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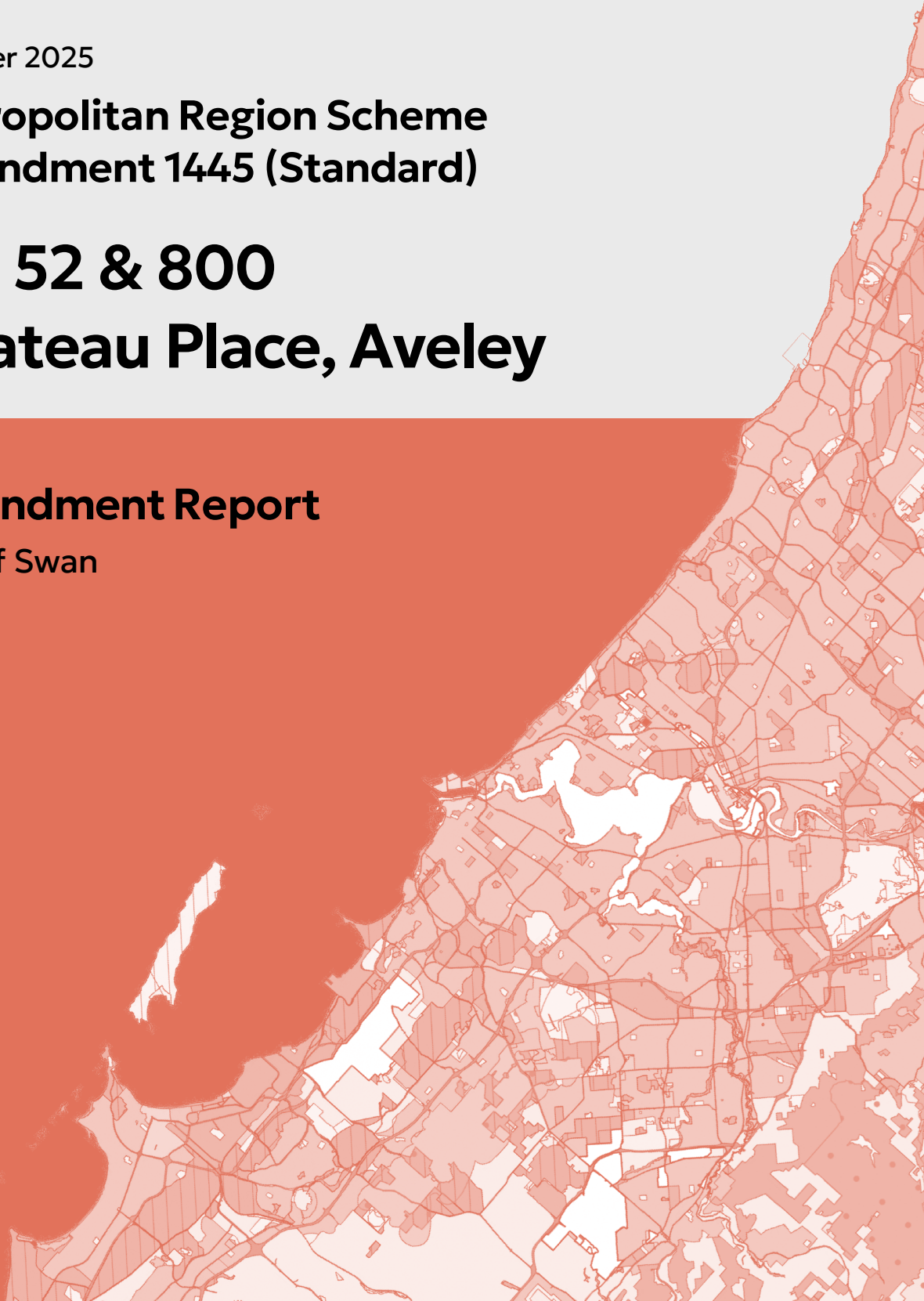
October 2025

## **Metropolitan Region Scheme Amendment 1445 (Standard)**

# **Lot 52 & 800 Chateau Place, Aveley**

## **Amendment Report**

City of Swan



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## Acknowledgement of Country

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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Amendment 1445 (Standard)  
Amendment Report

