

Our ref: TPS/3113
Enquiries: Local Planning Schemes
Email: localplanningschemes@dplh.wa.gov.au

Chief Executive Officer
City of Kwinana
PO Box 21
KWINANA WA 6966

Transmission via electronic mail to: administration@kwinana.wa.gov.au

Dear Sir/Madam

CITY OF KWINANA LOCAL PLANNING SCHEME NO. 2 AMENDMENT NO. 164

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act.

In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the *Government Gazette*.

The Commission has forwarded notice to the Department of Premier and Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

For all payment and purchase order queries, please contact the Department of Premier and Cabinet on (08) 6552 6000. One signed set of the amending documents are returned for your records.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au

Yours sincerely



Ms Sam Boucher
Secretary
Western Australian Planning Commission

20/10/2025

Planning and Development Act 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Kwinana
Local Planning Scheme No. 2 Amendment No. 164

File: TPS/3113

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the abovementioned amendment to the City of Kwinana Local Planning Scheme No. 2 on 15 October 2025 for the purpose of:

- a) Rezone Lot 132 Wirra Corner, Part Lot 9008 and Lot 9035 Lyon Road, Wandi from 'Rural Water Resource' and 'Special Rural' to 'Development' (Attachment 2); and
- b) Amend the boundary of Development Contribution Area 5 Wandi and Development Contribution Area 9 Wandi/Anketell to include the subject land.
- c) Modify Clause 5.15.1.1 to insert a Special Control Area as follows:
 - (e) Public Drinking Water Source Protection Area
- d) Insert the following Clause in to the Scheme text:

5.15.5 Public Drinking Water Source Protection Area

5.15.5.1 Except for the development (including use of land, the removal of vegetation and earthworks) noted below, all development within a Public Drinking Water Resource Protection Area shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme.

For land identified as a Priority 3* Drinking Water Source Protection Area, requirements for development approval and land use permissibility are as per cl. 61 of the deemed provisions and the zoning table in the Scheme for the following uses:

- a) Ancillary accommodation;
- b) Grouped dwelling;
- c) Home Business;
- d) Home Occupation;
- e) Home office;
- f) Home store;
- g) Multiple dwelling;
- h) Residential building;
- i) Single house;
- j) Single bedroom dwelling; and
- k) Bed and Breakfast

5.15.5.2 In its determination of any application for development approval and its advice in relation to land subdivision in a P3* area, the local government is to have particular regard to:

- a) State Planning Policy 2.9 Water and associated guidelines.
 - b) Advice received from the Department of Water and Environmental Regulation (including comments in relation to its Water Quality Protection Note 25: Land Use Compatibility in Public Drinking Water Source Areas).
 - c) Recommendations of the relevant drinking water source protection report or land use and water management strategy.
 - d) The potential risk of contamination to the public drinking water source area resulting from a proposed land use and/or development.
 - e) The retention of native vegetation and protection of wetlands and waterways.
 - f) The drainage characteristics of the land, including surface and groundwater flow, and the adequacy of proposed measures to meet water quality targets and manage run-off and drainage.
- e) Amend the Scheme Map to apply the 'Public Drinking Water Source Protection Area' Special Control Area over the amendment area.

P FEASEY
MAYOR

W JACK
CHIEF EXECUTIVE OFFICER