



July 2024

# Metropolitan Region Scheme Amendment 1420 (Standard Amendment)



## Canning Vale Regional Sports Facility

Amendment Report

City of Canning

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**Metropolitan Region Scheme  
Amendment 1420  
(Standard Amendment)**

**Canning Vale Regional  
Sports Facility**

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**Amendment Report**

**City of Canning**



July 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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MRS Amendment 1420 (Standard) Amendment Report  
File RLS/1036

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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>ACH</b>	Aboriginal Cultural Heritage
<b>AHA</b>	<i>Aboriginal Heritage Act 1972</i>
<b>CBD</b>	Central Business District
<b>DFES</b>	Department of Fire and Emergency Services
<b>DPLH</b>	Department of Planning, Lands and Heritage
<b>DWER</b>	Department of Water and Environmental Regulation
<b>DWMS</b>	District Water Management Strategy
<b>EMA</b>	Environmental Management Area
<b>EPA</b>	Environmental Protection Authority
<b>EPP</b>	Environmental Protection Policy
<b>LPS</b>	Local Planning Scheme
<b>MOU</b>	Memorandum of Understanding
<b>MRS</b>	Metropolitan Region Scheme
<b>MRWA</b>	Main Roads Western Australia
<b>SPP</b>	State Planning Policy
<b>SWALSC</b>	South West Aboriginal Land and Sea Council
<b>TEC</b>	Threatened Ecological Community
<b>WAPC</b>	Western Australian Planning Commission
<b>WC</b>	Water Corporation

## **Amendment Report**

# Metropolitan Region Scheme Amendment 1420 (Standard)

## Canning Vale Regional Sports Facility

### Amendment Report

#### 1 Planning objective

The purpose of the amendment is to rezone approximately 124.48 ha in Canning Vale from Public Purposes - Special Uses Reservation and Rural - Water Protection zone to the Parks and Recreation and Public Purposes - Water Authority of Western Australia Reservations and Rural zone in the Metropolitan Region Scheme (MRS), as shown on the **Amendment Figure - Proposal 1**. The amendment also seeks to adjust the Water Catchments reservation.

The amendment seeks to facilitate the development of regional sporting facilities consistent with the Canning Vale Sports Master Plan. The amendment also proposes a conservation area for the western and southern portions of the site which align with the revised Priority 1 and 2 Public Drinking Water Sources Areas.

#### 2 Background

The proposed amendment is located within the City of Canning (City) and is approximately 20 km southeast of the Perth CBD. The subject land is located within proximity to strategic land assets that include the Jandakot Airport, Jandakot City Business Park, and residential areas. The proposed Ranford Road rail station is approximately 820 m from the site.

Portion of Lot 166 Clifton Road, Canning Vale is reserved for Public Purposes - Special Uses and Water Catchments and is owned by the State of Western Australia. Lot 167 Clifton Road, Canning Vale is zoned for Rural-Water Protection and Rural and is owned by the City of Canning. The amendment also seeks to realign the Water Catchments reservation (removal of 17.22 ha and addition of 36.54 ha). The amendment also zones portion of Clifton Road as Rural consistent with the remainder of the road.

Prior to 1985 the south-western corner of the subject site included dense vegetation. The site has also been utilised as a sand quarry and is currently vacant except for the Canning Club (sports shooting club) located within Lot 166 Clifton Road. Unconstructed Wilfred Road crosses the subject site generally in an east-west direction.

The proposed amendment seeks to facilitate further use of the subject site as an active and passive recreation space in accordance with the Canning Vale Sports Masterplan. The proposed sporting complex is expected to provide a range of infrastructure that includes:

- Providing facilities to support a diverse range of sports, as well as an indoor sporting facility; and
- To provide for cycling infrastructure, a skate park, and a BMX facility.

