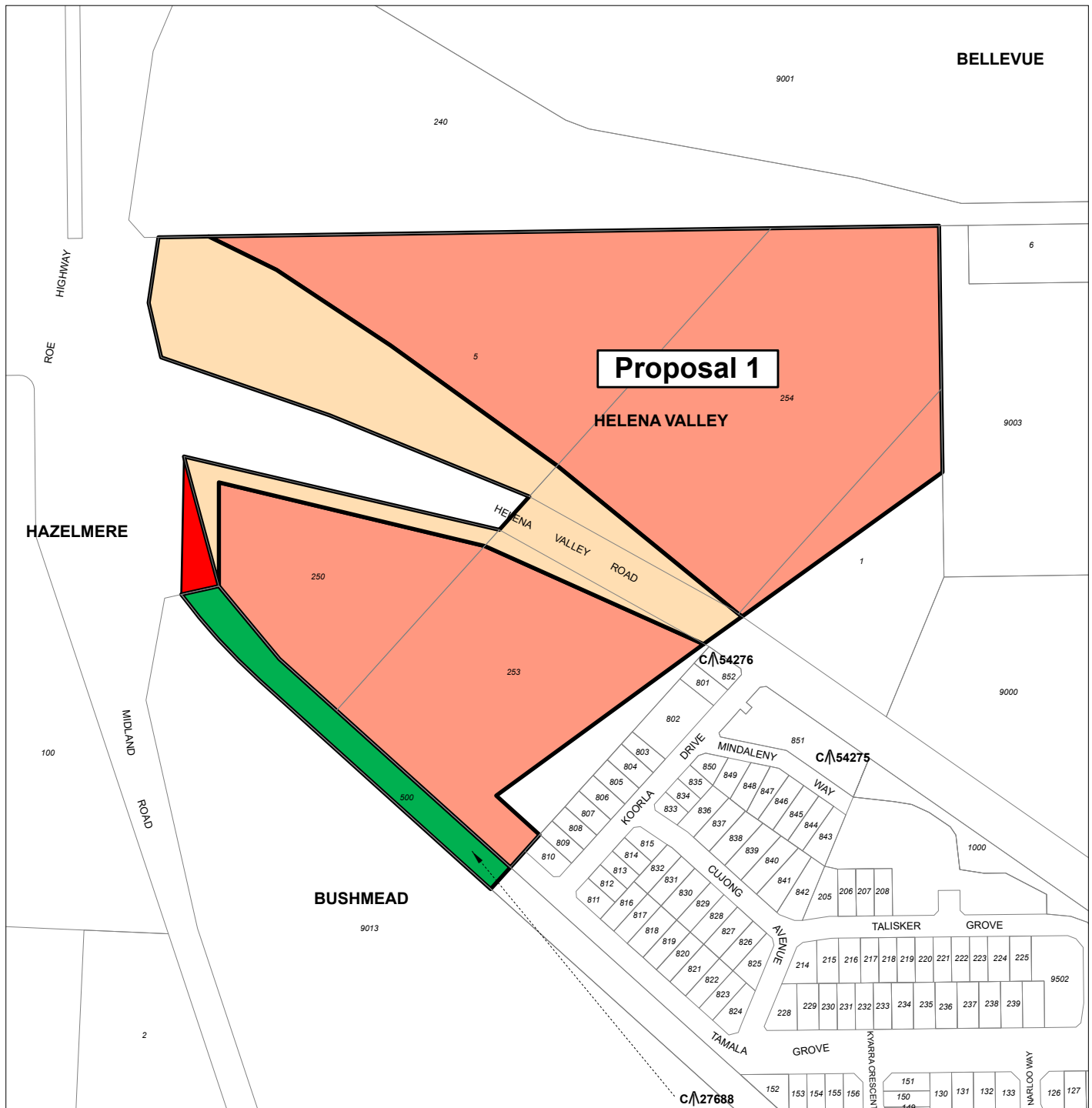
**Planning Comment:** Comments noted. The proponent has been advised of DFES requested modifications to the BMP.

**Determination:** Submission noted.

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### **Schedule 3**

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



## Helena Valley Urban Precinct Proposed Standard MRS amendment as advertised

1 May 2024

Proposal 1

Proposed Amendment:

- Rural zone to Urban zone
- Rural zone to Urban Deferred zone
- Rural zone to Primary Regional Roads reservation
- Rural zone to Regional Open Space reservation

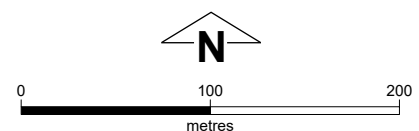
Reference no: 3894

File no: RLS/1033

Version number: 3

**WAPC**  
Western Australian  
Planning Commission

Date: 27/08/2025  
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## **Appendix A**

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

**Metropolitan Region Scheme Amendment 1425 (Standard)**  
**Helena Valley Urban Precinct**

**as advertised**

**Amending Plan 3.2837**

**Detail Plans**

1.6223, 1.6240

**Submissions**



**From:** ATCO Engineering Enquiries <eservices@atco.com>  
**Sent:** Monday, 8 July 2024 8:10 AM  
**To:** Region Planning Schemes  
**Subject:** ATCO Response - LM01269169 - Proposed Metropolitan Region Scheme Amendment 1425 (Standard) - Helena Valley Urban Precinct - RLS/1033

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good Morning,

**Re: Proposed Metropolitan Region Scheme Amendment 1425 (Standard) - Helena Valley Urban Precinct - RLS/1033**  
**ATCO Reference: LM01269169**

ATCO Gas Australia (ATCO) has **no objection** to the proposed application, based on the information and plan provided.

Advice notes:

- 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>
- Proposed construction and excavation works 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>

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**  
Engineering Coordinator  
ATCO, Gas Division, Australia

A. 81 Prinsep Road, Jandakot, Western Australia, 6164  
[atco.com.au](http://atco.com.au) [LinkedIn](#) [Facebook](#) [X](#)



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

**From:** Jim Mackintosh <jim.mackintosh@dwer.wa.gov.au>  
**Sent:** Friday, 12 July 2024 12:23 PM  
**To:** Region Planning Schemes  
**Cc:** Leah Elliott  
**Subject:** RE: Proposed Metropolitan Region Scheme Amendment 1425 (Standard) - Helena Valley Urban Precinct - RLS/1033 - DWER

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

OFFICIAL

Dear DPLH,

Thank you for the above referral. The Department of Water and Environmental Regulation has considered the proposal and, at this stage, does not support the proposal proceeding further in the planning process until the associated District Water Management Strategy (DWMS) has been modified and updated, consistent with the Department's previous advice. The Department has not yet received an updated DWMS.

Regards

**Jim Mackintosh**

**Department of Water and Environmental Regulation**

**Program Manager**

**Swan Avon Region**

**Planning Advice Section**

T 08 6250 8043 |

E [jim.mackintosh@dwer.wa.gov.au](mailto:jim.mackintosh@dwer.wa.gov.au)

Visit our website [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)



Your Ref: RLS/1033  
Our Ref: F-AA-92858-6 D-AA-24/146681  
Contact: Vic Andrich 9222 2000

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

Attention: Leah Elliott

Via email: [regionplanning@schemes@dph.wa.gov.au](mailto:regionplanning@schemes@dph.wa.gov.au)  
[Leah.Elliott@dph.wa.gov.au](mailto:Leah.Elliott@dph.wa.gov.au)

Dear Ms Fagan

**PROPOSED METROPOLITAN REGION SCHEME (MRS) AMENDMENT 1425 – HELENA VALLEY URBAN PRECINCT (RLS/1033)**

Thank you for your letter of 5 July 2024, requesting comments from the Department of Health (DoH) on the above amendment to transfer approximately 15.3ha of land in the Helena Valley and Bushmead localities from the 'Rural' zone to the 'Urban' and 'Urban Deferred' zones and the Primary Regional Roads and the Parks and Recreation reservations under the MRS.

The DoH provides the following comments:

**1. *Water Supply and Wastewater Disposal***

Future developments are required to connect to scheme water and reticulated sewerage provided by a licensed service provider and be in accordance with the 'Government Sewerage Policy 2019'.

**2. *Chemical Hazards***

Based on historical use of the land for low intensity grazing and presence of derelict structures, the DoH recommends a contaminated sites condition and further consultation with Department of Water and Environmental Regulation on the necessary processes to minimise future land-use conflicts.

Should you have any queries or require further information please contact Vic Andrich on 9222 2000 or [eh.eSubmissions@health.wa.gov.au](mailto:eh.eSubmissions@health.wa.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Gray', with a stylized, cursive script.

Mr Peter Gray  
**A/EXECUTIVE DIRECTOR**  
**ENVIRONMENTAL HEALTH DIRECTORATE**

29 July 2024

Our Ref: 451

29<sup>th</sup> July 2024

The Secretary  
Western Australian Planning Commission (WAPC)  
Locked Bag 2506,  
Perth WA 6000

Sent via email – info@dplh.wa.gov.au

Dear Sir / Madam,

**SUBMISSION ON PROPOSED MRS AMENDMENT**

**Helena Valley Urban Precinct**

Dynamic Planning and Developments Pty Ltd (DPD) acts on behalf of the registered proprietor of Lot 5 (No. 145) Helena Valley Road and Lot 250 (No. 230) Helena Valley Road, (herein referred to as the 'subject site').

**The purpose of this submission is to support the proposed MRS amendment and request a modification to the rezoning.**

**Site Context**

The subject sites are located on opposite sides of Helena Valley Road to the east of Roe Highway, and both sites are located within the Shire of Mundaring. Lot 5 is bound to the north by bushland, a road reservation associated with Roe Highway to the west and 'Rural Residential' development to the east and south which is included in the proposed amendment area. Lot 250 is bound by the same 'Rural Residential' development to the north and east and by bushland and the Roe Highway reserve to the south and west.

Both subject sites are currently zoned as 'Rural' under the Metropolitan Region Scheme and 'Rural Residential' under the Shire of Mundaring's Scheme No.4

Figures 1 and 2 below illustrate the location of the subject sites in the context of the MRS and surrounding development.



