



Local Planning Scheme No. 4
(District Scheme)

Amendment No. 21

Rezoning a portion of Lot 6 and Lot 9001 Midland Road,
Helena Valley from 'Rural Residential' zone to
'Development' zone with notation 'DA1'

Planning and Development Act 2005
RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

Shire of Mundaring
Local Planning Scheme No. 4
Amendment No. 21

Resolved that the Local Government pursuant to section 75 of the Planning and Development Act 2005, amend the above Local Planning Scheme by:

1. Rezoning a portion of Lot 6 and Lot 9001 Midland Road, Helena Valley from 'Rural Residential' zone to 'Development' zone with notation 'DA1'
2. Amending the Scheme Maps accordingly.

The amendment is Standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- Amendment is consistent with the objectives of the MRS Urban zone; and
- Amendment will have minimal impact on land in the scheme area and it will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this 11 day of December 2024.



Chief Executive Officer



element.

Lot 6 and Lot 9001 Midland Road, Helena Valley
Local Scheme Amendment Report

October 2024

We acknowledge the custodians of this land, the Whadjuk Nyoongar and their Elders past, present and emerging. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Document ID:					
Issue	Date	Status	Prepared by Name	Approved by Name	
1	18/10/24	Final	Hannah Lee	Justin Page	

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1. Introduction

This report has been prepared by **element advisory**, on behalf of the landowner to request a local scheme amendment to the Shire of Mundaring Local Planning Scheme No. 4 ('LPS4') as it relates to Lot 6 and Lot 9001 Midland Road, Helena Valley (the subject site). Specifically, the proposed scheme amendment seeks to rezone the subject land by rezoning a portion of Lot 6 and Lot 9001 Midland Road, Helena Valley from 'Rural Residential' zone to 'Development' (DA1) zone.

The amendment will rezone a portion of land to align with the recent MRS 1379/57 amendment which rezoned the subject land area to 'Urban'. The proposed Amendment seeks to formalise the zoning to facilitate the redevelopment of the subject site for urban use.

1.1 Project Background

The *Lots 2, 3 & 6 Midland Road Helena Valley Structure Plan* was originally endorsed by the Western Australian Planning Commission (WAPC) on 3 November 2016 to guide the residential subdivision and development of the land.

Subdivision and development has occurred within original parent Lots 2 & 3 since the approval of the structure plan. The Western Australian Planning Commission endorsed subdivision WAPC 156909, which has led to the creation of the first stage of residential lots in the eastern portion of the structure plan and balance lots for the original Lots 2 & 3. Further subdivision stages are under construction west of the initial first stage area.

An amendment to the structure plan is being proposed concurrent with this scheme amendment to include the central portion of land, previously excluded from structure plan, as 'Residential R20 and R30' and to change the central portion of land designated for 'Public Open Space / Drainage' to 'Residential R30'. A portion in the north-west of the Structure Plan land is also proposed to be amended from 'Public Open Space / Drainage', 'Development' and 'Rural Residential' to 'Recreation', 'Residential R5 & R15'. This proposed local scheme amendment will bring the zoning of the subject site into consistency with the structure plan.

2. Subject Site

2.1 Site Description

2.1.1 Location

The subject site is located in the Shire of Mundaring, approximately 35 km east from the Perth Central Business District and is approximately 3.5 km south-east of Midland as shown in **Figure 1**. The subject site forms part of the Allamanda Vista residential development project.

Refer to Figure 1 – Location Plan

2.1.2 Tenure

The subject site is that triangular portion contained within Lot 6 and Lot 9001 as shown in **Figure 2** and having an area of approximately 2.06ha.

A description of the land in the subject site is provided in Table 1.

Table 1 – Land Description

Lot	Address	Survey Plan and Certificate of Title	Owner
6	Midland Road, Helena Valley	D003259 1409/593	Cityplaza Pty Ltd
9001	Midland Road, Helena Valley	P423320 4027/897	Cityplaza Pty Ltd

Refer to Figure 2 – Site Plan

2.1.3 Existing Use and Surrounding Context

The subject site is bound by Lot 240 MRS regional open space to the north, residential development to the east and south-east, Kadina Brook area to the south and rural Lots 1 and 254 to the west. The subject site currently contains cleared areas and vegetated areas in degraded condition. Historically the subject site was used for rural pursuits. **Figure 3** is an aerial image of the subject site. **Figure 4** shows the context of the neighbouring and surrounding areas.