Land use and development with the proposed amendment area is generally controlled by the City's Local Planning Scheme No. 42 (LPS 42). If the MRS amendment is approved the Parks and Recreation and Public Purposes - WSD reservations will be reflected in the City's LPS 42.

## **Land Exchange Process**

The City of Canning and the State of WA have entered a land exchange process to facilitate new land parcels to accommodate the proposed development. The land exchange involves a portion of Lot 166 currently owned by the State of WA and Lot 167 currently owned by the City of Canning. Both parties entered into an agreement to commence a preliminary valuation process to enact the land exchange.

The new land parcels will result in one lot owned by the State of WA which will accommodate the conservation area and one lot owned by the City of Canning which will accommodate the sporting facility as proposed under the Landscape Masterplan. The proposal achieves an equal land exchange area.

## **3 Discussion**

### **Strategic Context**

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

The *Perth and Peel@3.5million* framework provides a high-level strategic plan that focuses on the future growth of the Perth and Peel region. The strategic framework aims to integrate strategic guidance towards local governments on land use, land developments or promoting a vibrant compact and connected city.

The *Central Sub-Regional Planning Framework* highlights the need to protect and enhance green network spaces, that aims to cater towards recreation, sport, environmental and biodiversity values. The proposed amendment aligns with the intent of the strategic framework as it facilitates public recreational infrastructure in a location which has been identified as being in high demand in the south-eastern corridor of the metropolitan region.

#### **Canning Vale Regional Sports Master Plan**

The *Canning Vale Sports Master Plan* was prepared in 2015 by the City, the Department of Planning on behalf of the WAPC and the Department of Sport and Recreation. The development of the Master Plan is supported by the Regional Sport and Recreation Facilities Strategy and has included consultation with regulatory authorities, sporting associations and clubs, and the public.

The Strategy confirmed that active sporting spaces in the south - eastern corridor of the metropolitan region are in high demand and more of these recreational facilities would be required. The Master Plan is made up of the sporting and recreational facility within the eastern portion, and western/southern portions have been identified as a conservation opportunity. Revegetation is also proposed within the conservation area to be under the ownership of the State of WA.

As part of the MRS amendment process the Master Plan has been reviewed and updated. The amendment aligns with the purpose and remains consistent with the design elements and under the Master Plan document. The improvement towards the community spaces and its recreational facilities/opportunities will be an asset to the community.

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

*State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region* aims to provide a policy and implementation framework that will ensure bushland protection and key management issues are addressed and integrated with broader land use planning and



decision-making. The policy discusses that any proposals over the subject site are to adhere to the suitable measures to minimise and mitigate any adverse impacts over significant bushland areas and is consistent with this policy.

The amendment contains native vegetation along with Priority 3 WA Threatened and Priority Ecological Communities which is to be retained in a Parks and Recreation reservation and revegetated. The proposal is also not located within any Bush Forever site.

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

The intent of draft *State Planning Policy 2.9 - Planning for Water* (draft SPP 2.9) is to ensure that planning and development considers suitable water management and includes the appropriate water management measures to allow for the protection of Drinking Water Supply Areas throughout the state.

The Department of Water and Environmental Regulation (DWER) raises no objections to the proposed amendment and advises that a District Water Management Strategy (DWMS) has been approved. DWER advises that the proposal aligns with the policy objectives of draft SPP 2.9 as it aims to protect public health and the long-term supply of quality water resources and ensures that appropriate water management infrastructure is implemented.

### **State Planning Policy 3.7 - Planning for Bushfire Risk Management**

*State Planning Policy 3.7 - Planning for Bushfire Risk Management* (SPP 3.7) aims to provide a framework that introduces an effective risk-based land use planning and development that preserves the life and reduces the impact of bushfire areas. The policy provides the principles to protect bushfire risk management measures, biodiversity conservation and aims to maintain environmental protection in bushfire prone areas.