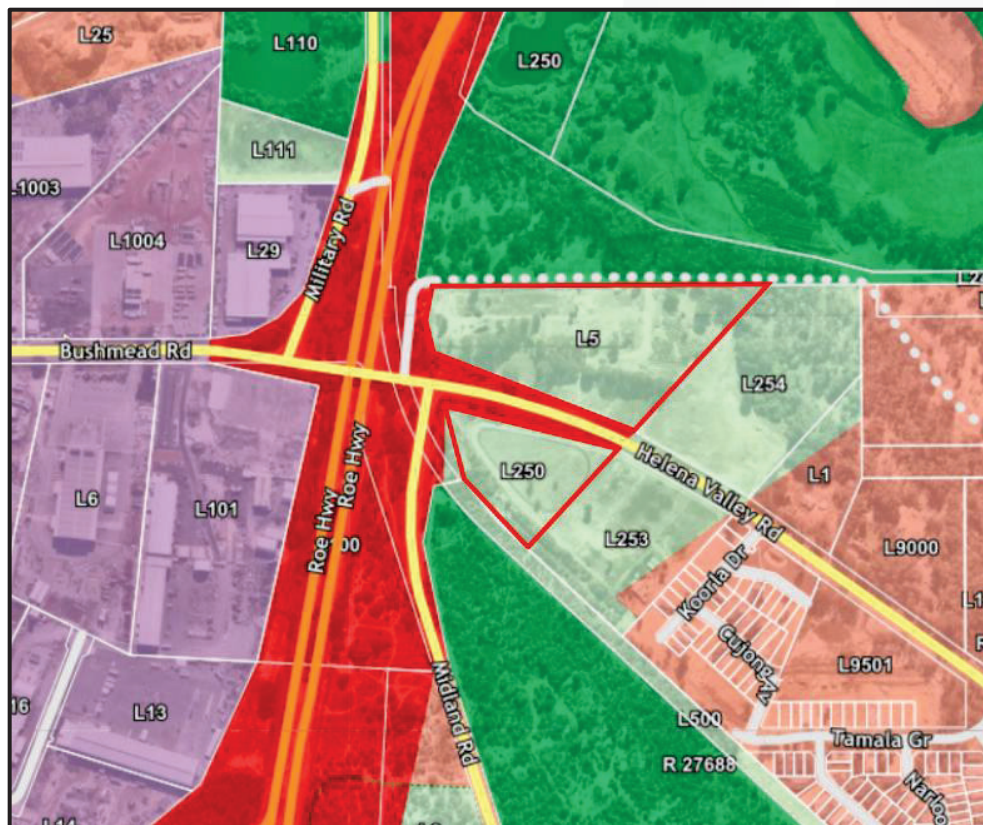


Figure 1 – Location of the 'subject sites' within the MRS



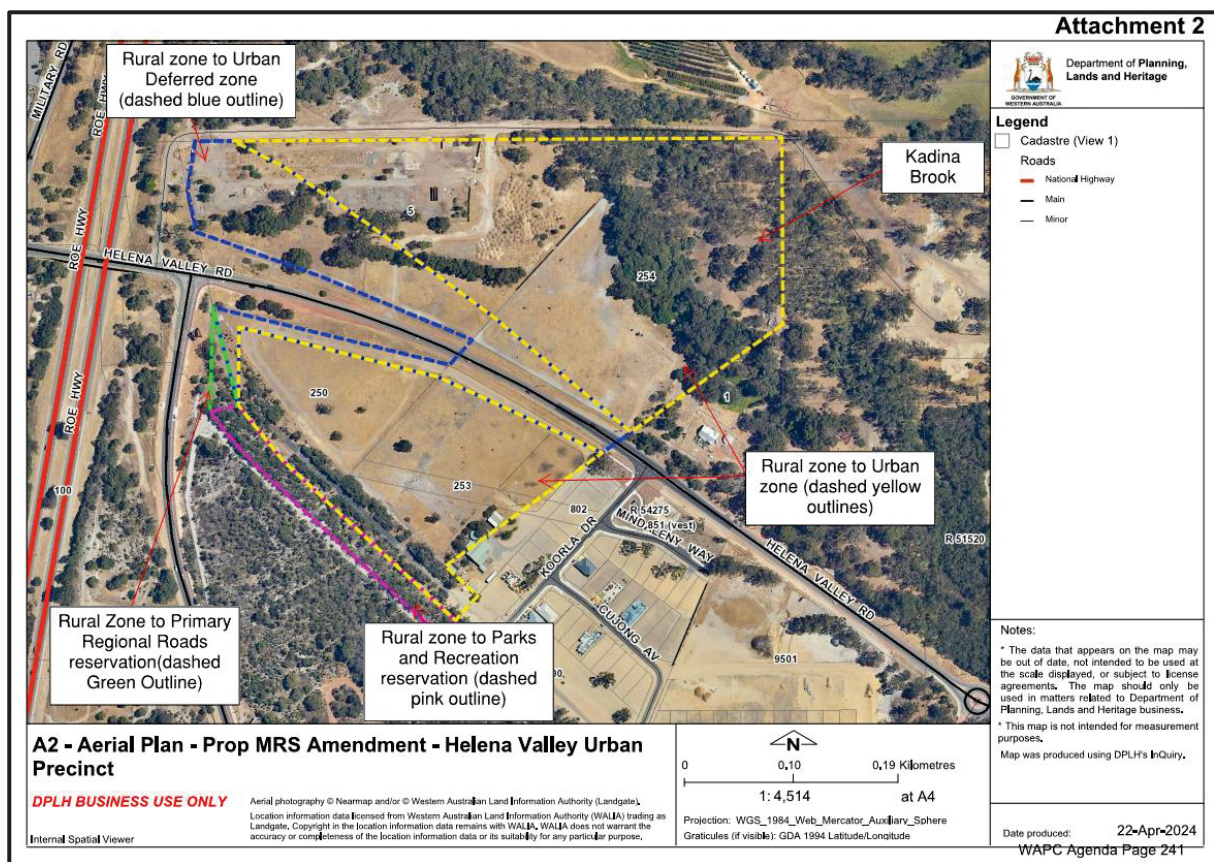
Figure 2 – Aerial of the subject site



## Proposed MRS Amendment – Helena Valley Urban Precinct

The proposed amendment seeks to transfer approximately 15.3 ha of land in the Helena Valley and Bushmead localities from the Rural zone to the Urban and Urban Deferred zones whilst also reserving land as Primary Regional Roads (PRR) and Parks and Recreation under the Metropolitan Region Scheme (MRS).

The subject sites are proposed to be re-zoned from Rural to Urban in their entirety with the exception of a portion of land along Helena Valley Road which will be re-zoned as 'Urban Deferred':



**Figure 3 – Extent of land proposed to be re-zoned as either 'Urban' or 'Urban Deferred'**

It is understood that the purpose of the 'Urban Deferred' zone is to reserve land that may be required to accommodate future upgrades to the Roe Highway / Helena Valley Road intersection. The extent of upgrades and quantity of land required for the upgrades are not yet decided and not yet published.

The inclusion of the 'Urban Deferred' zoning is unnecessary and a burden on the subject site, as will be detailed in subsequent sections of this submissions.

## Purpose of Submission

The purpose of this submission is to convey the landowner's position regarding the proposed amendment and request that a concurrent Local Planning Scheme amendment be considered to rezone the subject land to 'Development'.

Firstly, the landowner is supportive of the MRS amendment to re-zone the subject sites from 'Rural' to 'Urban' however there is objection to the proposed 'Urban Deferred' zoning over significant portions of the subject sites. We do not consider the 'Urban Deferred' zoning to be necessary and request this land be zoned 'Urban' for the following reasons:

1. The purpose of the 'Urban Deferred' zone is to reserve land in order to ultimately confirm land requirements for the upgrade of the Roe Highway and Helena Valley Road intersection. The extent of 'Urban Deferred' land appears to account for the upgrades in a worst-case / maximum land requirement scenario. This ultimately burdens the subject sites development potential which could be realised sooner than the road intersection land requirements.
2. Should the subject sites be re-zoned to 'Urban' in their entirety, this does not prevent the acquisition of land by Main Roads when their land requirement is understood. They are still able to acquire/reserve land in the 'Urban' zone.
3. The intersection upgrades have been planned for some time and it is only the lodgment of this amendment that has triggered Main Roads to examine land requirements, primarily as an attempt to reduce the compensation payable. Given this, it is not reasonable or fair to burden land, punish landowners and potentially delay development delivery because Main Roads have delayed determination of their land requirements because the land remained in the 'Rural' zone.
4. It is not reasonable to potentially delay development implementation until such time as Main Roads determine their land requirement. Should the land requirements be delayed, development should be able to proceed and when Main Roads are ready, they can reserve and acquire land under whatever scenario/framework is applicable at the time.

Finally, a concurrent Local Planning Scheme amendment to the Shire of Mundaring Local Planning Scheme No. 4 to rezone the amendment area to 'Development' is warranted as:

1. It will ensure consistency with the Metropolitan Region Scheme zoning which is required under Part 9 of the *Planning and Development Act 2005*.
2. It won't prevent further, more detailed planning as the 'Development' zone requires the preparation and assessment of a Local Structure Plan prior to subdivision and development.

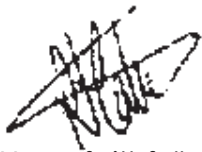


## Conclusion

This submission expresses the affected landowners concerns and the developmental burdens imposed on the subject sites as result of the proposed 'Urban Deferred' zoning.

The amendment is supported however we request the removal of the 'Urban Deferred' zoning. We look forward to the WAPC's assessment of this submission and any further opportunity to discuss the points raised.

Should you have further queries or seek clarification with regard to the matters raised above, please do not hesitate to contact the undersigned.



Yours faithfully,

**Reegan Cake**

**Planning Coordinator**



mainroads  
WESTERN AUSTRALIA

Submission 005

Enquiries: Susan Foster - (08) 9323 6180  
Our Ref: D24#1039576 (22/4792)  
Your Ref: RLS/1033

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

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

Dear Sir/Madam

**REQUEST FOR COMMENT – PROPOSED METROPOLITAN REGION SCHEME (MRS)  
AMENDMENT 1425 – HELENA VALLEY URBAN PRECINCT (RLS/1033)**

Thank you for the opportunity to comment on the above proposed MRS amendment to transfer land from the Rural zone to the Urban and Urban Deferred zones, and the Primary Regional Roads, and the Parks and Recreation reservations.

Main Roads has no objection to the proposed amendment and notes that the amendment area is being partially zoned Urban Deferred to allow for the final extent of the regional road requirements for the potential future alignment of the Bushmead Road/Helena Valley Road bridge over the Roe Highway to be determined before being zoned Urban. This is part of the proposed Midland Freight Rail Realignment being progressed by the Department of Planning, Lands and Heritage.

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 the enquiries officer above or email [susan.foster@mainroads.wa.gov.au](mailto:susan.foster@mainroads.wa.gov.au) quoting the reference number above.

Yours sincerely

Lindsay Broadhurst  
Director Road Planning



Ms Leah Elliott  
Senior Planner  
Department of Planning, Lands and Heritage  
Sent by Email — Leah.Elliott@dplh.wa.gov.au  
140 William Street, Perth WA 6000

Dear Ms Leah Elliott

**METROPOLITAN REGION SCHEME MRS AMENDMENT 1425 (STANDARD) -  
HELENA VALLEY URBAN PRECINCT - RLS/1033**

Thank you for your letter dated 5 July 2024 inviting comment on the proposal to amend the Metropolitan Region Scheme (MRS) for land in the Shire of Mundaring and City of Swan. Metropolitan Region Scheme Amendment 1425 (Standard) - Helena Valley Urban Precinct.

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

DEMIRS lodges no objections to the above MRS amendment.

Yours sincerely

---

**Steven Batty** | Senior Geologist  
Mineral and Energy Resources Directorate  
05 August 2024



**Our Ref:** PS.MRS 1425

7 August 2024

Sent via email: [regionplanningschemes@dplh.wa.gov.au](mailto:regionplanningschemes@dplh.wa.gov.au)

Att: Leah Elliott

Dear Leah

**Proposed MRS Amendment 1425 – Request for Comments - Lots 5 (145), 250 (230), 253 (330) and 254 (335) Helena Valley Road, Helena Valley**

Thank you for your correspondence dated 5 July 2024 regarding the above.