Refer to Figure 3 – Aerial Photograph

Refer to Figure 4 – Local Context Plan

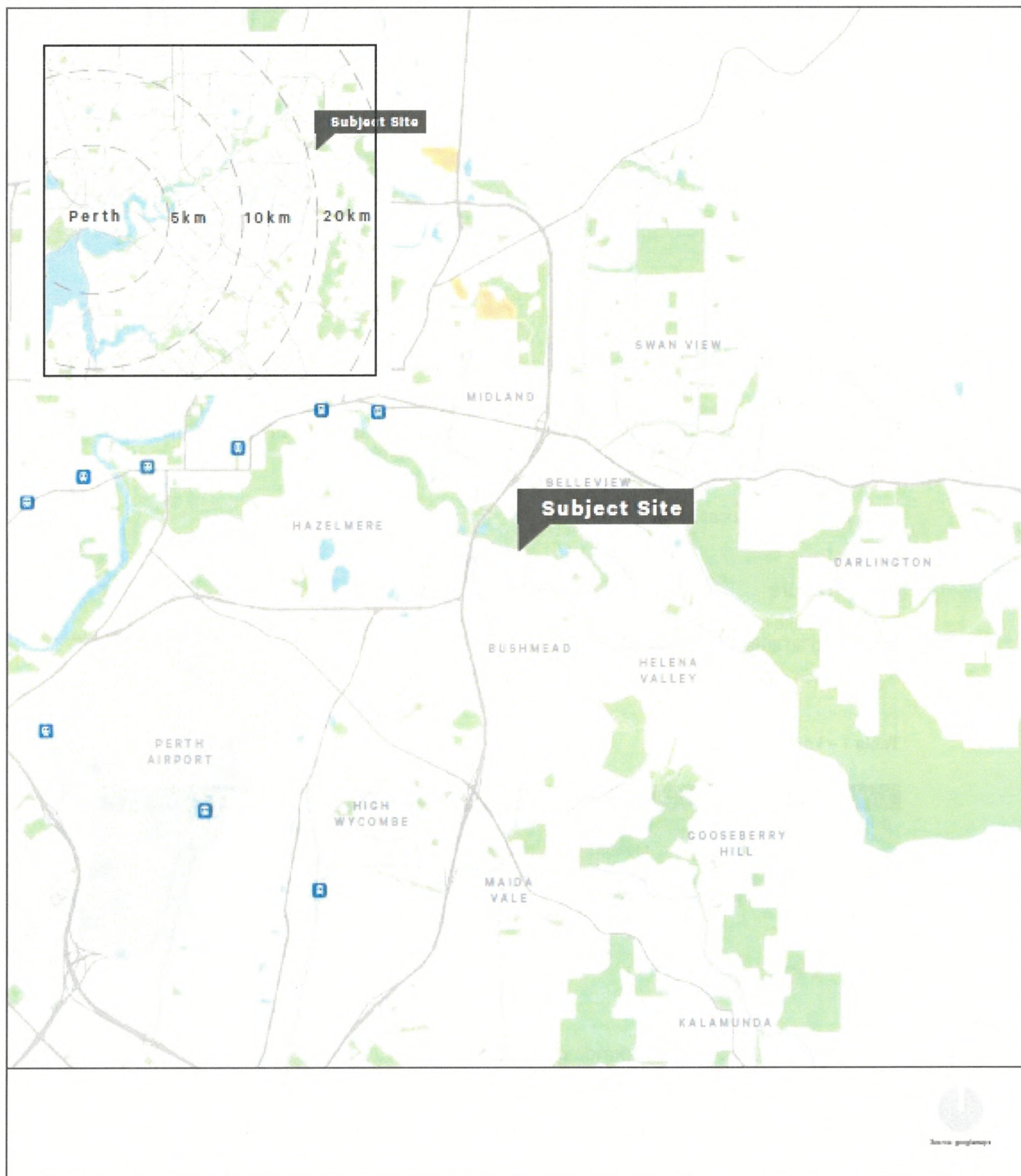


Figure 1

Location Plan

Lot 6 and 9001 (21) Carabeen Avenue, Helena Valley

Date: 07 March 24
Scale: NTS @ 1:1
File: 30-058 Helena Valley PE121 240301a

element.

