



January 2024

# Metropolitan Region Scheme Amendment **1418** (Basic Amendment)



Part Lot 700 Pinjar Road, Sinagra

Amendment Report

City of Wanneroo

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**Metropolitan Region Scheme  
Amendment 1418  
(Basic Amendment)**

**Part Lot 700 Pinjar Road, Sinagra**

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January 2024

The Western Australian Planning Commission acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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

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Perth WA 6001

MRS Amendment 1418 (Basic)      Amendment Report  
File RLS/1118

Published January 2024

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

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## Abbreviations

<b>AHA</b>	<i>Aboriginal Heritage Act 1972</i>
<b>DPLH</b>	Department of Planning, Lands and Heritage
<b>DWER</b>	Department of Water and Environmental Regulation
<b>DPS</b>	District Planning Scheme
<b>EPA</b>	Environmental Protection Authority
<b>LPS</b>	Local Planning Scheme
<b>ORR</b>	Other Regional Roads
<b>P&amp;D Act</b>	<i>Planning and Development Act 2005</i>
<b>SPP</b>	State Planning Policy
<b>SWALSC</b>	South West Aboriginal Land and Sea Council
<b>WAPC</b>	Western Australian Planning Commission

## **Amendment Report**

# Metropolitan Region Scheme Amendment 1418 (Basic)

## Part Lot 700 Pinjar Road, Sinagra

### Amendment Report

#### 1 Planning objective

The purpose of the amendment is to transfer approximately 475 square metres of land within Lot 700 Pinjar Road, Sinagra from the Other Regional Roads reservation to the Urban zone under the Metropolitan Region Scheme (MRS).

The proposed amendment will rationalise the extent of the Other Regional Roads reservation for this part of Pinjar Road and will facilitate the development of the land within the amendment area for residential purposes.

#### 2 Background

The amendment area is located in the City of Wanneroo and is approximately 24 kilometres north-west of the Perth Central Business District, and one kilometre north of the Wanneroo town centre. It is privately owned, is predominantly undeveloped, and does not contain any significant remnant vegetation or environmental values.

The amendment area and adjacent parts of Pinjar Road are reserved Other Regional Roads under the MRS. The balanced of Lot 700 and adjacent land to the east is zoned Urban under the MRS and Urban Development in the *City of Wanneroo District Planning Scheme No. 2* (DPS 2), and has mostly been developed for residential purposes.

The use and development of the subject land is currently controlled by the MRS given that this land is currently reserved under the MRS, and will be subject to the requirements of DPS 2 in the future should the amendment be approved.

#### 3 Discussion

##### STRATEGIC CONTEXT

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

The *Perth and Peel@3.5 Million* suite of strategic planning documents have been prepared to guide the strategic planning for the Perth and Peel regions, and make the case for a more considered, connected, consolidated urban form.

The *North-West Sub-regional Planning Framework* (the Framework), which forms part of this suite of documents, designates the subject land as 'Urban' with a 'Short term (2015-2021) staging timeframe, and designates Pinjar Road as an existing Integrator arterial road. The proposed Urban zoning is consistent with the 'Urban' designation of the subject land in the Framework.

## **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. In this regard, the Department of Water and Environmental Regulation (DWER) has not identified any need for a district or local water management strategy to be prepared in support of the amendment.

## **State Planning Policy 5.4 – Road and Rail Noise**

*State Planning Policy 5.4 – Road and Rail Noise* (SPP 5.4) seeks to minimise the adverse impact of road and rail transport noise on sensitive land uses within the specified trigger distance of major transport corridors. It also seeks to protect the functionality of these corridors by protecting them from the encroachment of incompatible development.

SPP 5.4 is applicable as the subject land is located adjacent to Pinjar Road, which is a significant transport route in this locality. A noise exposure forecast undertaken for the subject land, pursuant to the recommendations of SPP 5.4, indicates that any future sensitive land uses on this land would be capable of achieving compliance with SPP 5.4 through the implementation of noise amelioration measures such as the implementation of quiet house design packages.

## **STATUTORY CONTEXT**

### **Environment**

The amendment area does not contain any remnant vegetation which is identified as threatened or priority flora, as being part of any priority or threatened ecological community, or as providing habitat for threatened black cockatoo species, or any other significant environmental values.

### **Water and wastewater infrastructure**

The Water Corporation notes that the amendment is minor in nature and advises that it would not have any impact on its existing infrastructure within the Pinjar Road reserve.

### **Transportation**

The City of Wanneroo raises no objections to the amendment and advises that the subject land is not required for regional road purposes.