The following response is prepared by officers and reflects the direction set by Council's endorsed plans and strategies.

**Strategic Planning Framework**

Foothills Growth Strategy

The subject properties form part of Precinct 11 of the Foothills Growth Strategy, which is designated for 'medium density residential development and commercial mix'.

The western-most extent of the Helena Valley study area adjacent to Roe Highway is within the ANEF 20-25 noise contour and is not suitable for residential land use unless measures are implemented in accordance with State Planning Policy 5.1.

Foreshore Vision Plan

The Shire prepared a Foreshore Vision Plan over predominately State land for the area immediately to the north of the subject properties. The Shire invites the Department to consider this future significant social and ecological asset. The plan illustrates how urban expansion could lead to the creation of reserve around the Helena River and be developed to simultaneously cater for recreational needs and deliver environmental benefits.

How future development interfaces with this area, particularly as a non-residential interface will need to be taken into consideration by the proponent and WAPC.



## Local Commercial Strategy

The Shire's Local Commercial Strategy establishes a hierarchy of centres in the Shire. Relative to Helena Valley, the Local Commercial Strategy contemplates the potential for a Light Industrial / Service Commercial centre in Helena Valley for the western portion of the subject area.

Although the site is reasonable close to Midland, due to the limited access to and from Roe Highway, the future 'non-residential' nature of the area will require careful consideration. Importantly, the Shire is unlikely to support light industrial or other uses that may conflict with the prevailing residential use and traffic.

## North-East Sub-Regional Planning Framework

North-East Sub-Regional Planning Framework shows the subject properties as 'Urban Expansion' land – reflecting the proposed MRS zone.

Considering all of the above, and acknowledging that 'Urban' under the MRS provides for a range of non-residential zones under the Local Planning Scheme No.4, the proposal complies with the applicable strategic planning framework.

## **Proposed Zonings**

### Foreshore Area for Kadina Brook

Kadina Brook flows through the northern portion of the subject area. The protection and management of riparian areas is essential for maintaining healthy watercourses. Protected foreshores preserve aquatic, littoral and terrestrial habitat for native flora and fauna while providing amenity and maintaining scenic quality and landscape values.

Significant portions of the subject land will be required to be ceded for foreshore. To better manage expectations and ensure the ongoing protection of the foreshore it is recommended that the foreshore area be accurately defined now (generally the north-eastern portion of the subject area) and this land remain Rural under the MRS. Following more detailed planning and subdivision, the surplus Rural land (foreshore) could then be subsequently ceded to the Crown, for normalisation as a P&R Reserve at a future point.

This work will also serve to frame subsequent pieces of work, including the structure planning and coordination issues between landowners.

### Proposed Road Upgrades

The future proposed widening of Roe Highway to 6 lanes and the lifting of the Helena Valley Road / Bushmead Road bridge to accommodate the future freight line will have the effect of raising the alignment of Helena Valley Road going east. This will also affect the Midland Road and Helena Valley Road intersection which will probably have to be redirected through the site, and to the east of its current location.

The site will require a comprehensive drainage and geotechnical investigation. There may be a possibility that the northern lots could be contaminated this has to be investigated.

The applicant is to liaise with the Shire's Infrastructure Department (tel: 9290 6666) regarding this matter.

### Location of Western Power Infrastructure

A Western Power overhead transmission line exists through the subject area. This will have implications for where future residential development may be able to occur. It is recommended that the MRS amendment not proceed until the necessary approvals are obtained from Western Power and the adjoining affected landowners for the relocation of the transmission line.

### **Other Matters**

In addition to the above, the Shire advises the following:

- The south-western portion of the subject area contains remnant banksia woodland which is a federally protected TEC.
- The area surrounding Kadina Brook is listed as an ESA and possibly contains TEC's (banksia attenuata woodlands).
- Any future subdivision and redevelopment of the subject area will require a Foreshore Management Plan to be prepared for the Shire's consideration and approval. The applicant is to liaise with the Shire's Environment Department regarding this.
- Further investigation required of the northern lots for possible contamination.
- The proponent will need to ensure that fire access is possible around the foreshore pre and post subdivision and construction stages.

Below is an image taken from a previously approved Foreshore Management Plan for the north-eastern portion of the subject area which identifies how such fire access could be possible. The wetland area on lot 254 has been fenced and set back a minimum of 20m from the edge of the (southernmost) vegetation. It also includes a gate wide enough to allow access for a fire vehicle. A recent site visit concluded that the fencing should be revised to what was originally agreed to in the Foreshore Management Plan. If necessary, the applicant is to liaise with the Shire's Environment department regarding this matter.





Should you have any queries, please contact the Shire's Co-ordinator Strategic Planning, Andrew Bratley on 9290 6652 or via [andrewbratley@mundaring.wa.gov.au](mailto:andrewbratley@mundaring.wa.gov.au).

Yours sincerely



**Mark Luzi**  
**DIRECTOR STATUTORY SERVICES**



Department of  
**Education**

**Submission 008**

Your Ref: RLS/1146  
Our Ref: D24/0583363  
Enquiries: Joshua Gould

Western Australian Planning Commission  
Department of Planning, Lands and Heritage

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

Attention: Leah Elliott  
Principal Planner

Dear Sir / Madam

**Proposed Metropolitan Region Scheme Amendment 1425 (Standard) - Helena Valley Urban Precinct - RLS/1033**

Thank you for your email providing the Department of Education (the Department) with the opportunity to provide comment on the abovementioned Metropolitan Region Scheme amendment.

The Department notes that although the proposal will have an impact on the student accommodation capacity in the area it can be accommodated through ongoing school planning. The Department will continue to monitor the any zoning changes and density and dwelling lot increases in the area. Furthermore, any requirement for primary school developer contributions will be assessed and applied at the subdivision stage.

In view of the above, the Department has no in principle objections to the proposed amendment. Notwithstanding this, if there are any future changes to the zoning, residential density coding and dwelling lot numbers which results in a significant increase to the student yield, prior consultation with the Department is required.

Should you have any questions in relation to the above, please do not hesitate to contact Joshua Gould, Senior Consultant – Land Planning, on (08) 9264 4008 or by email at [joshua.gould@education.wa.edu.au](mailto:joshua.gould@education.wa.edu.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Turnbull'.

Matt Turnbull  
**Manager Land and Planning**

13 August 2024





Your Ref: RLS/1033  
Our Ref: MRS387505  
Enquiries: Daniel Lawrence  
Direct Tel: 9420 3257  
Email: land.planning@watercorporation.com.au

16 August 2024

Department Of Planning Lands and Heritage  
140 William St  
PERTH WA 6000

Attention of: Leah Elliot

**Re: Amendment 1425 - Helena Valley Urban Precinct**

Thank you for your letter dated 5 July 2024. We offer the following comments regarding this proposal.

In line with our previous advice dated 19 June 2023, Water Corporation has conceptual water and sewer planning over the subject area which will be further refined when a Local Structure Plan is advertised.

Extensions to the water and wastewater networks will be required at the proponent's expense at subdivision stage.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

Daniel Lawrence  
Senior Planner  
Development Services

**From:** Golestani, Shanthi <Shanthi.Golestani@transport.wa.gov.au>  
**Sent:** Friday, 16 August 2024 3:24 PM  
**To:** Region Planning Schemes  
**Cc:** Leah Elliott  
**Subject:** 20280816 DoT comments Re: Proposed Metropolitan Region Scheme Amendment 1425 (Standard) - Helena Valley Urban Precinct - RLS/1033

OFFICIAL

**OFFICIAL**

Your ref: RLS/1033

Our ref: DT/24/01073

Enquiries: Shanthi Golestani (9216 8774)

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

Attention: Leah Elliott

Dear Leah,

**RE: PROPOSED Metropolitan Region Scheme Amendment 1425 (Standard) - Helena Valley Urban Precinct - RLS/1033**

Thank you for your email dated 5 July 2024 inviting the Department of Transport (DoT) to provide comment on the above proposed amendment. The Urban Mobility (UM) division of DoT has reviewed the submitted documents and advises that DoT has no objection in principle, however considers the amendment to be premature. The following comments are provided:

1. The portion of land proposed to zoned urban deferred is intended to provided a buffer to enable finalisation of the ultimate Roe Hwy Primary Regional Road reservation and land requirements for the Bushmead Rd/Helena Valley Rd bridge over Roe Hwy. DoT recommends this is determined prior to the land being rezoned.
2. The DoT's Long Term Cycle Network (LTCN) includes a primary route along Roe Hwy, a secondary route along Helena Valley Rd/Bushmead Rd, and a local route along Midland Rd. These routes should be taken into account when the road reserve requirements for the those road are being determined to ensure the appropriate bike infrastructure is planned for.
3. Future planning should take into account State Planning Policies (SPP) 5.1 - SPP5.1 – land use in the vicinity of the Perth Airport and SPP5.4 – road and rail noise.

We understand Main Roads WA and the Public Transport Authority are sending their responses directly.

DoT would welcome the opportunity to comment at further planning stages.

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

Kind regards,

**Shanthi Golestani**

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

GPO Box C102, Perth WA 6839

Tel: (08) 92168774

Email: [Shanthi.Golestani@transport.wa.gov.au](mailto:Shanthi.Golestani@transport.wa.gov.au)|Web: [www.transport.wa.gov.au](http://www.transport.wa.gov.au)

*Part time - Tues/Thurs/Fri*



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



Respondent No: 1

Login: Anonymous

Email: n/a

Responded At: Aug 13, 2024 16:38:50 pm

Last Seen: Aug 13, 2024 16:38:50 pm

IP Address: n/a

Q1. What is your name? *Details removed at the request of the submitter*

Q2. What is your surname?

Q3. What is your email address?

Q4. What is your address?

Q5. What is your contact number?

Q6. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) into the box below. Any supporting documents may be uploaded below.

Natural bushland, including large native trees are at risk of being destroyed. Large areas of biodiverse native bushland are the lungs of the area east of Roe Highway, as well as cooling the whole area in the hotter months. This is terrible to think the government is planning to ignore the current situation not only with the lack of green canopy in the area but also destroying thousands of homes for local wildlife. When I first moved to the area 8 years there was several flocks of not only white but black and red cockatoo, these have dwindled to only one flock of the white cockatoo. I strongly object to the proposed amendment to the Metropolitan Region Scheme and hope we can save our local green corridors.

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered



Respondent No: 2

Login: Anonymous

Email: n/a

Responded At: Aug 14, 2024 14:00:09 pm

Last Seen: Aug 14, 2024 14:00:09 pm

IP Address: n/a

Q1. What is your name? *Details removed at the request of the submitter*

Q2. What is your surname?

Q3. What is your email address?

Q4. What is your address?

Q5. What is your contact number?

Q6. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission? Yes

Q7. Are you responding on behalf of an organisation? No

Q8. What is the name of the organisation? not answered

Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Oppose

Q10. Please type your submission (reasons for support/opposition) into the box below. Any supporting documents may be uploaded below.