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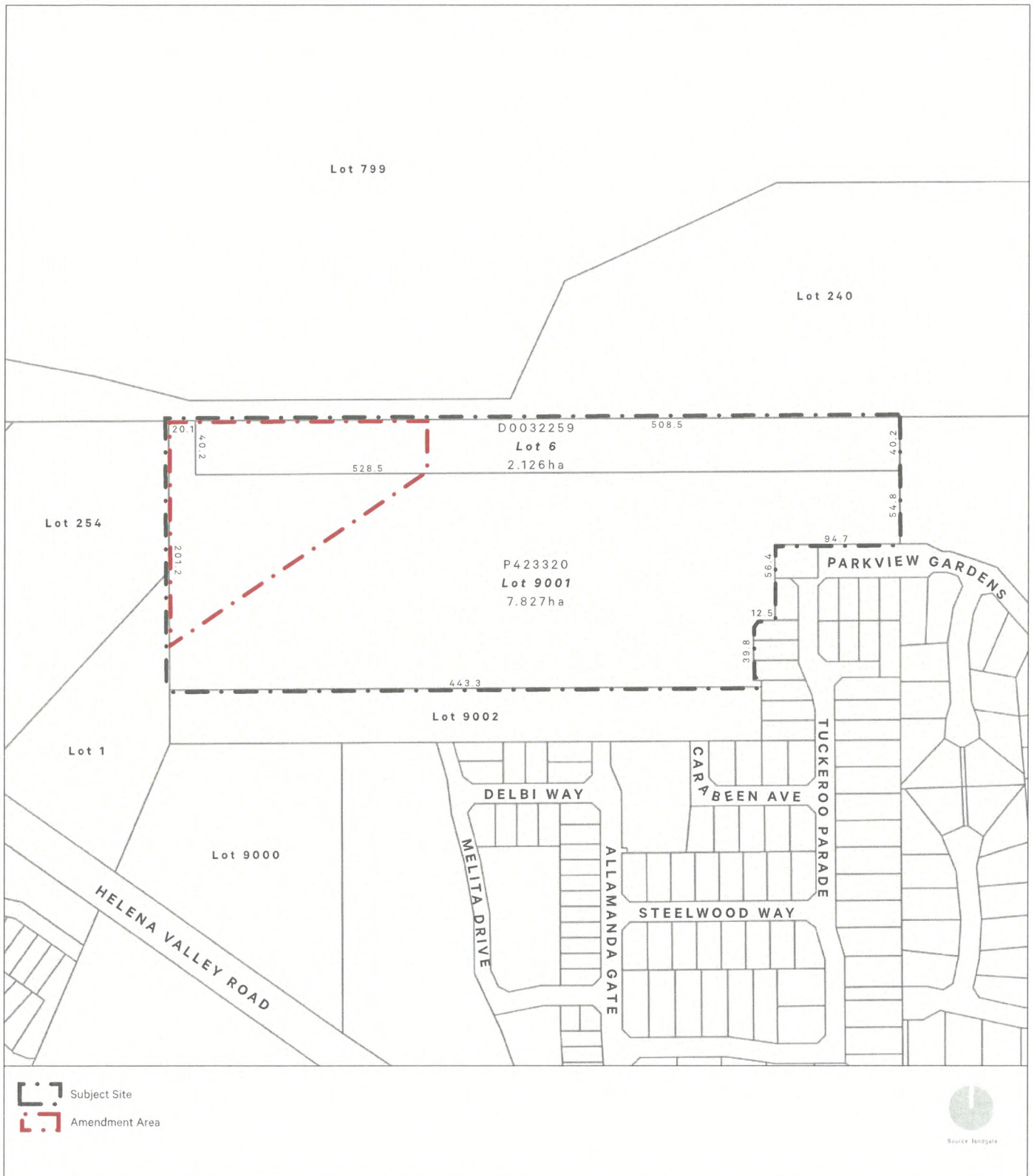


Figure 2
Site Plan

Lot 6 and 9001 (21) Carabeen Avenue, Helena Valley

Date: 07 March 24 Staff: CO_JP
Scale: NTS @ A4 Check: GW
File: 20-069 Helena Valley PS D1240207 a1

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Figure 3

Aerial Photograph

Lot 6 and 9001 (21) Carabeen Avenue, Helena Valley

Drawn: 07 March 24
 Scale: NTS 3: AA
 Date: 07 March 24
 Project: 20-085 Helena Valley PS D1 240307 a