## **4 Aboriginal cultural heritage**

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

Nevertheless, in 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 amendment will be referred to SWALSC during the formal advertising period.

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

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

In this respect, the WAPC has the option of concurrently amending the City of Wanneroo DPS 2 to rezone the amendment area to the 'Urban Development' zone, consistent with the zoning of adjacent land, should the amendment be approved. In accordance with standard practice a determination on the concurrent amendment of DPS32 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 the MRS to be processed as either 'complex', 'standard' or 'basic' amendments, depending on the alteration to the MRS.

In this regard, the WAPC has resolved to treat this amendment as a basic region scheme amendment as the proposal is considered to be minor in its scale and only seeks to align the extent of the Other Regional Roads under the MRS with the current land requirements for Pinjar Road.

## **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 the MRS are prescribed by the *Planning and Development Act 2005* and the *Planning and Development (Region Schemes Regulations) 2023*. In essence, the procedure for a basic amendment involves:

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

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

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

## 9 Submissions on the amendment

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

The amendment is being advertised for public submissions for a period of 14 days from 22 January 2024 to 5 February 2024.

The amendment report and plans showing the proposed changes are available for public inspection online at [www.dplh.wa.gov.au/mrs-amendments](http://www.dplh.wa.gov.au/mrs-amendments).

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

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

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

or posted to:

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

**and must be received by 5 February 2024.**

All submissions received by the WAPC will be acknowledged.

For your convenience a submission form is contained in this report (Appendix D). Additional copies of the form are available from the Department of Planning, Lands and Heritage website at [www.dplh.gov.au/regionplanningschemes](http://www.dplh.gov.au/regionplanningschemes).

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

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

## **10 Modifications to the amendment**

After considering any submissions received from Government agencies and the public, the WAPC may recommend that the Minister 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 the *Report on Submissions*. Anyone who has made a submission, along with affected landowners, will be notified of the outcome when the amendment is gazetted to give it legal effect.

**Metropolitan Region Scheme  
Amendment 1418  
Part Lot 700 Pinjar Road, Sinagra  
Amendment Figure - Proposal 1**



**Pt Lot 700 Pinjar Road, Sinagra  
Proposed basic MRS amendment  
as advertised**

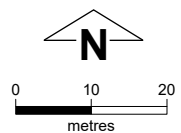
25 October 2023

Proposal 1

Proposed Amendment:

 Other Regional Roads reservation to Urban zone

Reference no: 4665  
File no: RLS/1118  
Version number: 1



## **Appendix A**

### **Notice of environmental assessment**

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Our Ref: APP0025004 – REC-0000404  
Enquiries: Helen Shaughnessy 6364 7909  
Email: [helen.shaughnessy@dwer.wa.gov.au](mailto:helen.shaughnessy@dwer.wa.gov.au)

Dear Ms Fagan

**DECISION UNDER SECTION 48A(1)(a)**  
***Environmental Protection Act 1986***

<b>SCHEME</b>	<b>Metropolitan Region Scheme</b>
<b>LOCATION</b>	<b>Part Lot 700 Pinjar Road, Sinagra</b>
<b>RESPONSIBLE AUTHORITY</b>	<b>Western Australian Planning Commission</b>
<b>DECISION</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>

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).


After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act).

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of the EPA's Determination and is attached and will be made available to the public via the EPA website.

Yours sincerely



**Prof. Matthew Tonts**  
**Chair of the Environmental Protection Authority**

12 December 2023

Encl. EPA Determination



## Environmental Protection Authority

s.48A Referrals

**Title:** Metropolitan Region Scheme Amendment 1418

**Location:** Part Lot 700 Pinjar Road, Sinagra

**Description:** The amendment proposes to rezone approximately 475 square metres of land from the Other Regional Roads reservation to the 'Urban' zone under the Metropolitan Regional Scheme (MRS).

**Ref ID:** APP-0025004

**Date Received:** 20/11/2023      **Date Sufficient Information Received:** 20/11/2023

**Responsible Authority:** Western Australian Planning Commission, 140 William Street PERTH WA 6000

**Contact:** Marija Bubanic

**Preliminary Environmental Factors:** None

**Potential Significant Effects:** None

**Protection:** None

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

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

This Determination is not appealable.

Chair's Initials:

Date: 12 December 2023



## **Appendix B**

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

**Metropolitan Region Scheme  
Amendment 1418**

**Amendment Name**

**as advertised**

**Amending Plan 3.2824**

## **Appendix C**

### **Preparing a submission**

## Preparing a Submission

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

### What is a submission?

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

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

### What should I say?

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

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

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

### Before lodging your submission

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

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

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

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

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

## **Appendix D**

**Submission form for this amendment**