This land is a gateway from the Midland/Hazelmere industrial area to the Perth Hills. Being close to the airport and rail links, it provides some of the first glimpses of Perth that tourists see. Should they see ugly housing? The housing development in this state is by and large uninspiring, not ecologically sound and not innovative. In short, it involves large amounts of fill, flattening of trees and packed in housing. It is not beautiful to look at - it hurts the soul to look at housing estates in, for example, Dayton and Brabham. The Helena Valley is beautiful. This is also an important ecological link from coast to hills and if housing is allowed it will cut off that linkage and thereby cut off the traffic of wildlife to the hills. Let's stop justifying putting houses where we can on the basis of a housing "crisis" and reserve the use of the word "crisis" for those who actually are in crisis for housing - Gaza, Ukraine, Syria etc. Let's think about the beauty that we need around us and how we can foster that - trees are a dashed good solution. Trees, community gardens, community projects on the land to learn about rehabilitation, places to exercise, place to meet up, BBQs, community centre etc. All these benefits to getting outside in nature and we will save money on mental health issues elsewhere. I think people of Bushmead would enjoy such a space and what a lovely entry that would make to the Perth Hills. Please - no more rooves in these beautiful areas!!

Q11. Upload supporting documents not answered

Q12. Upload supporting documents not answered

Q13. Upload supporting documents not answered



Respondent No: 3

Login: Anonymous

Email: n/a

Responded At: Aug 15, 2024 13:29:31 pm

Last Seen: Aug 15, 2024 13:29:31 pm

IP Address: n/a

Q1. What is your name?	Timothy
Q2. What is your surname?	Hodson
Q3. What is your email address?	tim.hodson@perthairport.com.au
Q4. What is your address?	Lvl 2, 2 George Wiencke Dr, Perth Airport
Q5. What is your contact number?	0862788125
Q6. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q7. Are you responding on behalf of an organisation?	Yes
Q8. What is the name of the organisation?	Perth Airport
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Oppose
Q10. Please type your submission (reasons for support/opposition) into the box below. Any supporting documents may be uploaded below.  Please refer to Perth Airport's formal response uploaded to this form. This response has also been emailed to Leah.Elliott@dplh.wa.gov.au and regionplanningschemes@dplh.wa.gov.au.	
Q11. Upload supporting documents	<a href="https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/4829ffaa3a71d9d55110a7d9fe0dd61df93917a6/original/1723692507/fa26c19b88723338a99ca13efb3558e3_Perth_Airport_Response_-_Helena_Valley_Urban_Precinct_MRS_Amd_1425_-_SIGNED.pdf?1723692507">https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/4829ffaa3a71d9d55110a7d9fe0dd61df93917a6/original/1723692507/fa26c19b88723338a99ca13efb3558e3_Perth_Airport_Response_-_Helena_Valley_Urban_Precinct_MRS_Amd_1425_-_SIGNED.pdf?1723692507</a>
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered

Your Ref: RLS/1033  
15 August 2024

Leah Elliot  
Department of Planning, Lands and Heritage  
*Submitted via email – [referrals@dplh.wa.gov.au](mailto:referrals@dplh.wa.gov.au)*

Dear Sir/Madam,

## **MRS AMENDMENT 1425 – HELENA VALLEY URBAN PRECINCT**

I refer to the email dated 5 July 2024 inviting comment on the above proposal. The Amendment proposes various transfers of land, notably 11.56 hectares from the Rural zone to Urban zone to facilitate residential and commercial development. Perth Airport has reviewed the documentation, conducted an assessment against the relevant policies and guidelines, and provides the following response.

### **AIRSPACE ASSESSMENT**

The site is located on the extended centreline of Runway 06/24 and approximately 4km from its threshold. This means aircraft flying to and from this runway frequently overfly the site at low altitude.

The preliminary flight path design for Perth's New Runway attempted, where possible, to reuse existing flight paths to minimise impacting new areas with aircraft noise. One preliminary flight path designed in line with this principle directs aircraft departing Perth's New Runway to overfly the subject site, and this overflight frequency will increase into the future. The site's proximity to the runway centrelines is demonstrated in Attachment 1.

Height constraints existing over the site protect aircraft operations, and communications, navigations and surveillance signals (e.g. radar). These constraints have legal protection under the *Airports (Protection of Airspace) Regulations 1996 (C'th)* (APARs).

At this site the lowest height constraint is ~50m AHD (above sea level) or ~30m above ground level. Developments proposed above this elevation must be referred to Perth Airport for assessment. A development above this height is considered a 'controlled activity' under the APARs and will be subject to assessment by Airservices Australia (ASA) and the Civil Aviation Safety Authority (CASA). Subject to the outcome of the assessments undertaken by ASA and CASA, approval would be required from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts. Should approval be granted, it may be subject to conditions requiring obstacle lighting or conspicuous painting schemes. Depending on the height, location and overall elevation, some developments may be prohibited entirely.

Perth Airport is willing to provide advice during the assessment of future Development Applications, and can also provide this earlier to inform the design process. Early advice on airspace constraints can be sought by planners, architects and developers via the contact details provided at the end of this letter. Seeking advice at the early stages to inform design is best practise and strongly encouraged by Perth Airport.

## PLUME RISE RISK FROM STACKS AND VENTS

A non-structural intrusion into prescribed airspace (such as a vent or stack with exhaust causing air turbulence) is treated identically to a structural intrusion (such as a building or crane) under the APARs. Both are considered controlled activities and require approval.

CASA's Advisory Circular 139 states:

*"An exhaust plume of moderate or higher turbulence intensity has the potential to affect the safety of aircraft operations, such as aircraft in critical stages of flight (periods of high pilot workload) and low-level flying operations."*

A proponent of a facility which may cause a plume is required to make an initial assessment of the plume exit velocity, such that if the exit velocity is less than 4.3m/s, no further action is required by the proponent. If the exit velocity exceeds 4.3m/s, a Form 1247 (Application for Operational Assessment of a Proposed Plume Rise) must be submitted to CASA's Office of Airspace Regulation.

If these steps are not followed prior to construction, CASA has the right to serve notice to the operator of the development which is the source of the plume and can require it to be modified or demolished.

Perth Airport notes the location of the subject development is within proposed flight corridors for Perth's New Runway and highlights the importance of assessing the plume exit velocity for land uses which may generate such risks.

## AIRCRAFT NOISE ASSESSMENT

### Background

State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport (SPP 5.1) is the key statutory document available in Western Australia for assessing and planning for land uses in aircraft noise affected areas. This document is predicated on the endorsed Australian Noise Exposure Forecast (ANEF).

Additionally, the National Airports Safeguarding Advisory Group (NASAG) has developed the 'National Airports Safeguarding Framework.' The NASF is a national land use planning framework that aims to:

- improve community amenity by minimising aircraft noise-sensitive developments near airports; and
- improve safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions through guidelines being adopted by jurisdictions.

The NASF contains nine guideline documents which assist in achieving the listed aims. Guideline A of the framework is titled '*Measures for Managing Impacts of Aircraft Noise*' and specifically addresses the suitability of different development scenarios in aircraft noise affected areas. All levels of decision makers, including Local Governments, are encouraged to review and take guidance from the framework and consider it as part of their assessment.

Guideline A uses "noise above" contours as its reference, which relate to the specific number of events that a decibel level is exceeded. The N65 is a 'noise above' metric, and is produced



because the ANEF is not well suited to conveying aircraft noise exposure to the community, as over-flight frequency and the sound level of single events (typically two factors that determine how a person will react to noise) are not clearly translated by the ANEF system. Perth Airport produces the N65, which demonstrates the likely effect of aircraft noise exposure on an area or a development, at the ultimate airfield capacity. The N65 is publicly available on the Aircraft Noise Information Portal, viewable from Perth Airport’s website.

The NASF is consistent with SPP 5.1, in that it aims to ensure residents and prospective residents are sufficiently informed regarding aircraft noise. Although both documents are considered and referenced in this response, SPP 5.1 is ultimately the prevailing document used in Western Australia.

#### Assessment of the subject site

The subject site is located on the extended centreline of Runway 06/24, and will be overflown by aircraft operating on this and Perth’s New Runway (refer to Attachment 1).

The proposal is located within the endorsed 2020 Australian Noise Exposure Forecast (ANEF); specifically, it is within the 25-30 and 20-25 ANEF contour. The ANEF overlaid with the subject area is included for reference in Attachment 2.

Using the NASF recognised N65 contour, the subject site will experience up to 200 aircraft noise events above 65 decibels across an average day. Noise at this level is disruptive to a normal conversation even inside a dwelling and will be unacceptable to most people. It is worth noting that the area will receive a significant number of additional aircraft noise events at a level less than 65 decibels, and these noise events may also cause annoyance to some people. The N65 overlaid with the subject area is included in Attachment 3.

An additional NASF recognised noise metric is the N60, which shows the number of events in excess of 60 decibels that can be expected over an average *night (11pm-6am)*. The lower threshold was chosen to reflect the people’s increased sensitivity to noise in this period. The subject site will experience up to 50 aircraft noise events above 60 decibels across an average night. The N60 overlaid with the subject area is included in Attachment 4.

As identified above, the proposal is located within certain aircraft noise contours. An assessment of the suitability of the proposal against relevant statutory documents is undertaken in the following sections.

#### State Planning Policy 5.1 (Land Use Planning in the Vicinity of Perth Airport)

A summary of SPP 5.1 requirements is provided in Table 1 below.

	20-25 ANEF & R20	20-25 ANEF & above R20	+25 ANEF & R12.5	+25 ANEF & above R12.5
Notification on Title (condition)	Yes	Yes	Yes	Yes
Insulation to AS 2021 (condition)	Not Mandatory	Not Mandatory	Yes	Yes
Noise contours (advice note)	Yes	Yes	Yes	Yes
Other notes	Refer to NASF assessment for N contours and	CI 5.3.2 outlines criteria for		CI 5.4.2 outlines criteria for

	to determine acceptability	justifying density greater than R20		justifying density greater than R12.5
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Table 1 – Assessment of SPP 5.1

The amendment report states areas within the 25-30 ANEF are proposed for commercial, and not residential or other noise-sensitive land-uses. Perth Airport supports prohibiting residential and noise sensitive uses in this area in line with the requirements of SPP 5.1.

Commercial land uses within the 25-30 ANEF are listed under Appendix 1 of SPP 5.1 as Conditionally Acceptable. Noise insulation may still be required for some commercial land-uses depending on the specific land use. This can be considered at Development Application referral stage.

The position of Perth Airport on the overall acceptability of the subject proposal will be confirmed through the following NASF assessment. Perth Airport strongly encourages the Department to take guidance from the NASF and the noise-above contours in addition to the ANEF in its decision making. Some areas within, and just outside the ANEF will still be unsuitable for residential development based on the high frequency and level of aircraft noise events.