File: RLS/1128

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

# Abbreviations

ACH	Aboriginal Cultural Heritage
AHA	<i>Aboriginal Heritage Act 1972</i>
BC	<i>Biodiversity Conservation Act 2016</i>
CBD	Central Business District
DBCA	Department of Biodiversity Conservation and Attractions
DFES	Department of Fire and Emergency Services
DPLH	Department of Planning, Lands and Heritage
DTMI	Department of Transport and Major Infrastructure
DWER	Department of Water and Environmental Regulation
DWMS	District Water Management Strategy
EN	Endangered
EPA	Environmental Protection Authority
EPBC	<i>Environment Biodiversity and Conservation Act 1999</i>
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRS	Metropolitan Region Scheme
MRWA	Main Roads Western Australia
POS	Public Open Space
PTA	Public Transport Authority
REW	Resource Enhancement Wetland
SPP	State Planning Policy
SVPS	Swan Valley Planning Scheme
SWALSC	South West Aboriginal Land and Sea Council
WAPC	Western Australian Planning Commission

# 1. Planning objective

The purpose of the amendment is to rezone approximately 2.678 ha in Aveley from the Rural zone to the Urban zone in the Metropolitan Region Scheme (MRS), as shown on the **Amendment Figure - Proposal 1**.

The proposed amendment will primarily facilitate future residential development and public open space following structure planning and subdivision approval.

## 2. Background

The subject land is located within the City of Swan and is approximately 23 kilometres north-east of the Perth CBD and two kilometres north-east of the Ellenbrook town centre. The amendment area consists of two developed rural residential lots, each containing a single dwelling. Land use and development within the amendment area is generally controlled by the City of Swan Local Planning Scheme No. 17 (LPS 17), with the subject land currently zoned Rural Residential.

Land to the north of the subject site is zoned Special Use in LPS 17. The subject site is located on the eastern side of the existing north-eastern urban corridor in Aveley and has been developed for residential purposes. Adjoining Lots 71 and 72 were rezoned in 2021 from Rural to Urban in the MRS.

Land to the south and east of the subject site comes under the Swan Valley Planning Scheme No. 1 (SVPS), containing Rural Residential zoned lots, a Public Purposes reserve and a Conservation reserve. The SVPS and MRS boundary falls over the Conservation reserve, with a southern portion coming under the MRS as Regional Open Space and identified as part of Bush Forever Site 300.

Vegetation within the site ranges from completely degraded to cleared. No threatened flora species pursuant to the *Environment Biodiversity and Conservation Act 1999* (EPBC Act) and/or gazetted as threatened pursuant to the *Biodiversity Conservation Act 2016* (BC Act) were recorded within the survey area. No species listed by the Department of Biodiversity, Conservation and Attractions (DBCA) as a priority were recorded within the survey area. One significant fauna taxon was previously identified within the survey area; the Carnaby's Black Cockatoo, listed as Endangered (EN) under the BC Act and EPBC Act, recorded within Lot 800 in 2008.

The amendment area contains potential black cockatoo roosting habitat, with three significant fauna taxa assessed as having a high likelihood of occurring within the survey area; the Baudin's Cockatoo, listed as endangered under the BC Act and EPBC Act, the Forest Red-tailed Black Cockatoo, listed as Vulnerable under the BC Act and EPBC Act, and the Quenda, listed as Priority 4 (P4) by DBCA. The survey area does not provide significantly favourable habitat for the Quenda given the lack of understory for foraging and sheltering, however it is likely that this species may traverse the Survey Area.

### Concept Plan

A concept design has been prepared to illustrate how the land might be developed. The key features of the concept plan are as follows:

- A total of 2,080 square metres as Public Open Space (POS) to be ceded to the Crown free of cost comprising:
  - 1,040 square metres POS reservation at the northeast corner containing environmental assets; and
  - 1,040 square metres POS reservation along the full width of the southern boundary, containing environmental assets and Resource Enhancement Wetland.
- 1.86 ha being utilised for residential development.

The concept plan seeks to maintain the existing natural topography and environmental assets of the land. It also seeks to maintain a level of rural amenity for existing residences along Chateau Place and Millhouse Road through retention of screening vegetation between the proposed urban area and the adjoining streetscapes.

## 3. Discussion

### Strategic Context

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

The *North-East Sub-Regional Planning Framework* (the Framework) forms part of the *Perth and Peel@3.5million* strategic suite of planning documents. Future areas for urban and industrial development have been determined to avoid and protect areas which have significant environmental value.

The Framework identifies the subject land as Urban Expansion with a short-medium term (2015-2031) staging timeframe, and states this area represents a 'rounding off' of the existing urban area and provides for a more efficient use of the land and the protection of environmental assets.