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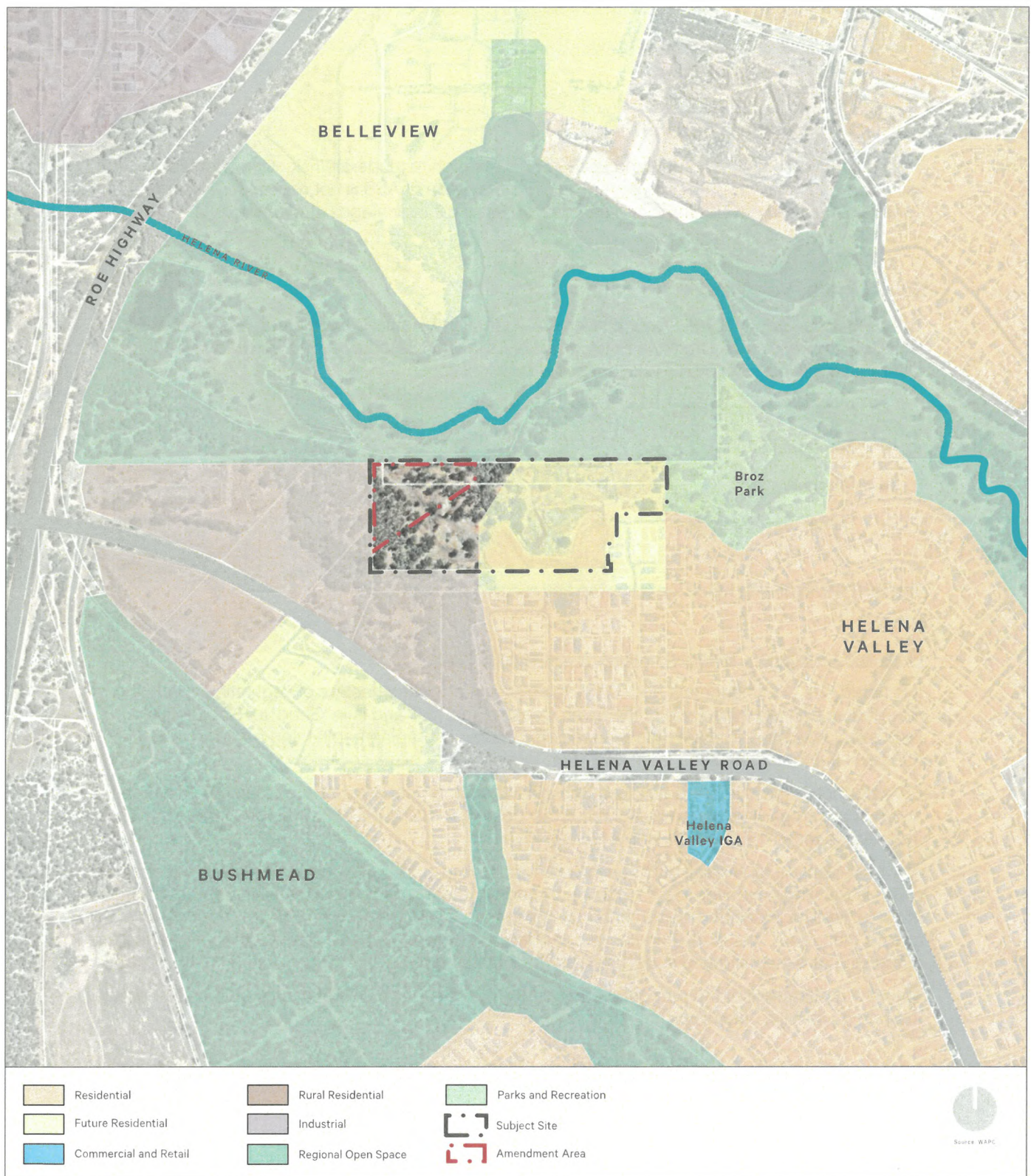


Figure 4

Local Context Plan

Lot 6 and 9001 (21) Carabeen Avenue, Helena Valley

Date: 07 March 24 Sheet: CO_1P
 Scale: NTS @ A4 Check: DW
 File: 20-065 Helena Valley PS D1 240207a

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2.1.4 Acid Sulphate Soils

The eastern portion of both Lot 6 and Lot 9001 have a high to moderate risk. Consideration of ASS will be given at the structure planning stage. The presence of ASS is not necessarily a significant constraint to urban development and can be addressed at later stages of planning.

2.1.5 Flora, Vegetation and Fauna

The MRS Amendment 1379/57 report (Western Australian Planning Commission, September 2021) included advice received from the Environmental Protection Authority (EPA) which identified the following preliminary factors as relevant to the subject site:

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters
- Social Surroundings

The EPA advised as a result the following key recommendations:

Flora and Vegetation, Terrestrial Fauna, and Inland Waters

It is noted that the amendment area contains approximately one hectare of vegetation which is mapped as Banksia Woodland of the Swan Coastal Plan TEC and is in 'Good' to 'Completely Degraded' condition. The amendment area also contains foraging habitat and potential breeding habitat in the form of Flooded Gum and Marri for species of black cockatoo.

EPA also noted that Kadina Brook runs through the amendment area. Approximately 0.7ha of the amendment area is mapped as resource enhancement wetland (REW) and approximately 0.16ha is mapped as within the floodway of the Helena River.

Any development for the site also has the potential to impact groundwater and surface water quality and pre-development hydrology, including through nutrient run-off. By establishing an appropriate buffer to Kadina Brook and implementing water management planning for the site, the impact of this can be managed. These environmental considerations would be further investigated and addressed at the structure planning and subdivision stages of planning.

The EPA confirmed that the proposed amendment met the EPA's environmental objectives through existing planning mechanisms.

3. Planning Framework

3.1 Regional Planning Framework

3.1.1 Metropolitan Region Scheme

Under the MRS the subject site is zoned 'Urban'. This Amendment will align the local planning scheme zoning to be consistent with the Urban zoning under the MRS.

Refer to Figure 5 – Metropolitan Region Scheme

3.1.2 Perth and Peel@3.5million and North-East Sub-Regional Planning Framework

The Perth and Peel @ 3.5 million provides strategic land use planning documents to facilitate accommodation of a forecast population growth of 3.5 million for Perth and Peel regions by 2050. Within the context of this document, the subject site is located within the North-East Sub-Regional Planning Framework.

The **North-East Sub-Regional Planning Framework** provides a framework for delivering the objectives of Directions 2031 and Beyond. The subject site is identified in the Framework as 'Urban' and within the 'Short – Medium Term (2015 – 2031)'. The amendment is therefore consistent with the urban designation and timeframes in the sub-regional framework.

3.1.3 State Policy Planning Policy 2.10 – Swan-Canning River Policy

State Planning Policy 2.10 – Swan-Canning River Policy (SPP2.10) provides the regional framework to guide the preparation of precinct plans based on precincts which are identified within the Swan River System Landscape Description, as well as ensuring that activities, land use and development maintains and enhances the health, amenity, and landscape values of the river.