#### National Airports Safeguarding Framework (NASF)

A summary of Guideline A is provided in Table 2 below, and the applicable requirements for the subject proposal are highlighted:

	Within ANEF 20 contour	Within 50+ N65 contour	Within 6+ N60 contour
<b>Rezoning Greenfield areas to permit noise sensitive uses</b>	<b>Prohibit</b>	<b>Avoid permitting</b>	<b>Avoid permitting</b>
Rezoning Brownfield areas to permit noise sensitive uses	Require Insulation Require Notification on Title	Require Insulation Require disclosure to future residents	Require Insulation Require disclosure to future residents
Development Applications for noise sensitive uses within existing residential zoned land	Require Insulation Require Notification on Title	Require Insulation Require disclosure to future residents	Require Insulation Require disclosure to future residents

Table 2 – Assessment of NASF Guideline A

#### Notes

1. Insulation is to be in accordance with *Australian Standard AS2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction*.
2. 'Avoid permitting' equates to a general position of objecting to the proposal.
3. 'Neither support/object' is used as a position as the proposal's suitability is dependent on a Strategic Planning assessment based on specific Local and State Government circumstances. Perth Airport's assessment relates only to aircraft noise.
4. The '+6 N60' contour is present across significant areas surrounding Perth Airport. As a result, Perth Airport will consider the suitability of development within this contour on a case-by-case basis.
5. Perth Airport has interpreted 'disclosure for future residents' as being the inclusion of an advice note on an approval which details aircraft noise information, as opposed to the imposition of a condition requiring a Notification on the Certificate of Title (which is otherwise covered under SPP 5.1).

## PERTH AIRPORT RECOMMENDATION

The proposal has been assessed against SPP5.1 and the NASF Guideline A. The proposal is Conditionally Acceptable under SPP 5.1 (for both residential and commercial future land uses). For noise-sensitive elements of commercial land-uses, insulation is recommended.

The subject site will experience 100-200 N65 and 20-50 N60 aircraft noise events. The NASF Guideline advises any rezoning of land to permit residential or noise-sensitive development should be prohibited, based on the extreme levels of exposure to aircraft noise. Perth Airport therefore objects to the proposed rezoning from Rural to Urban for future residential development.

Should the Department resolve to recommend approval of the proposal, Perth Airport recommends the following:

Condition 1: Residential dwellings and noise-sensitive non-residential buildings shall be constructed with insulation to meet Australian Standard AS2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.

Condition 2: The owner/applicant shall lodge a notification on the Certificate of Title informing current and prospective landowners of aircraft noise impacts.

*Advice ii:* Proposed developments that may exceed 50m AHD (above sea level) must be referred to Perth Airport for assessment under the *Airports (Protection of Airspace) Regulations 1996 (C'th)*.

*Advice i:* The subject area is located within the 20-25 and 25-30 ANEF contours, and the 100-200 N65 and 20-50 N60 contours. For further information on aircraft noise please contact Perth Airport's Planning team on 9478 8888 or [planning@perthairport.com.au](mailto:planning@perthairport.com.au) or visit Perth Airport's Aircraft Noise Portal at <https://aircraftnoise.perthairport.com.au/>

### Notification on Certificate of Title

Generally, noise reduction measures are based on external windows and doors being shut, which is not conducive to Perth lifestyles. These measures will not have any impact on reducing aircraft noise to outdoor areas. It is imperative that a notification is placed on the Certificate of Title of the subject lot to ensure potential occupiers and buyers are adequately informed of the aircraft noise impact.

SPP 5.1 provides the standard wording to be included on titles as a condition of subdivision or planning approval:

"This property is situated in the vicinity of Perth Airport and is currently affected, or may be affected in the future by aircraft noise. Noise exposure levels are likely to increase in the future as a result of an increase in aircraft using the airport, changes in aircraft type or other operational changes.

Further information about aircraft noise is available from the Perth Airport website.

Information regarding development restrictions and noise insulation requirements for noise affected property is available on request from the relevant local government offices."

Summary

Perth Airport appreciates the opportunity to comment, and should you require any additional information, please contact Dean Pettit (Land Use Coordinator) on (08) 9478 8438.

Perth Airport requests the Commission provide notification of the outcome of this proposal.