The Department of Fire & Emergency Services have advised that at the development stage a Bushfire Management Plan (BMP) is required to accompany strategic planning proposals and development applications in areas above BAL-LOW or areas with a bushfire hazard level above low. A BMP will be needed in the subsequent development approval stage in accordance with the requirements of SPP 3.7.

### **State Planning Policy 5.3 - Land Use Planning in the Vicinity of Jandakot Airport**

*State Planning Policy 5.3 - Land Use Planning in the Vicinity of Jandakot Airport* aims to provide a policy that focuses on the land within the Jandakot Airport that has potential for future development to be affected by aircraft noise. The policy provides guidance towards determining the appropriate zoning, specific development and subdivision applications for land that is located within a specified range of noise exposure levels.

The proposed amendment is partly located between the 20 - 30 ANEF contours of Jandakot Airport. The future development of the regional sporting facilities will ensure that sensitive land uses do not encroach within the vicinity of the Jandakot Airport and occur within the limits relating to noise, and other aircraft considerations.

### **Development Control Policy 5.3 - Use of Land Reserved for Parks and Recreation and Regional Open Space**

*Development Control Policy 5.3 - Use of Land Reserved for Parks and Recreation and Regional Open Space* (DCP 5.3) aims to provide a policy that establishes the WAPC's position regarding the use and development of land reserved for Parks and Recreation within the MRS. The purpose of the policy is likely to provide for a public accessible space, development

towards promoting community activities, passive recreational facilities, and active sporting facilities.

The proposed MRS Amendment aims to facilitate an active and passive recreation space, that is aimed to encourage community development and ensures to provide a diverse range of sporting facilities. The Canning Vale Regional Sporting Complex is consistent with DCP 5.3 and provides the strategic planning context for the amendment.

## **Statutory Context**

### **Environment**

The Department of Water and Environmental Regulation (DWER) has approved a District Water Management Strategy (DWMS) for the site.

### **Water, Wastewater and Drainage Infrastructure**

The Water Corporation have advised that it does not have any additional comments to make at this stage as its views align with that of DWER.

### **Transportation**

Main Roads WA raise no objections to the proposed 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 Aboriginal cultural sites and materials are protected whether or not they have 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.

Two Aboriginal heritage sites are located within the subject site and are identified as Place ID 4310 Kelso Road and Place ID 4311 Acourt Road. The two sites have been disturbed as a result of the sandmining. The amendment will be formally referred to SWALSC during the public submission period.

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

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

As no land is being zoned Urban, section 126(3) of the Act is not applicable to this amendment.

## 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 has resolved to treat this amendment as a standard region scheme amendment for the following reasons:

- The size and scale of the proposed amendment is not considered regionally significant. It does not reflect a regional change to the planning strategy or philosophy for the metropolitan region.
- The proposed amendment seeks to facilitate development consistent with the *Canning Vale Sports Master Plan*; and
- The City of Canning and relevant State Government agencies have not raised any concerns which would prevent the initiation and/or 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 Department of Water and Environmental Regulation (DWER) has advised that the EPA did not make a decision within 28 days, and therefore the amendment is automatically determined to not require assessment under the *Environmental Protection Act 1986* and is now considered an 'assessed' scheme. However, DWER provided advice on the key environmental factors for the amendment. A copy of the notice from DWER 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 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; and
- 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 will be advertised for public submissions for a period of 42 days from 08 July 2024 to 19 August 2024.

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

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

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

[RegionPlanningSchemes@dplh.wa.gov.au](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 19 August 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 together become a public document. The document will be published and made available when the Minister for Planning has made a determination on the amendment. Advice of disclosure and access requirements is 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.