The north-eastern portion of the subject site is identified as falling within Swan-Canning River Precinct 14 (Helena Valley). Appropriate planning and management measures will be investigated and determined at the structure planning and subdivision stages to manage any impacts from urban development on the subject site to the Swan-Canning River system.

3.1.4 State Policy Planning Policy 3.7 – Planning in Bushfire Prone Areas

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7) sets out policy measures that apply for developments in identified bushfire prone areas under the Department of Fire and Emergency Services State Map of Bushfire Prone Areas. As the subject site is located within an identified bushfire prone area, a Bushfire Management Plan has been prepared to inform structure planning. The proposed amendment at this stage does not present any unacceptable bushfire risks.

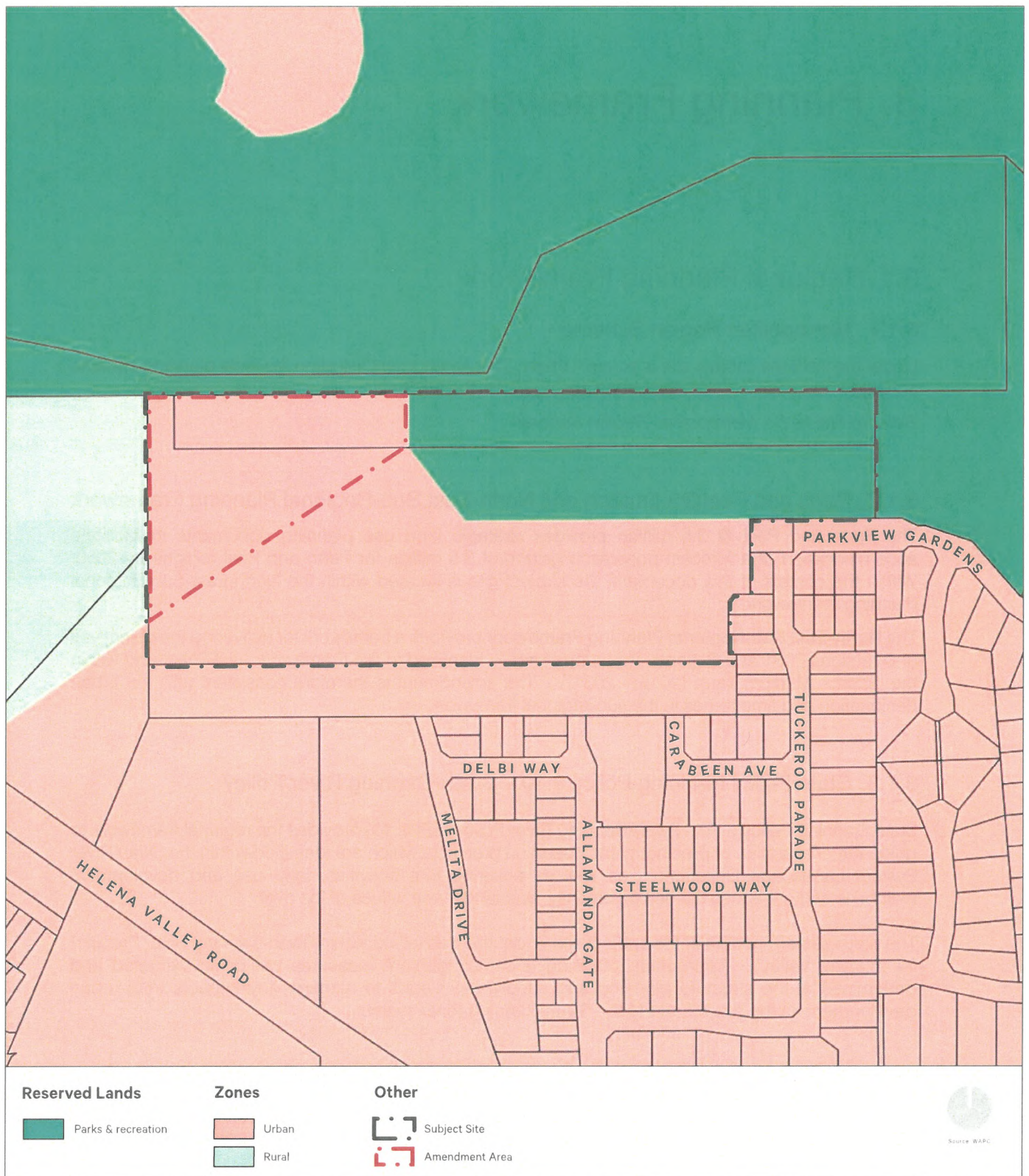


Figure 5
Metropolitan Region Scheme
 Lot 6 and 9001 (21) Carabeen Avenue, Helena Valley

Date: 07 March 24 Set: COUP
 Scale: NTS @ A4 Check: QW
 File: 20-065 Helena Valley PS D1 240307 a

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3.1.5 State Policy Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport Policy

State Planning Policy 5.1— Land Use Planning in the Vicinity of Perth Airport Policy (SPP5.1), guides development to protect Perth Airport from incompatible development, as well as minimise the impact of aircraft noise from airport operations on existing and future communities.