Yours sincerely

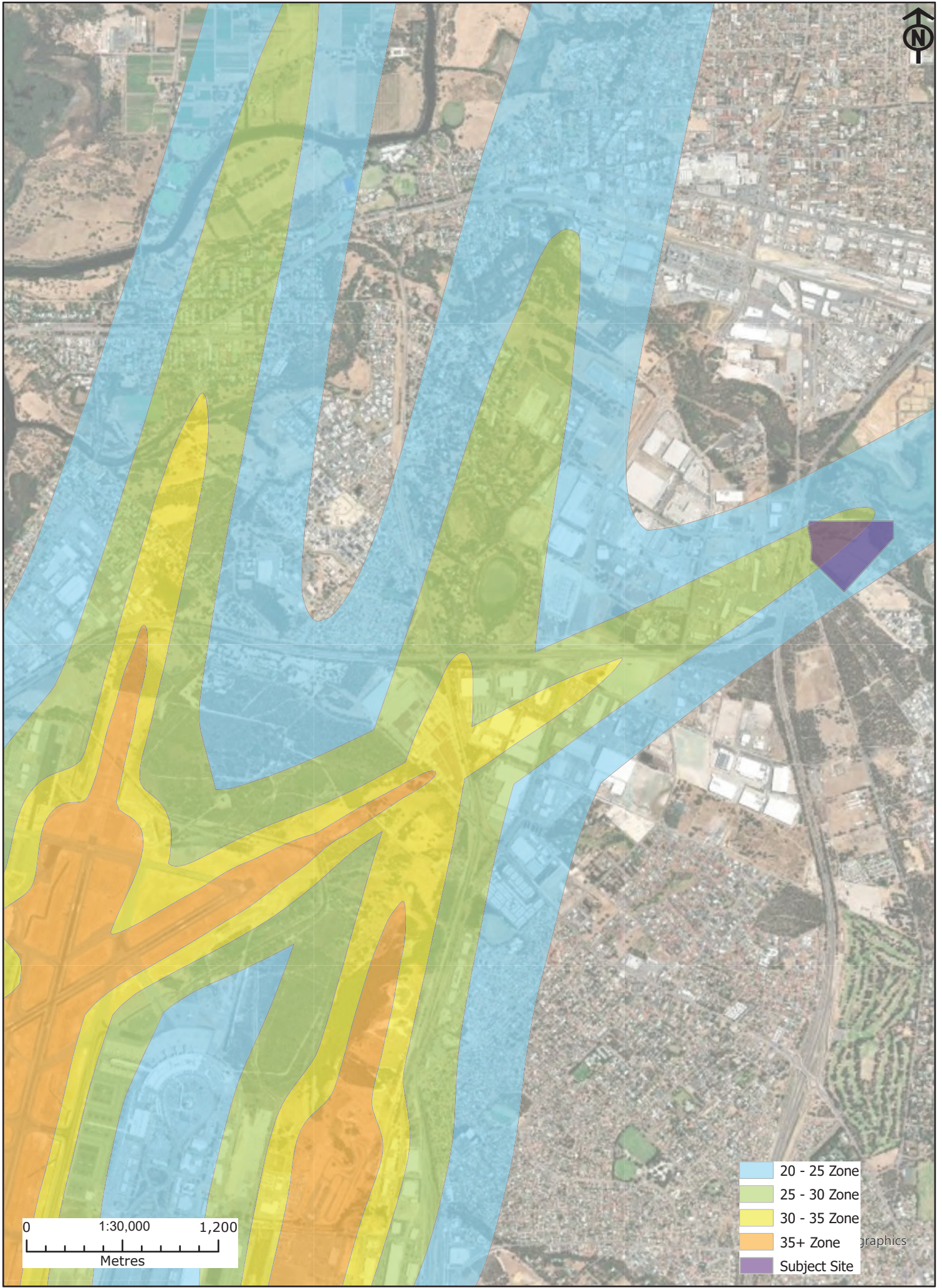


Jaxon Thomas  
**General Manager of Planning (Acting)**



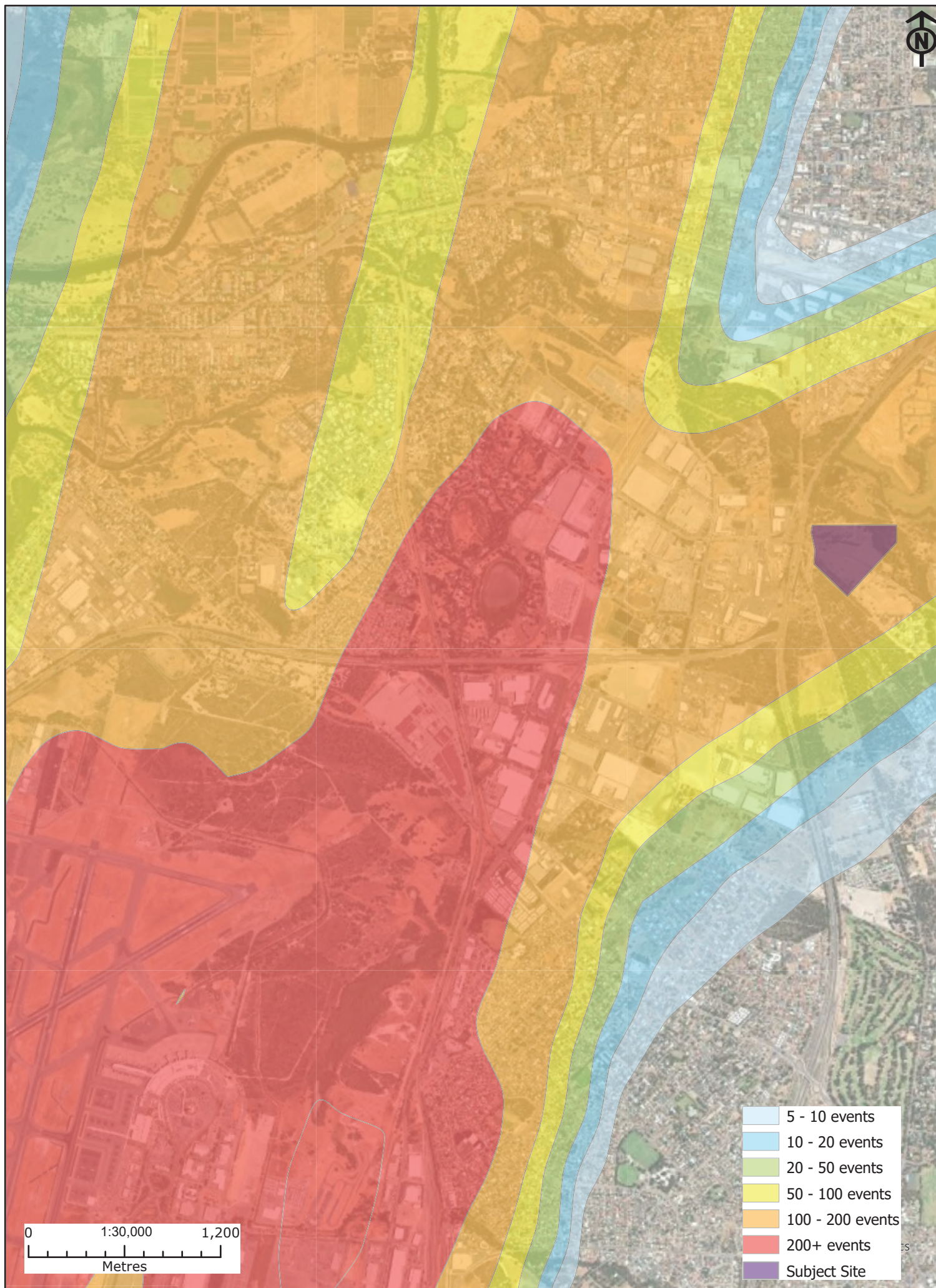




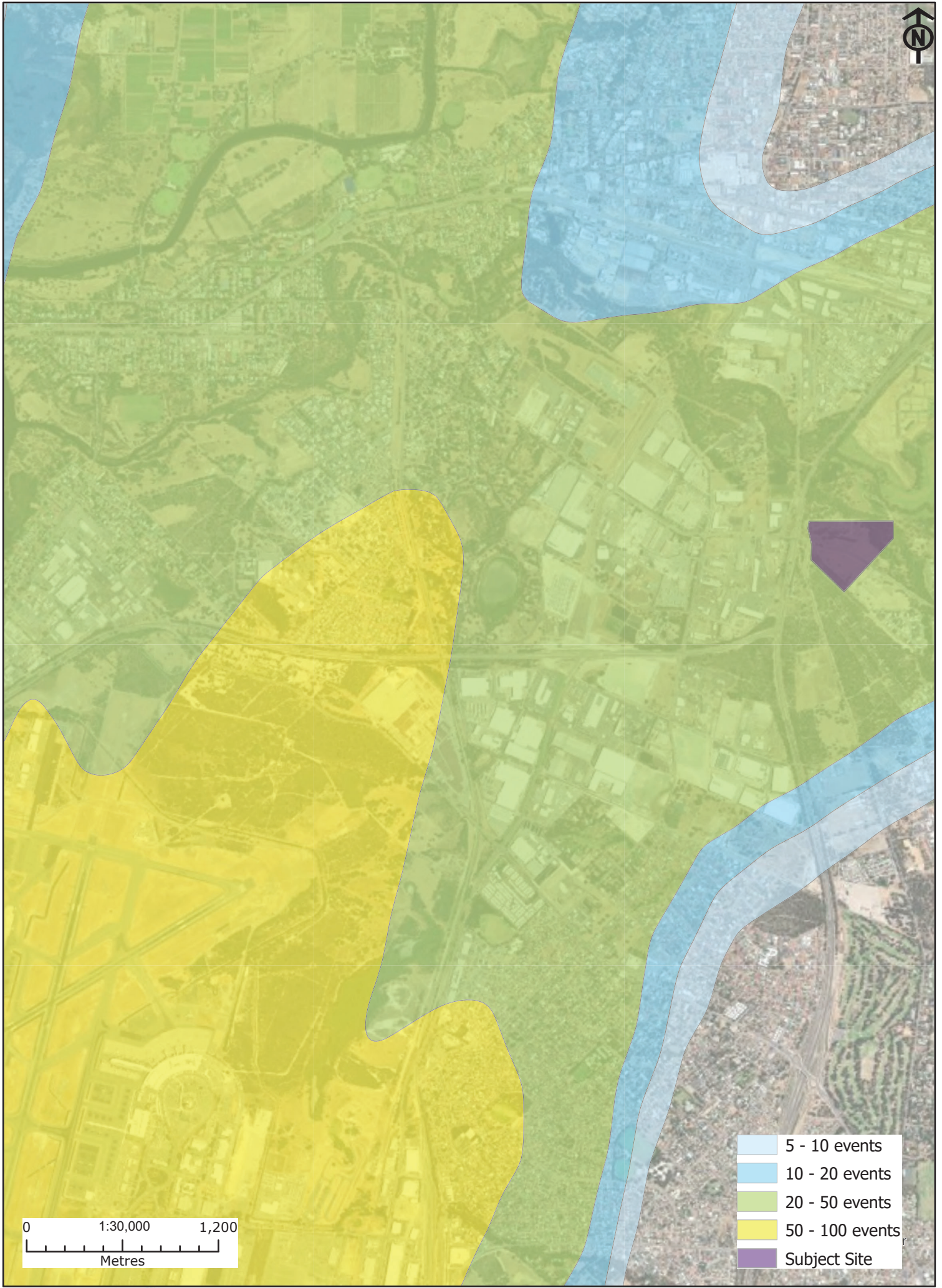


- 20 - 25 Zone
- 25 - 30 Zone
- 30 - 35 Zone
- 35+ Zone
- Subject Site









- 5 - 10 events
- 10 - 20 events
- 20 - 50 events
- 50 - 100 events
- Subject Site



**Respondent No:** 4**Login:** Anonymous**Email:** n/a**Responded At:** Aug 16, 2024 23:50:30 pm**Last Seen:** Aug 16, 2024 23:50:30 pm**IP Address:** n/a

Q1. What is your name?	Jenny
Q2. What is your surname?	Salter
Q3. What is your email address?	like2chat2you2@hotmail.com
Q4. What is your address?	485 Helena Valley Rd Helena Valley 6045
Q5. What is your contact number?	0413810434
Q6. Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
Q7. Are you responding on behalf of an organisation?	No
Q8. What is the name of the organisation?	not answered
Q9. Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Oppose
Q10. Please type your submission (reasons for support/opposition) into the box below. Any supporting documents may be uploaded below.	
<p>There is no logical reason for my property Lot 1 Helena Valley Rd to have a change of zoning to Urban from Rural, which would make my property 2 different types of zoning, which would cause confusion &amp; force me to deal with 2 different ways of how I would need to manage my property, which is crazy &amp; illogical! There is absolutely no advantage in changing the zoning of my property or part of my property, so I am not interested in having my property included in the proposed zoning changes.</p>	
Q11. Upload supporting documents	not answered
Q12. Upload supporting documents	not answered
Q13. Upload supporting documents	not answered



Respondent No: 5

Login: Anonymous

Email: n/a

Responded At: Aug 18, 2024 02:02:01 am

Last Seen: Aug 18, 2024 02:02:01 am

IP Address: n/a

1D What is your name?	Jenny
2D What is your surname?	Salter
3D What is your email address?	like2chat2you2@hotmail.com
4D What is your address?	465 Helena Valley Rd Helena Valley fi045
5D What is your contact number?	0413610434
6D Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?	No
7D Are you responding on behalf of an organisation?	No
8D What is the name of the organisation?	not answered
9D Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?	Oppose
10D Please type your submission (reasons for support/opposition) into the box below. Any supporting documents may be uploaded below.	not answered
11D Upload supporting documents	<a href="https://s3-ap-southeast-2.amazonaws.com/ahq-production-australia/61585b2c4f1b48926804c19825cca202c99d8fdf/original/92388fi660/1d46128dbbca9dfcd9932c0bae54f2c_HV_development.pdf?192388fi660">https://s3-ap-southeast-2.amazonaws.com/ahq-production-australia/61585b2c4f1b48926804c19825cca202c99d8fdf/original/92388fi660/1d46128dbbca9dfcd9932c0bae54f2c_HV_development.pdf?192388fi660</a>
12D Upload supporting documents	not answered
13D Upload supporting documents	not answered

There is no logical reason for my property Lot 1 Helena Valley Rd Helena Valley to have a change of zoning to Urban from Rural, which would make my property 2 different types of zoning, which would cause confusion & force me to deal with 2 different ways of how I would need to manage my property, which is crazy & illogical!!! There is absolutely no advantage in changing the zoning of my property or part of my property, so I am not interested in having my property included in the proposed zoning changes.

I have been taking care of the natural biodiversity on both my property & the road verge outside my property for decades now & plan to keep doing so into the future. I have planted, weeded & watered many native plants over the years to enhance my rural property & road verge & plan on continuing to do so for many years to come. A variety of planted native plants of different sizes & species provides shelter, food & nesting sites for a variety of local native birds.

It is well known & scientifically documented that mature trees that are decades years old are required for providing nesting sites of many native bird species. Large, mature trees are also required for large species birds like the endangered Black Cockatoos to be able to feed in, land & take off from safely. My property has a number of mature, decades old, native trees that are important to the local native bird species. Mature native trees on my property are regularly visited by groups of endangered Black Cockatoos, who feed & socialise here throughout each year.

My property plans for next year include installing multiple bird nesting boxes of different sizes & types of construction down the back of my property so that local native species, hopefully including endangered Black Cockatoos are able to breed here each year.

I have also been proudly involved in the Curtin University citizen science Dam Project for a number of years now, which investigates & records farm dams value for offering protection to native water birds & frogs in our drying climate. My property has a scientifically proven high number of biodiverse native species of birds, frogs & water borne invertebrates which either live or visit regularly every year to feed, breed, nest & raise their young here. My property is providing a safe haven for those native species to continue carrying on their lives & natural behaviours. Planned future native species plantings around my lake will provide even more protection for long neck turtles, frogs & insects, which will further increase the number of species that can call my property home or use as a stopover.

Any change of zoning for my property would adversely affect my property in a negative way as well as the native biodiversity found here. I request that my property be specifically excluded from the proposed change of zoning so that it remains Rural zoning, so I can carry on assisting & actively improving the natural biodiversity here indefinitely.

The planned change of zone for the property next to me would obviously mean multiple houses popping up like toadstools, creating a concrete desert, basically devoid of native trees, especially mature native trees. It is difficult to think of having housing next door to my property but the idea of having a large numbers of mature native trees culled to provide housing is unthinkable, so please plan to keep all native plants below the 100 year flood line intact forever to provide native biodiversity on those properties, provide fresh air to the new inhabitants & also to our wider community to enjoy for many years to come.



Respondent No: fi

Login: Anonymous

Email: n@

Responded At: Aug 18, 2024 16:50:32 pm

Last Seen: Aug 18, 2024 16:50:32 pm

IP Address: n@

1D What is your name? *Details removed at the request of the submitter*

2D What is your surname?

3D What is your email address?

4D What is your address?

5D What is your contact number?

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

9D Are you responding on behalf of an organisation? Yes

6D What is the name of the organisation? Urbis Ltd

8D Do you support/oppose the proposed amendment to the Metropolitan Region Scheme? Support

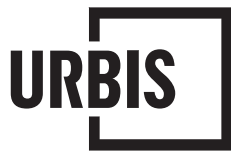
10D Please type your submission (reasons for support/opposition) into the box below. Any supporting documents may be uploaded below.

See attached submissionD

11D Upload supporting documents [https://3-ap-southeast-2.amazonaws.com/hq-production-australia/160b9f00fecbf90fi8c44a1f23e3fi5c22d6e28840original9240594240a4e96efibda9c1dbfi68e0e402a4b6fifif\\_Feedback\\_Submission\\_-\\_Helena\\_Valley\\_Urban\\_Precinct\\_-\\_Metropolitan\\_Region\\_Scheme\\_Amendment\\_14250.pdf?1924059424](https://3-ap-southeast-2.amazonaws.com/hq-production-australia/160b9f00fecbf90fi8c44a1f23e3fi5c22d6e28840original9240594240a4e96efibda9c1dbfi68e0e402a4b6fifif_Feedback_Submission_-_Helena_Valley_Urban_Precinct_-_Metropolitan_Region_Scheme_Amendment_14250.pdf?1924059424)

12D Upload supporting documents not answered

13D Upload supporting documents not answered



**LEVEL 8**  
**1 WILLIAM STREET**  
**PERTH WA 6000**

URBIS.COM.AU  
Urbis Ltd  
ABN 50 105 256 228

19 August 2024

Western Australia Planning Commission  
Gordon Stephenson House  
140 William St  
Perth WA 6000

To whom it may concern,

## **FEEDBACK SUBMISSION - HELENA VALLEY URBAN PRECINCT – METROPOLITAN REGION SCHEME AMENDMENT 1425**

On behalf of the property owners specified below, Urbis wishes to submit a proposal to the WAPC for the consideration of the proposed Metropolitan Region Scheme (MRS) Amendment 1425.