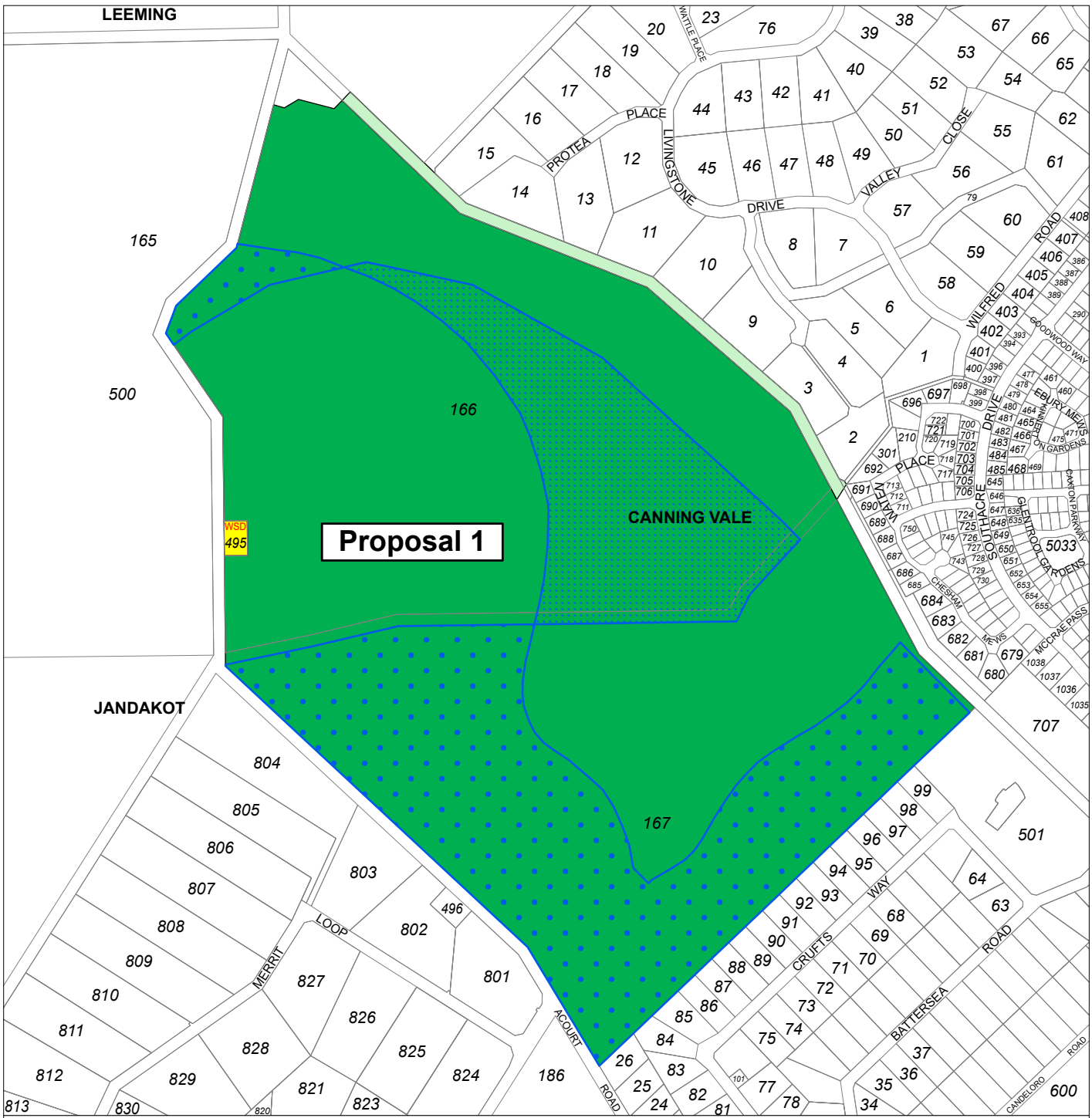
## 10 Modifications to the amendment

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 a report on submissions. Anyone who has made a submission will be notified of the outcome when the amendment is gazetted to give it legal effect.