The subject site (amendment area) is located within ANEF 20 – 25 aircraft noise contours. Under SPP5.1 this means that zoning and associated development controls are required to consider the level of aircraft noise exposure forecast and this will likely be investigated and addressed at the structure planning stage. This includes planning considerations such as appropriate land use and residential density.

3.2 Local Planning Framework

3.2.1 Shire of Mundaring Local Planning Scheme No. 4

LPS 4 is the primary statutory control on land use and development within the Shire of Mundaring.

Under LPS 4, Lot 6 is zoned 'Rural Residential' and 'Parks and Recreation', whilst Lot 9001 is zoned 'Development – 1', 'Rural Residential' and 'Parks and Recreation'.

The portion of the subject site which was rezoned under MRS to urban is currently zoned 'Rural Residential'. This scheme amendment will rezone this portion from 'Rural Residential' to 'Development – DA1'.

Refer to Figure 6 – Shire of Mundaring LPS 4

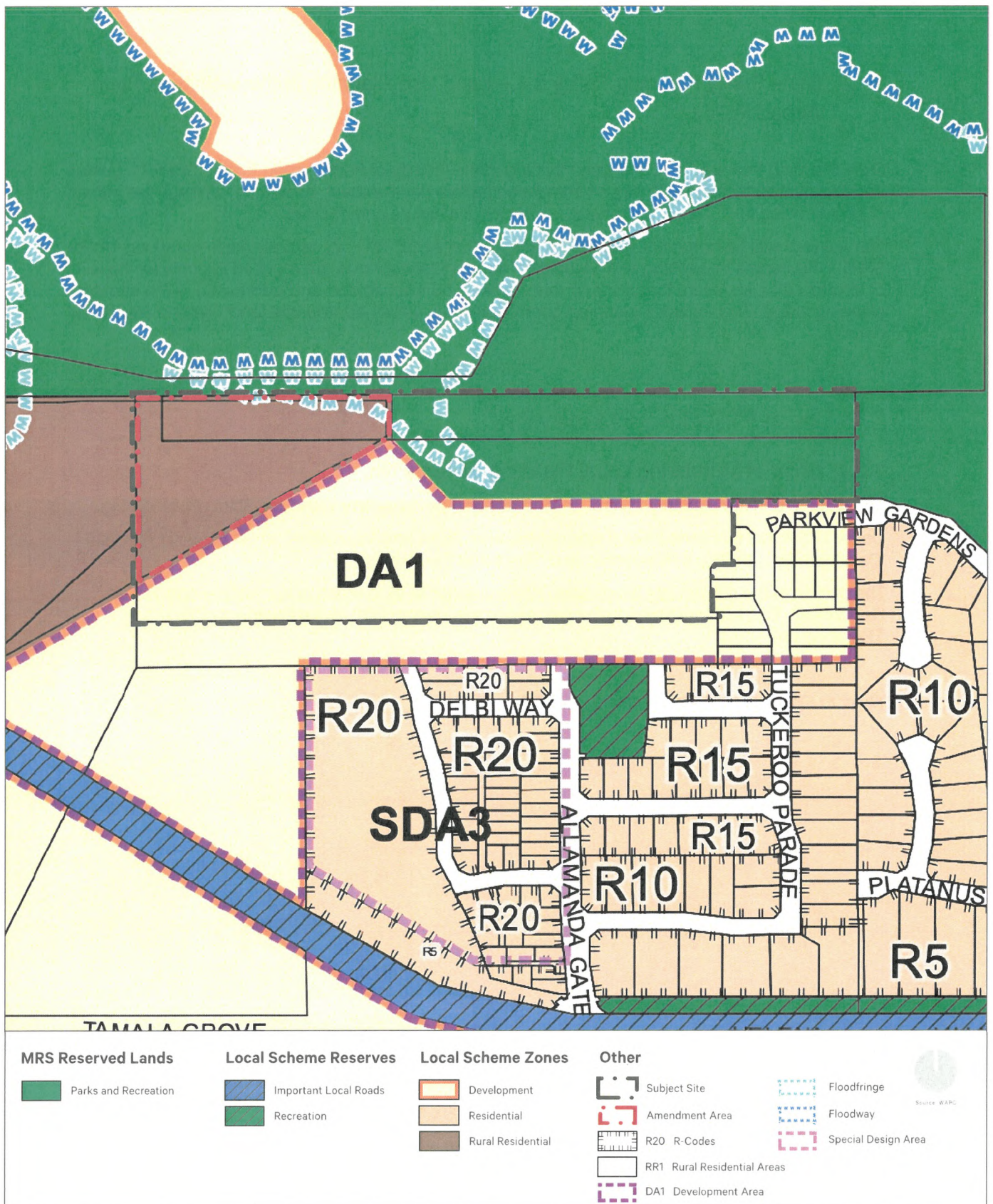


Figure 6
Shire of Mundaring LPS 4

Lot 6 and 9001 (21) Carabeen Avenue, Helena Valley

Date: 07 March 24
Scale: NT5 @ A4
File: 20-065 Helena Valley FS D1 24x307 a

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4. Planning Rationale

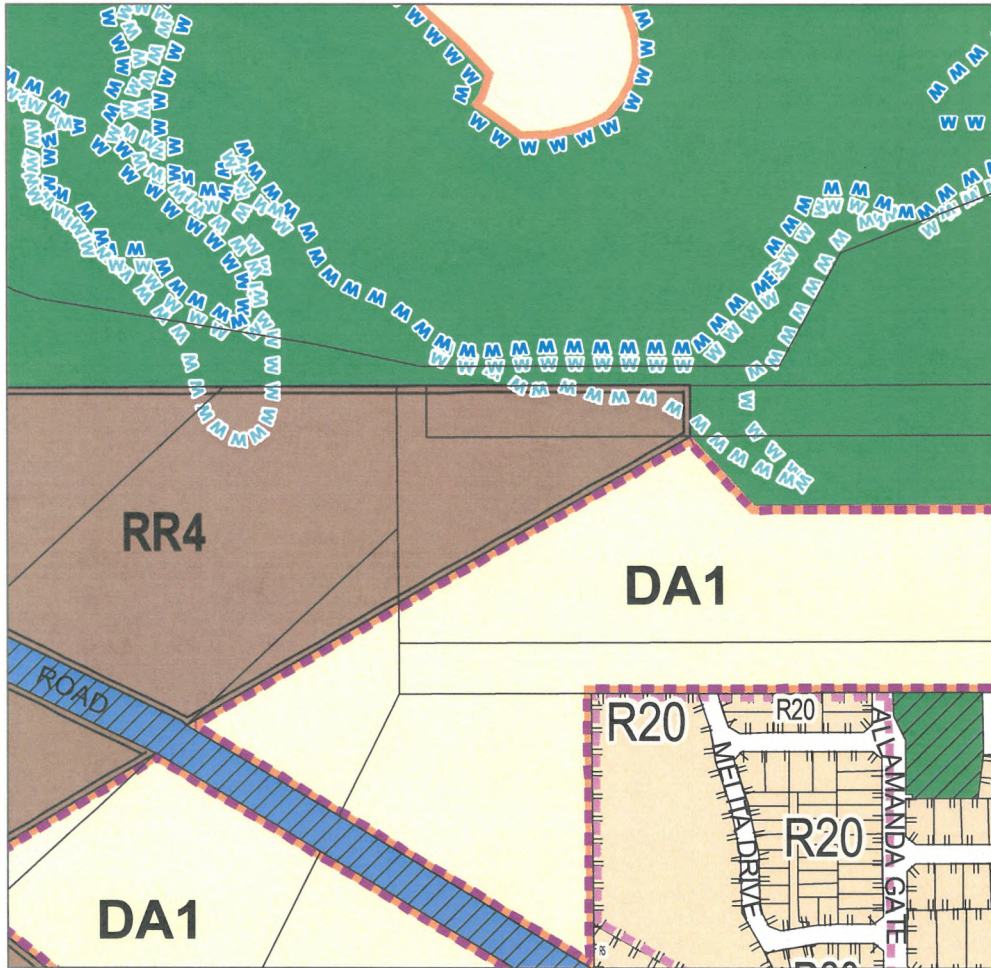