- 145 and 230 Helena Valley Road, owned by DODD & DODD PTY LTD
- 335 Helena Valley Road, owned by WHITEHOUSE NOMINEES PTY LTD
- 330 Helena Valley Road, owned by INGWE HELENA VALLEY PTY LTD
- 485 Helena Valley Road, owned by SALTER, JENNIFER DESIREE

The amendment spans across two local government areas (being City of Swan and Shire of Mundaring) and relates to the rezoning of approximately 15.3 ha of land in the Helena Valley and Bushmead localities from the 'Rural' zone to the 'Urban' and 'Urban Deferred' zones, as well the Primary Regional Roads and the Parks and Recreation reservations under the MRS.

Overall, we are highly supportive of the scheme amendment and are in agreeance with the intent of the proposal which will facilitate the planning and development of parts of the amendment area for residential and commercial purposes.

With regard to the land that is to be rezoned from 'Rural' to either 'Urban' and 'Urban Deferred' zones, consisting of;

- 11.56 hectares of land within Lots 250 & 254 Helena Valley Road and parts of Lots 1, 5 & 253 Helena Valley Road, and part of the road reserve for Helena Valley Road in Helena Valley from the Rural zone to the Urban zone;
- 3.04 hectares of land within parts of Lots 5, 250, 253 & 254 Helena Valley Road in Helena Valley from the Rural zone to the Urban Deferred zone; and
- is wholly contained within the municipality of Shire of Mundaring.

We also request, with regard to Section 126, and section 126(3), of the *Planning and Development Act 2005* (P&D Act), that the WAPC also amended Shire of Mundaring Local Planning Scheme No. 4



(LPS 4) concurrently with the MRS amendment for the above listed land from 'Rural Residential' zoning to 'Development' (and as relevant on the LPS 4 Scheme Map).

The object of the 'Urban' zone under the MRS is as follows:

*Urban: Areas in which a range of activities are undertaken, including residential, commercial recreational and light industry*

The single objective of the 'Development' zone under LPS 4 is as follows:

*To provide for the orderly planning of large areas of land for residential and other purposes through comprehensive structure planning which will provide the basis for future subdivision and development.*

With regard to the above objectives, the 'Development' zoning is considered consistent with the objectives of the 'Urban' zone under the MRS above and should therefore be considered concurrently in lieu of a separate amendment. This zoning will enable infill opportunities while ensuring high-quality subdivision and development through a detailed Structure Plan to be prepared and implemented at the subsequent stage.

On this basis, we once again reiterate our support for this amendment, with consideration of the above LPS amendment with regard to Section 126 of the P&D Act.

Yours sincerely,

Senior Consultant

rtu@urbis.com.au



Your reference: RLS/1033

Our reference: LUP 1912

Enquiries: Louise Murray

Marija Bubanic, Senior Planning Support Officer  
Department of Planning, Lands and Heritage  
140 William Street, Perth WA 6000

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

Date: 19.08.2024

Dear Marija

**PROPOSED METROPOLITAN REGION SCHEME AMENDMENT 1425 (STANDARD)  
– HELENA VALLEY URBAN PRECINCT - RLS/1033**

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal (AMD 1425).

DPIRD objects to the proposed Amendment, in its current form, for the reasons outlined below.

**Background**

DPIRD previously objected to the rezoning of Lots 1, 5, 250, 253 and 254 Helena Valley Road due to the proximity of an agricultural industry site of State significance, Talloman rendering works. (**Attachment 1** – DPIRD Previous Response 09.06.2023).

Talloman rendering works processes 90% of the State's animal waste. Talloman's works approval under the Environmental Protection Act 1986 was recently amended, in October 2023, to allow an increase in throughput from 160,000 to 180,000 tonnes. (W6490/2021/1) The approval was conditional upon processing improvements which are expected to minimise odour emissions, but odour emissions are an inherent aspect of the land use, and the recommended buffer distance is 1500 metres. (**Attachment 2** – EPA Separation distance for Rendering works)

**WAPC Planning documents**

Past Western Australian Planning Commission (WAPC) plans acknowledge the importance of industrial land to the Perth metropolitan area.

In 2012, the WAPC published the Economic and Employment and Lands Strategy (EELS). EELS recognised the economic importance of industrial land to Perth and Peel, and the risks of an industrial land shortage.

More recently, the Industrial Land Steering Committee published the 10-Year Industrial Land Strategy (ILS, 2021). The ILS notes that Hazlemere is a 'sought-after' industrial area due to its proximity to freight networks and linkages to Great Northern Highway, and that existing industrial areas need to be protected from residential encroachment.

Similar recommendations are made in the North-East Sub-regional Planning Framework (WAPC, 2018), which acknowledges the importance of 'employment lands' (industrial and commercial-zoned land) and the risks of encroachment by competing land uses.

## **Analysis**

Planning instruments like the Perth Metropolitan Region Scheme (MRS) can be used to separate land uses that may have nuisance or offensive impacts on other users. It is important for the future of industrial land in the Perth metropolitan area that residential use is not allowed to encroach on strategic industrial areas. Rezoning to Urban within an EPA separation zone, in the absence of statutory restrictions on future land use, has the potential to result in residential encroachment.

In the case of proposed AMD 1425, the land is affected by multiple amenity impacts from nearby land uses, including Perth Airport, Hazelmere industrial area, Roe Highway, and the future Midland Freight rail line. These land uses emit noise, dust, vibration, and odours. Long term exposure to noise and emissions can cause serious health problems. Therefore, sensitive uses should not be allowed to locate on this land.

An acceptable future zone for the land would be 'Light Industrial/ Service Commercial', as recommended in the Shire of Mundaring's Local Commercial Strategy (2018). A modified amendment, to rezone the land to 'Urban Deferred' until a structure plan has been approved designating the land for 'Light Industrial/ Service Commercial' use, would be supported by DPIRD.

## **Conclusion**

DPIRD does not support any portion of Lots 1, 5, 250, 253 and 254 Helena Valley Road being rezoned to Urban in the MRS at this time, due to the lack of restrictions in place to prevent future residential use.

This position is consistent with the North-East Sub-regional Planning Framework, which:

- acknowledges the Talloman rendering works as a constraint on Urban use (Appendix 1, Table 1.3)
- designates the land as 'Urban Expansion' (not Urban), and
- recommends district structure planning for Urban Expansion areas prior to rezoning, where appropriate. (Table 7)

**(Attachment 3 - PlanWA Map showing Perth and Peel @ 3.5 Framework Landuses for AMD 1425 site)**



For more information, please contact Louise Murray on 9368 3833 or [louise.murray@dpiird.wa.gov.au](mailto:louise.murray@dpiird.wa.gov.au)

Yours sincerely

A handwritten signature in black ink that reads "Timothy Overheu". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

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

**Attachment 1** – DPIRD Previous Response 09.06.2023

**Attachment 2** – EPA Separation distance for Rendering works

**Attachment 3** - PlanWA Map showing Perth and Peel @ 3.5 Framework Landuses for  
AMD 1425 site

## Attachment 1: DPIRD Previous Response 09.06.2023



Your reference: RLS/1033  
Our reference: LUP 1620  
Enquiries: Heather Percy

Attention: Brett Pye

Lainy Collisson  
Senior Planning Support Officer | Land Use Planning  
Department of Planning, Lands and Heritage  
Bunbury Tower, Level 6,  
61 Victoria Street, Bunbury WA 6230

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

[brett.pye@dpirl.wa.gov.au](mailto:brett.pye@dpirl.wa.gov.au)

9 June 2023

Dear Lainy and Brett

### RLS1033 Request for Preliminary Comment - Proposed Metropolitan Region Scheme amendment – Helena Valley Road, Helena Valley

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to provide preliminary comment on the proposal to rezone Rural-Residential land on four lots to Urban zone.

DPIRD objects to the proposed amendment for the following reasons:

- The amendment report does not adequately address the Western Australian Planning Commission (WAPC) *State Planning Policy 2.5 Rural Planning* (SPP2.5) or *State Planning Policy 4.1 Industrial Interface* (SPP4.1).
- While the amendment report refers to these state planning policies, it fails to acknowledge or consider the interface between the proposed urban zone and Western Australia's main rendering facility, Talloman, located at Lot 115 Lakes Road in the Hazelmere Industrial Area.
- The Talloman rendering facility is of State significance for WA's animal industries as it processes about 90% of Western Australia's animal waste.
- Rendering animal waste means that 180,000 tonnes per year of raw material is processed and does not end up in landfill.
- DPIRD understands that the Craig Moston Group is expanding and investing at the Talloman site and is committed to remaining at this location.
- Rendering works are listed in the table in Appendix 1 of the Environment Protection Authority Guidance No 3: *Separation Distances between Industrial*

75 York Road Northam 6401  
PO Box 483 Northam WA 6401  
Telephone +61 (0)8 9690 2000 [landuse.planning@dpirl.wa.gov.au](mailto:landuse.planning@dpirl.wa.gov.au)  
[dpirl.wa.gov.au](http://dpirl.wa.gov.au)  
ABN: 18 051 343 745

and Sensitive Land Uses (June 2005) and described as facilities where 'animal matter is processed or extracted for use as fertilizer, stock food or other uses.' The table recommends a separation distance range of 1000-1500 metres, depending on wastewater treatment/disposal system, location and size of the facility.

- The boundary of Lot 250 Helena Valley Road is 878 metres from the boundary of Talloman rendering facility.
- The EPA Guidance specifically addresses generic separation distances between industrial and sensitive land uses to avoid conflicts between these land uses. It states that:

*Proponents and responsible authorities are encouraged to consider their proposals and schemes in the light of the guidance given. A proponent or responsible authority wishing to deviate from the advice in this Guidance Statement would be expected to put a well-researched, robust and clear justification arguing the need for that deviation.*

- The proponent can access information about the Talloman Rendering Facility that is available in the public domain from the Department of Water and Environmental Regulation's website about its recently renewed licence (L4297/1983/17) and 2022 works approval (W6490/2021/1).

### Significance of land proposed for rezoning

- DPIRD agrees agriculture is largely absent from the subject land.
- DPIRD's records shows the four lots composes two separate properties:
  - The property consisting of Lot 5 and Lot 250 is listed as a small landholding and a non-agricultural enterprise type.
  - The property consisting of Lot 253 and Lot 254 is listed as a small landholding and a lifestyle block enterprise type.