**Metropolitan Region Scheme  
Amendment 1420  
Canning Vale Regional Sports Facility  
Amendment Figure - Proposal 1**



## Canning Vale Regional Sporting Facility Standard MRS amendment as advertised

13 December 2023

Proposal 1

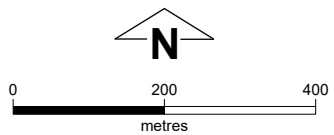
**Proposed Amendment:**

- Public Purposes - Special Uses (SU) reservation and Rural and Rural - Water Protection zones to Parks and Recreation reservation
- WSD** Public Purposes - Special Uses (SU) reservation to Public Purposes - Water Authority of WA (WSD) reservation
- Public Purposes - Special Uses (SU) reservation to Rural zone

**Proposed Special Areas:**

- Water Catchments reservation addition
- Water Catchments reservation removal

Reference no: 3973  
File no: RLS/1036  
Version number: 2



## **Appendix A**

### **Notice of environmental assessment**



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

Your Ref: RLS/1036  
Our Ref: APP-0025066  
Enquiries: Fiona Pond, 6364 7623  
Email: [fiona.pond@dwer.wa.gov.au](mailto:fiona.pond@dwer.wa.gov.au)

ATTENTION: Anthony Muscara

Dear Ms Boucher

**SCHEME: METROPOLITAN REGION SCHEME AMENDMENT 1420**  
**LOCATION: CANNING VALE REGIONAL SPORTING FACILITY**

Thank you for your correspondence received on 2 January 2024, referring Metropolitan Region Scheme Amendment 1420 Canning Vale Regional Sporting Facility to the Environmental Protection Authority (EPA).

The EPA Services notes more information was provided on 24 January 2024 to support the referral. The information provided is considered sufficient to enable the EPA to comply with section 48A (1) of the *Environmental Protection Act 1986* (EP Act).

Section 48A(1) of the EP Act requires the EPA to make a determination on whether or not the amendment should be assessed, or not, or whether the amendment is by its nature incapable of being made environmentally acceptable, within 28 days.

As you were not informed by the EPA of a determination under section 48A(1) of the EP Act by 21 February 2024 (28 days), Amendment 1420 is considered an assessed scheme for the purposes of Part IV of the EP Act.

EPA Services provides the following information on the environmental matters relevant to Amendment 1140 for your consideration.

**Advice on environmental matters**

Having regard to the EPA's (2021) Statement of Environmental Principles, Factors, Objectives and Aims of EIA, EPA Services has identified the following preliminary environmental factors relevant to this scheme amendment:

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters

The 124.5 ha amendment area includes 20 ha of remnant vegetation including 14.53 ha of the 'Banksia woodlands of the Swan Coastal Plain' Threatened Ecological Community (Banksia TEC) in 'Moderate' to 'Very Good' condition, and areas of moderate to high value foraging habitat for black cockatoos.



Implementation of the scheme amendment will result in clearing of 2.65 ha of moderate to high value black cockatoo foraging habitat and potential impacts to a Priority 2 Public Drinking Water Source Area (PDWSA). The proposed Landscape Master Plan (concept plan) proposes retention of the entirety of the Banksia TEC and retention of potential black cockatoo nesting trees. The concept plan also proposes rehabilitation of degraded Banksia Woodland areas using local endemic species and species used by black cockatoos for foraging.

EPA Services advises that the potential clearing of habitat for threatened species of black cockatoo may require referral to the DCCEEW for consideration under the *Environment Protection Biodiversity Conservation Act 1999*. Decision makers are also reminder of their obligations to refer significant proposals to the EPA in the future, such as subdivision or development applications, where required.

If you have any queries, please do not hesitate to contact me.

Yours sincerely



**Teresa Bryant**  
**EIA Planning Manager**  
**EPA Services**

17 June 2024

## **Appendix B**

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

**Metropolitan Region Scheme  
Amendment 1420  
Canning Vale Regional Sports Facility**

**as advertised**

**Amending Plan 3.2827**

## **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**