The LPS4 current 'Rural Residential' zone is inconsistent with the current MRS Urban zone, because the urban zone is not intended for rural type uses. No land uses are proposed under this Amendment. The proposed 'Development' zone is an appropriate zone for the subject site, particularly as the neighbouring land in Allamanda Vista, of which the subject site forms part of, is also zoned 'Development' zone (DA1) and is subject to the WAPC endorsed *Lots 2, 3, and 6 Midland Road, Helena Valley Local Structure Plan* (approved LSP).

The subject site already forms part of the approved LSP area. As the approved LSP is currently being amended to facilitate residential development on the subject site, it is appropriate for the site to be rezoned to 'Development' zone.

The 'Development' zone in the Shire's LPS4 provides for the orderly planning of land for residential (and other purposes) through comprehensive structure planning. An approved structure plan provides the basis for future subdivision and development.

Pursuant to LPS4 Schedule 12 'Requirements applying to specific Development Zones', under the DA1 scheme provision requirements, land uses will be determined in accordance with the *Lots 2, 3, and 6 Midland Road, Helena Valley Local Structure Plan*. The approved LSP is concurrently being updated with this amendment to provide for low density residential use on the subject site.

Overall, the Amendment will rezone the subject site to bring the Shire of Mundaring LPS 4 into consistency with the MRS urban zone and is in accordance with proper and orderly planning to facilitate future structure planning and subdivision/development of land.