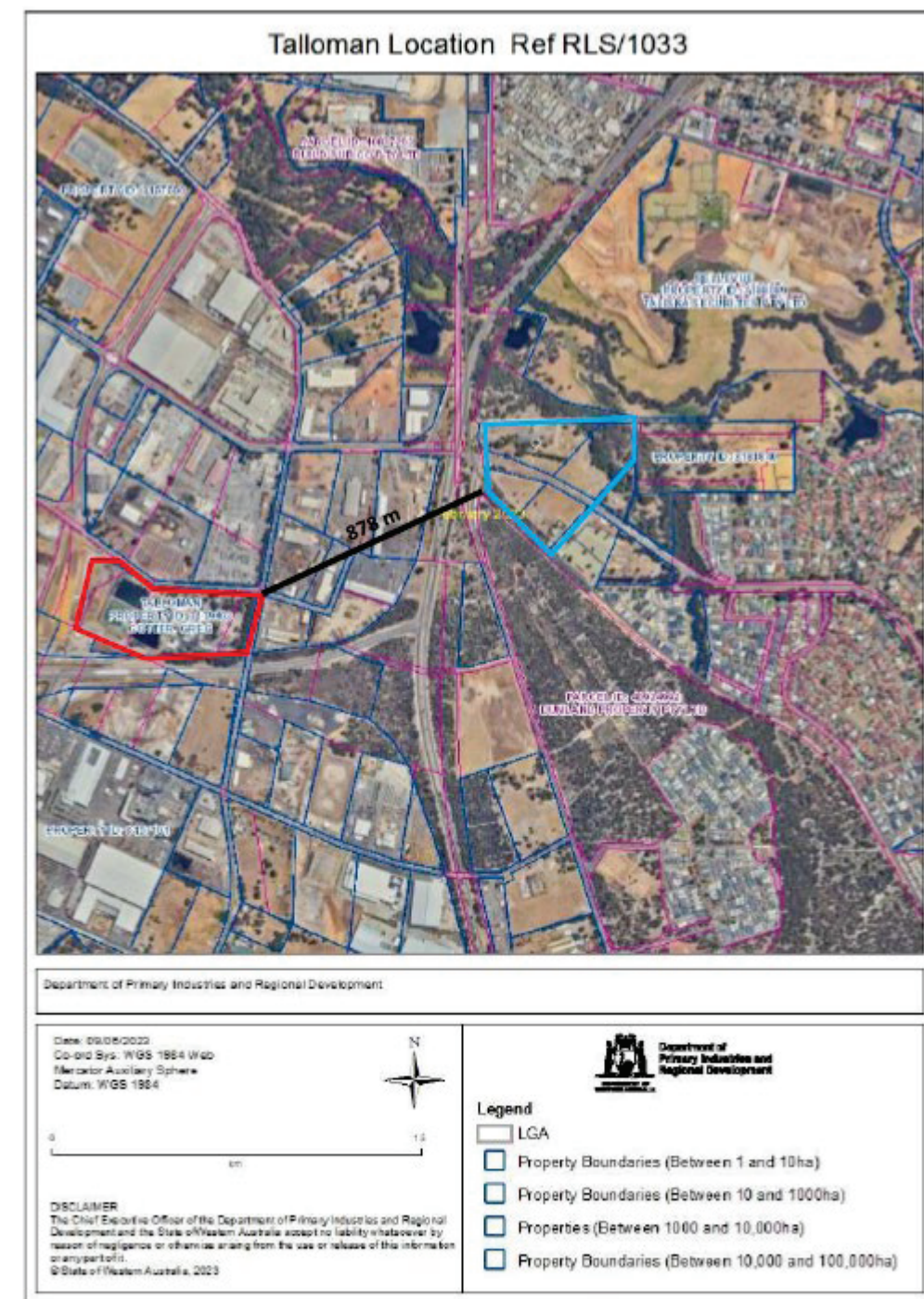
In conclusion, DPIRD asks that the scheme amendment report seeks to ensure the future operation and potential of future expansion of the Talloman Rendering Facility in the Hazelmere Industrial Area is not impacted by urban development proposed by this scheme amendment.

For more information please contact Ms Heather Percy on 9780 2626 or [heather.percy@dpirl.wa.gov.au](mailto:heather.percy@dpirl.wa.gov.au)

Yours sincerely

Dr Melanie Strawbridge  
Director Agriculture Resource Management Assessment  
Sustainability and Biosecurity

Attachment 1: Map showing location of Talloman Rendering Facility and proposed amendment area



## Attachment 2: EPA Separation distance for Rendering works

Industry	Description of industry	DoE Licence or Registration category (*)	Key Government agencies for advice or approvals	Code of Practice (CoP) / environmental requirements	Impacts					Buffer distance in metres and qualifying notes
					Gaseous	Noise	Dust	Odour	Risk	
Rendering works	animal matter is processed or extracted for use as fertilizer, stock food or other purposes	√ (16)	WRC, Water Corp., local gov't	CoP - 1991, revised in Oct 1995		√		√		1000-1500, depending on wastewater treatment/disposal system, location & size

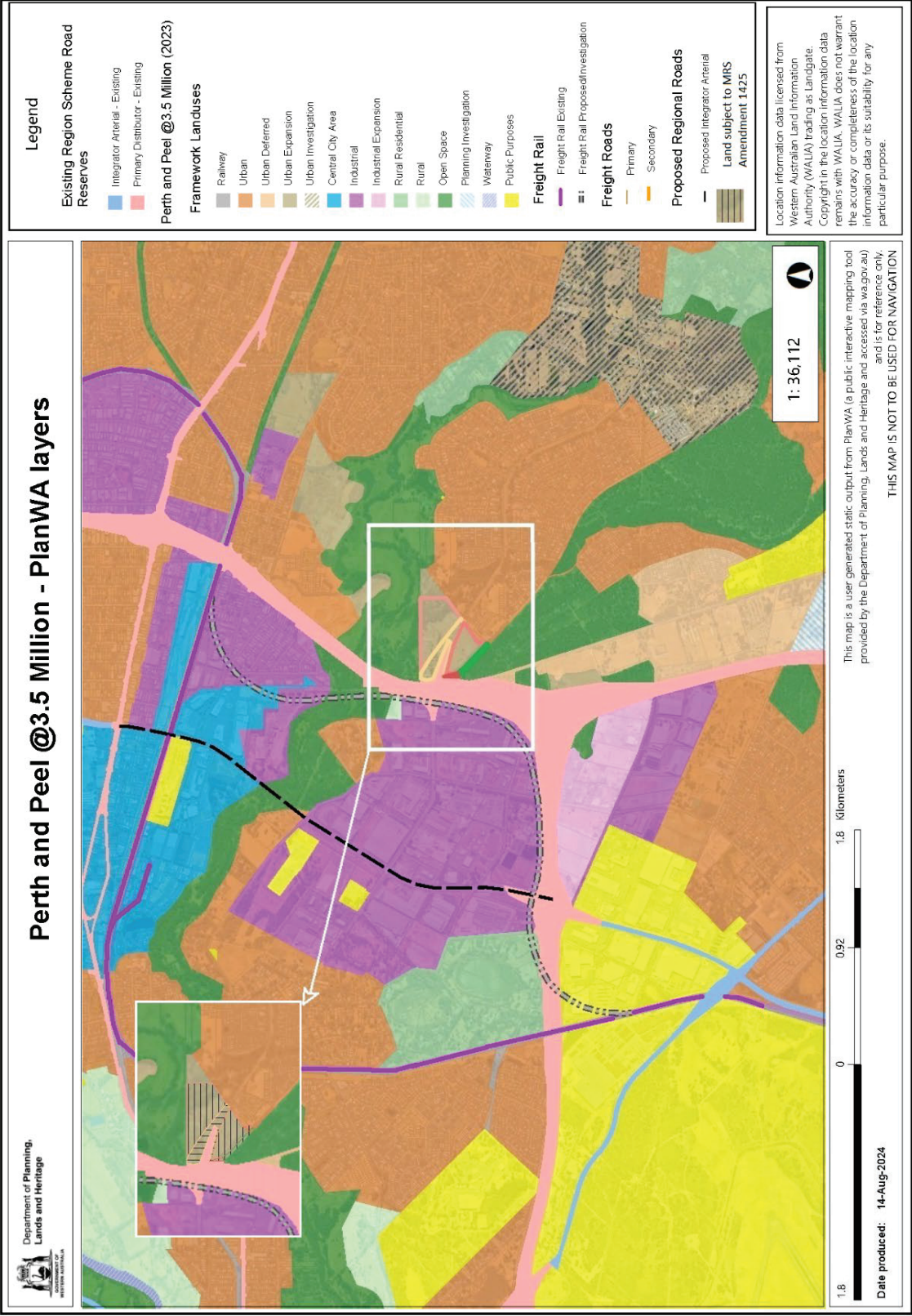
**Source:** Guidance Statement for Separation Distances between Industrial and Sensitive Land Uses (Environmental Protection Authority, 2005) Appendix 1.

**Note:** the works approval report for the Talloman facility notes that the entire wastewater treatment system includes several infrastructure components, including (but not limited to) Covered Anaerobic Lagoons, the Dissolved Air Floatation plant, gross solids screens, the final effluent holding ponds and the Water Corporation discharge sewer. It is based on this information, and on statements contained in the decision report (linked below) that the higher buffer distance of 1500m has been applied.

[http://203.20.249.31/images/documents/our-work/licences-and-works-approvals/Decisions/\\_W6490/W6490\\_20231018\\_AR.pdf](http://203.20.249.31/images/documents/our-work/licences-and-works-approvals/Decisions/_W6490/W6490_20231018_AR.pdf)



Attachment 3: PlanWA Map showing Perth and Peel @ 3.5 Framework Landuses for AMD 1425 site





Our Ref: D35585  
Your Ref: RLS/1033

Leah Elliot  
Western Australian Planning Commission  
[regionplanningschemes@dplh.wa.gov.au](mailto:regionplanningschemes@dplh.wa.gov.au)

Dear Ms Elliot

**RE: METROPOLITAN REGION SCHEME (MRS) AMENDMENT – LOTS 5, 250, 253, 254  
HELENA VALLEY ROAD - HELENA VALLEY URBAN PRECINCT**

I refer to your email dated 8 July 2024 regarding the submission of a Bushfire Management Plan (BMP) (Revision C), prepared by Lushfire and Planning and dated 17 April 2023, for the above proposed MRS amendment.

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

**Assessment**

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

Issue	Assessment	Action
<b>Vegetation Labelling</b>	The photos provided to substantiate Plot 4 are labelled as excluded, however Plot 4 is labelled as Class A Forest in Table 3. The vegetation labels shown in photos 6 – 9 should be updated to Class A Forest.	Modification to the BMP required.
<b>Vegetation Exclusion – CCW Buffer</b>	The BMP indicates a BAL-29 line on Figure 9, however there appears to be no buffer to the foreshore or CCW applied. No exclusions or bushfire management measure should be contained within a waterway foreshore or wetland buffer area. Further information is required at subsequent planning stages to confirm the buffer areas excluded from development and vegetation management.	Modification to the BMP required at subsequent planning stages.

## 2. Policy Measure 6.3 c) Compliance with the bushfire protection criteria

Issue	Assessment	Action
Location & Siting and Design	<b>A1.1 &amp; A2.1 – not demonstrated</b> The BAL ratings cannot be confirmed, as the vegetation classification inputs associated with the CCW require clarification as per the above table.	Clarification required.

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

The BMP has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved. However, modifications to the BMP are necessary to ensure it accurately identifies the bushfire risk and necessary mitigation measures. As these modifications will not affect the MRS design, these modifications can be undertaken without further referral to DFES.

The required modifications are listed in the table(s) above.

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

Yours sincerely



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

5 September 2024