#### **State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region**

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

Vegetation within the site has been historically cleared for rural residential purposes, with small pockets of paddock trees remaining. A Resource Enhancement Wetland (REW) covers the southern portion of Lot 800. Bush Forever Site 300 is to the south of the site, separated by Millhouse Road.

The subject land contains potential black cockatoo roosting habitat, as well as foraging habitat for all three black cockatoo species. Subsequent planning stages should ensure that significant trees and remnant vegetation be retained and integrated into the urban design, such as within road reserves and as part of Public Open Space.

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

*Draft State Planning Policy 2.9 - Planning for Water* (draft SPP 2.9) seeks to ensure that planning and development considers water resource management and includes appropriate water management measures to achieve optimal water resource outcomes at the various stages of the planning process.

A District Water Management Strategy (DWMS) has been approved by the Department of Water and Environmental Regulation (DWER) for the site.

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

*State Planning Policy 3.0 - Urban Growth and Settlement* (SPP 3.0) sets out that the principles, considerations and key requirements for new urban growth and sustainable communities include making the most efficient use of land in urban areas through the use of vacant and underutilised land, and providing a variety and choice in the size, type and affordability of housing in response to housing demand and preference.

The proposed amendment will integrate the subject land with the broader locality, optimise the use of existing urban infrastructure, contribute to the supply of land for housing and provide housing choice in proximity to the Ellenbrook train station. The proposed amendment is therefore consistent with SPP 3.0.

### **State Planning Policy 3.7 - Bushfire**

*State Planning Policy 3.7 - Bushfire* (SPP 3.7) forms the foundation for land use planning to address bushfire risk management in Western Australia. It is used to inform and guide decision-makers, referral authorities and proponents to achieve acceptable fire protection outcomes on planning proposals in bushfire-prone areas.

The Department of Fire and Emergency Services (DFES) advises that the proponent has adequately identified issues arising from the bushfire risk and considered how compliance with the bushfire protection criteria can be achieved. Minor modification to the Bushfire Management Plan (BMP) is required which can be undertaken prior to a final decision on the amendment.

## **Statutory Context**

### **Environment**

DWER (EPA Services) has not identified any significant concerns with the proposed amendment. DWER advises that the proposed amendment area contains potentially significant environmental values including black cockatoo habitat. The EPA's guidance for planning and development provides information on planning design for retention of environmental values which should be considered.

### **Water Infrastructure**

Reticulated water is currently available to the subject area. All water main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.

### **Wastewater Infrastructure**

Reticulated sewerage is currently available to the subject area. All sewer main extensions, if required for the development site, should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.

### **Transportation**

Main Roads Western Australia (MRWA), Department of Transport and Major Infrastructure (DTMI) and the Public Transport Authority (PTA) have no preliminary comments on the amendment.

## **4. Aboriginal Cultural Heritage**

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

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

The proposed amendment was pre-referred to SWALSC and no advice was received. However, the amendment will be formally referred to SWALSC during the public submission period.

## 5. Coordination of local and region planning schemes

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

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

## 6. Substantiality

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

- The size and scale of the amendment is not regionally significant and does not reflect a significant change to the strategic planning for the Metropolitan region
- The subject land has been identified in the *Perth and Peel@3.5million / North-East Sub-regional Planning Framework* as an Urban Expansion area
- The City of Swan and key state government agencies have not raised any matters which would prevent the initiation and advertising of the amendment.

## 7. Environmental Protection Authority advice

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

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

## 8. The amendment process

The procedures for amending a region scheme are prescribed by the *Planning and Development Act 2005* and the Planning and Development (Region Planning Schemes) Regulations 2023.

In essence, the procedure for a standard amendment involves:

- formulation of the amendment by the WAPC
- referral to the EPA for environmental assessment
- completion of an Environmental Review (if required) in accordance with EPA instructions

- public submissions being sought on the proposed amendment (including Environmental Review if required)
- consideration of submissions
- approval, with or without any modifications in response to submissions, or refusal to approve, by the Minister
- the amendment takes legal effect with gazettal of the Minister's approval.

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

## 9. Submissions on the amendment

The Western Australian Planning Commission (WAPC) invites people to comment on the proposed amendment.

The amendment is being advertised for public submissions for a period of 42 days from 10 October to 21 November 2025.

All amendment documentation and plans detailing the proposed changes are available for public inspection [online](#).

Online submissions via [Have Your Say, WA!](#) are encouraged, however written submissions can be sent:



via email

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



via post

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

Submitters are advised that calling for submissions is a public consultation process, and all submissions lodged will be published and made publicly available once the amendment has been determined. Advice of disclosure and access requirements are shown on side two of the submission form.

Before making a submission, readers are encouraged to review the information in Appendix C for guidance on preparing a submission.

For postal submissions, please use the submission form contained in Appendix D of this report.

## 10. Modifications to the amendment

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



## **11. Final outcome**

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



# Appendix A

notice of environmental assessment



## Environmental Protection Authority

s.48A Referrals

<b>Title:</b>	Metropolitan Region Scheme Amendment 1445		
<b>Location:</b>	Lots 52 and 800 Chateau Place, Aveley within the City of Swan		
<b>Description:</b>	Amendment 1445 proposes to rezone the land from 'Rural' to 'Urban' under the Metropolitan Region Scheme.		
<b>Ref ID:</b>	APP-0030786/REC-0001623		
<b>Date Received:</b>	27/08/2025	<b>Date Sufficient Information Received:</b>	27/08/2025
<b>Responsible Authority:</b>	Western Australian Planning Commission		
<b>Contact:</b>	Lainy Collisson		
<b>Preliminary Environmental Factors:</b>	Flora and Vegetation, Terrestrial Fauna, Inland Waters and Social Surroundings		
<b>Potential Significant Effects:</b>	The amendment area has been largely cleared, with scattered mature trees remaining.. Implementation of the amendment may result in the clearing of trees which provide potential foraging, roosting and breeding habitat for threatened species of black cockatoos. A Resource Enhancement Wetland exists within the southern portion of the amendment area. The entire amendment area forms part of a large registered aboriginal cultural heritage site (ACH-00003525)- Creation / Dreaming Narrative place type.		
<b>Protection:</b>	The EPA notes that impacts can be mitigated through future planning processes including a future Structure Plan and its supporting technical documentation. POS is proposed in areas with mature trees and wetland. The EPA supports the following commitments as part of Structure Planning: Black Cockatoo Habitat Assessment; Wetland Assessment Report and Local Water Management Strategy. The EPA expects mature trees to be prioritised for retention in road reserves and POS, particularly the row of trees along the southern boundary and within the Millhouse Road reserve. The Bushfire Management Plan (BMP) is expected to be revised to retain their 'Woodland' status. Given the amendment area is a registered aboriginal cultural heritage site development is expected to comply with processes under the <i>Aboriginal Heritage Act 1972</i> .		
<b>Determination:</b>	<b>Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed under Part IV of the EP Act. No Advice Given. (Not Appealable).</b>		

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

This Determination is not appealable.

Chair's Initials: 

Date: 16 September 2025

# Appendix B

list of plans supporting the amendment

**Metropolitan Region Scheme Amendment 1445 (Standard)**  
**Lot 52 and 800 Chateau Place, Aveley**

as advertised

**Amending Plan 3.2871**

Detail Plans: 1.5943

# Appendix C

preparing a submission

# Preparing a submission

The WAPC welcomes comment on proposed region scheme amendments from interested individuals, groups, and organisations.

## What is a submission?

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

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

## What should I say?

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

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

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

## Before lodging your submission

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

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

The closing date for submissions and how to lodge them is shown on back of the submission form.

Some amendments may be subject to an environmental review. Under these circumstances, the WAPC will forward a copy of any submission raising environmental issues to the EPA. Submitters should be aware that all submissions lodged with the WAPC are subject to regulations on disclosure and access, and your submission will become a public document.



# Appendix D

submission form



## Planning and Development (Region Planning Schemes) Regulations 2023

**Metropolitan Region Scheme Amendment 1445 (Standard)**  
**Lot 52 and 800 Chateau Place, Aveley**

Page 1 of 2

This image shows a full page of a document template designed for handwritten notes or essays. It features approximately 28 evenly spaced, thin grey horizontal lines across the entire width of the page. The margins are consistent on all sides, providing ample space for writing. There are no pre-printed questions, headings, or other markings on the page.

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

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

Telephone: (08) 6551 8002 | Email: [RegionPlanningSchemes@dph.wa.gov.au](mailto:RegionPlanningSchemes@dph.wa.gov.au) | Website: [www.wa.gov.au/dph/regionplanningschemes](http://www.wa.gov.au/dph/regionplanningschemes)