Existing Zoning

Legend

Region Scheme Reserves

Parks and Recreation

Local Scheme Reserves

Important Local Roads

Local Scheme Zones

Development

Residential

Rural Residential

Other

R20 RCodes

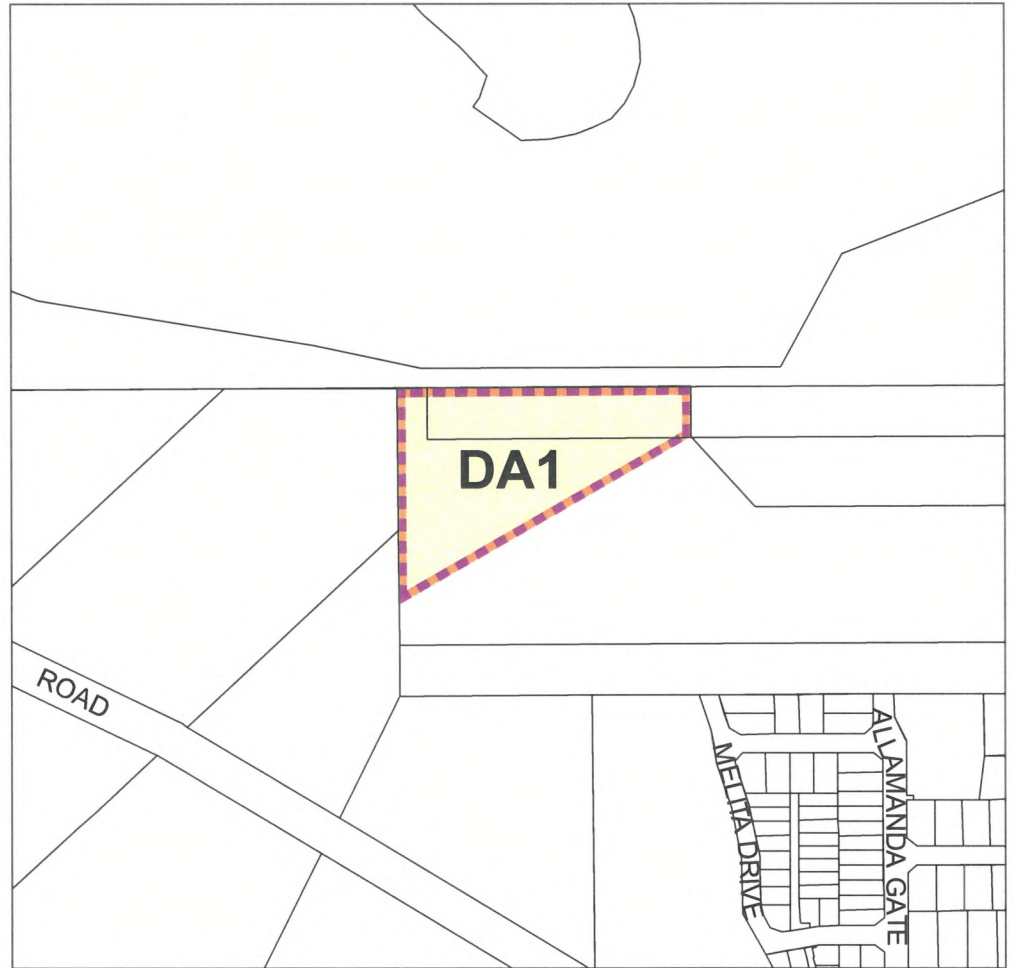
RR1 Rural Residential Area

DA1 Development Area

Floodfringe

Floodway

Special Design Area



Proposed Zoning

PLANNING AND DEVELOPMENT ACT 2005



LOCAL PLANNING SCHEME NO. 4
SCHEME AMENDMENT NO. ____

Planning and Development Act 2005
RESOLUTION TO AMEND LOCAL PLANNING SCHEME

Shire of Mundaring
Local Planning Scheme No. 4
Amendment No. 21

Resolved that the Local Government pursuant to section 75 of the Planning and Development Act 2005, amend the above Local Planning Scheme by:

1. Rezoning a portion of Lot 6 and Lot 9001 Midland Road, Helena Valley from 'Rural Residential' zone to 'Development' zone with notation 'DA1'.
2. Amending the Scheme Maps accordingly.

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Mundaring at the
 ___ Ordinary ___ Meeting of the Council held on the 10th day of December,
 20 24.



.....
 MAYOR/SHIRE PRESIDENT



.....
 CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

This Standard Amendment was adopted by resolution of the Council of the Shire of Mundaring at the
 ___ Ordinary ___ Meeting of the Council held on the 10th day of December,
 20 24, proceed to advertise this Amendment.



.....
 MAYOR/SHIRE PRESIDENT



.....
 CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support/not to be supported] by resolution of the Council of
 the Shire of Mundaring at the _____ Meeting of the Council held on the _____ day
 of _____, 20____,

.....
 MAYOR/SHIRE PRESIDENT

.....
 CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 OF
THE P & D ACT 2005

DATE

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE