



City of Kalamunda Submission Metropolitan Region Scheme Amendment 1344/57 Maida Vale Urban Precinct (Maida Vale South)

The City of Kalamunda (City) appreciates the opportunity to provide a submission on the proposed Metropolitan Region Scheme (MRS) Amendment for Maida Vale South (MVS).

In summary the City makes the following comments in relation to the MRS amendment for Maida Vale South:

1. The City notes that the proposed amendment aligns with the City's adopted and published strategic planning framework. The Maida Vale South Precinct has been identified as an Investigation Area that presents an urban development and growth opportunity, since the preparation of the City's Local Planning Strategy (2013).
2. The MRS Amendment represents a significant proposal in Maida Vale and broader foothills locality, and an opportunity to engage in detailed planning for housing supply and diversity to meet the future growth of the City.
3. It is noted that the proposed MRS Amendment assumes planning and growth scenarios adopted as part of the Local Planning Strategy (2013). There is a need to further consider the contemporary planning context, including changes that have occurred including the future urban development of High Wycombe South associated with the State Government's Forrestfield Airport Link project, and any other revised growth assumptions identified in the City's Local Housing Strategy (2021)
4. The City requests an opportunity to review and provide comments on the current Bushfire Management Plan and proposed management measures, or to consider environmental and emergency response implications.
5. The City requests an opportunity to review and provide comments on the draft District Water Management Strategy.
6. Consistent with the City's adopted Local Biodiversity Strategy (2023-2043) the City requests that conservation significant values are distinguished and appropriately protected through a Parks and Recreation Reservation.



7. Consistent with the City's adopted Urban Forest Strategy (2023-2043), the City encourages the avoidance of tree removal to maintain canopy cover and will recommend that the minimum canopy cover targets of the Urban Forest Strategy and of Local Planning Policy 33 Tree Retention are achieved through future structure planning and subdivision applications.
8. The City recommends an appropriate foreshore protection area is identified for Poison Gully Creek.
9. The City notes that the Maida Vale South area meets the criteria for the establishment of a Development Contribution Plan under State Planning Policy 3.6: Infrastructure Contributions. In order to meet the overarching principles including equity, certainty, and efficiency, an early preparation and adoption of a DCP is considered to be essential.
10. There is a need to obtain confirmation of the future Roe Highway flyover between High Wycombe South and Maida Vale South. The High Wycombe South Residential Precinct Local Structure Plan Amendment No. 1 (WAPC approved in August 2023) notes the location of a 'Potential Future Fly-Over Roe Highway' connecting to Ravenswood Road in the Maida Vale area. The detailed overpass configuration and funding strategy has not been approved by the WAPC or Main Roads WA and requires further assessment.
11. A Transport Impact Assessment is required. The City requests an opportunity to review and provide comments on the TIA once prepared.

This submission should also be read in conjunction with the City's Council Report presented at the 28 November 2023 Ordinary Council Meeting.

At the 28 November 2023 Ordinary Council Meeting, the Council resolved to:

Insert Council Resolution



1. ASSESSMENT AGAINST RELEVANT STRATEGIES AND POLICIES

1.1 NORTHEAST SUB REGIONAL PLANNING FRAMEWORK (THE FRAMEWORK)

The site is identified as an 'Urban Expansion' area within the under the State's Northeast Subregional Planning Framework.

The proposed MRS Urban zoning can be considered within the Framework's Urban Expansion designation.

Further detailed planning is required for Urban Expansion areas prior to consideration for any rezoning under the MRS and before development can occur including, but not limited to, investigations regarding protection of significant environmental attributes, basic raw materials, water resources, bushfire risk, servicing, community and social infrastructure, movement networks and employment. These areas may contain significant environmental attributes and further planning for these sites will need to prioritise avoidance and/or protection of the environmental values.

The City is comfortable that the MRS Amendment addresses the Framework requirements for Urban Expansion at this stage of the planning process and future structure planning and implementation will need to comprehensively address those requirements.

The proposed amendment seeks to have the area rezoned from "Rural" to "Urban Deferred", however, the report indicates that the desired outcome is to obtain an "Urban" zone. The proponents are hoping to achieve this outcome by satisfying the requirements of an Environmental Review. While the requirements to satisfy the Environmental Review are available in the documentation the response to that (ERD) is available as a separate document which has been reviewed as a part of this submission.

In a general sense, the amendment aligns with the City's adopted and published strategic direction. The report relies on the City's 2013 Local Planning Strategy and the North-East Sub-regional Planning Framework for justification. The following is noted with regard to the land use planning and development landscape since the adoption of the Local Planning Strategy.

1.2 LOCAL PLANNING STRATEGY

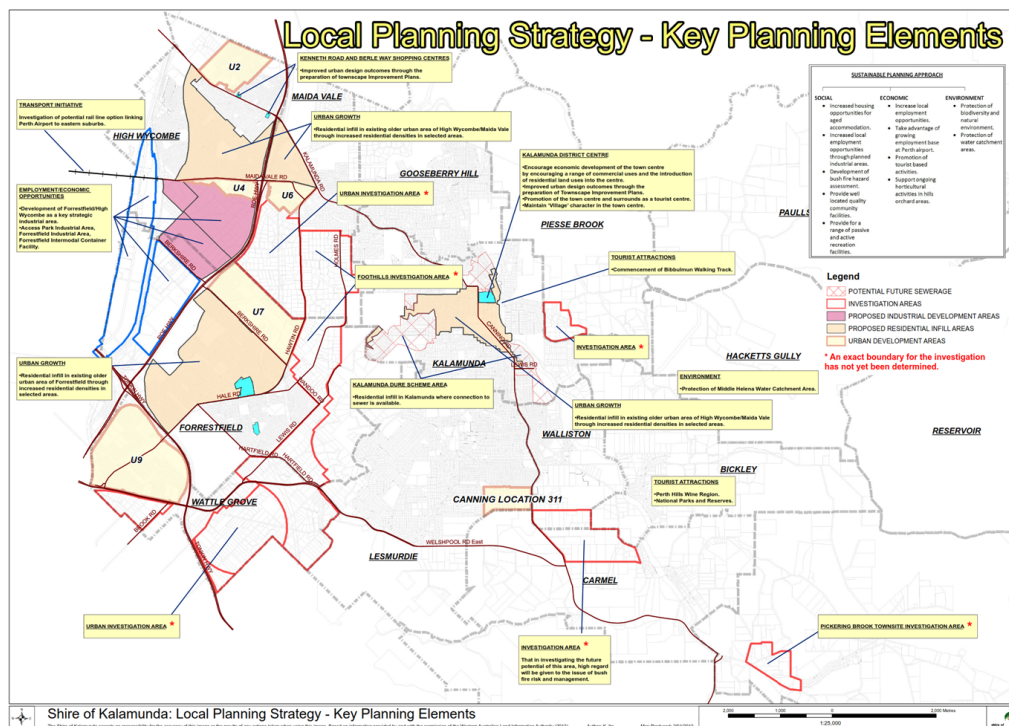
The current Local Planning Strategy was adopted by Council in November 2011 and approved by the WAPC in 2013. The City's Local Planning Strategy identifies Maida Vale South as an Investigation Area in the Spatial Plan – 2031.

It is acknowledged that Maida Vale South is referenced in the LPS under population growth Scenario 3, assuming growth of 25,000 people from 2008 to 2031. Population Scenario 3 was the recommended growth scenario for the Local Planning Strategy. Revised forecasts for population growth to 2031, however, are 61,600 (WA Tomorrow) or 66,565 (.id). Both forecasts are well below the Scenario 3 forecast presented in the Local Planning Strategy.



Other scenarios considered as part of the Local Planning Strategy noted the potential exclusion of Maida Vale South on the basis that a greater proportion of urban growth could be accommodated in existing urban development areas (eg. Wattle Grove Cell 9), and infill development around Forrestfield, High Wycombe and Kalamunda activity centres.

It is further noted that Scenario 3 did not capture the future urban development of High Wycombe South associated with the State Government's Forrestfield Airport Link project.



Having regard to the changes that have occurred since the adoption of the Local Planning Strategy, the Amendment should consider the contemporary planning context.

The City of Kalamunda Local Housing Strategy (2021) (LHS) identifies Maida Vale South as an Investigation Area, providing the following analysis:



City of Kalamunda – Local Housing Strategy

10.2 Maida Vale South – WAPC Urban Expansion Area



An area south of Maida Vale and in the north-east area of Forrestfield has been identified in the Framework as an Urban Expansion area (refer Fig 15). Most of the land parcels are zoned Rural under the Metropolitan Region Scheme (MRS) and have been subject to rural and semi-agricultural type uses since the 1980's. As such, much of the land may have been cleared of endemic vegetation or degraded, although in some instances, areas of high quality vegetation may still exist and, where appropriate, should be protected through the planning process. Other aspects such as the extension of sewer, natural waterways or wetlands, and geology will also influence the feasibility of future development in this area.

While the City is yet to receive any formal requests to amend the LPS3, or to progress a Structure Plan for the area, progression of the necessary technical studies and documents have been progressed by the private sector. In this respect, any future requests to amend the MRS and/or LPS3 will need to be supported by appropriate environmental and other supporting technical investigations.

Preliminary dwelling yield analysis for the area provided to the City by the planning consultants progressing the plans for the area indicate a potential yield of between 1,300 – 2,000 dwellings.

Figure 15. Maida Vale South investigation area (NE Framework)

Notwithstanding the above range, dwelling projections are likely to change in response to landowner decisions to develop, site specific constraints, environmental factors and market take-up to a variety of densities over time.

The LHS includes objectives to ensure housing supply and diversity aligns with expected population growth and, in accommodating that growth Strategy 5 seeks to facilitate more housing choice for residents and increased dwelling diversity. It is important that sufficient zoned urban land is made available to fulfil this objective, but also to recognise the surrounding development context.

It is considered that the proposal should incorporate updated growth assumptions to support the rezoning in its current form, particularly if it is to be reclassified from Urban Deferred to Urban by the WAPC.

1.3 PLANNING CONTEXT

Maida Vale South shares its north and south boundaries with existing urban precincts in Maida Vale and Forrestfield. Maida Vale South is immediately to the east of the High Wycombe South (HWS) Residential Precinct, an area that is further advanced in its planning. The North-East Sub-regional Planning Framework provides indicative staging as short-medium term (2015-2031) for Maida Vale South and short term (2015-2021) for High Wycombe South.

It is noted that assumptions have been formed in the planning for High Wycombe South to consider the forecast development yields for that precinct. Refer to the High Wycombe South Yields Analysis (March 2023) for further information in this regard.

The City encourages the WAPC to assess the proposed MRS amendment having regard to the coexistence of these two major development areas, to support urban consolidation and strategic infrastructure planning and coordination.



The City acknowledges that a structure plan will follow containing further analysis on the likely housing yield, the proposed density mixture, the open space distribution, use of the high-tension power line easement, and other studies relevant to access, school/s, and potential activity centre.

1.4 BUSHFIRE

In Section 3 - Strategic Context for State Planning Policy 3.7 Planning in Bushfire Prone Areas, the report notes that a Bushfire Management Plan (BMP) has been approved by the Department of Fire and Emergency Services (DFES). The City has not received an opportunity to review and provide comments on the current BMP and proposed management measures, or to consider environmental and emergency response implications.

1.5 WATER

In Section 3 - Strategic Context for Draft State Planning Policy 2.9 Planning for Water, the report refers to a draft District Water Management Strategy (DWMS) being assessed by the Department of Water and Environmental Regulation (DWER) and to be finalised as part of the Environmental Review. The City has not received an opportunity to review and provide comments on the draft DWMS.

1.6 ENVIRONMENTAL CONSIDERATIONS

The Environmental Review Document (ERD) identifies environmental values which are conservation significant at a State and Commonwealth level. These include:

- Poorly represented vegetation complexes (Forrestfield and Southern River)
- Threatened Ecological Communities (TECs) listed as Critically Endangered and Endangered under the *Biodiversity Conservation Act 2016* (BC Act) and Endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
- *Conospermum undulatum* (listed as Vulnerable flora under the BC and EPBC Acts)
- Habitat for threatened species of fauna
- Two waterways, known as Crummet Creek and Poison Gully, that support some of the above vegetation.

The amending plan proposes "Urban Deferred" zoning across the entire amendment area and does not provide any formal protection to the above values. Consistent with the City's recently adopted Local Biodiversity Strategy 2023-2043 (LBS) which seeks to retain, protect, manage, enhance and link local biodiversity values, the City requests that the above values, along with appropriate buffers are retained and provided adequate protection through a Parks and Recreation reservation, with "conservation" purpose.

Conservation areas should be distinguished from future local open space through the Parks and Recreation reservation.



An example of this is the "High Wycombe South" area (previously Forrestfield North) to the west of the amendment area, which has formally protected TECs and Threatened Flora through this mechanism.

The proposed amendment presents an opportunity to provide increased protection for conservation significant values through the establishment of conservation reserves. The City request that the EPA consider how the development can contribute resources towards the ongoing protection and management of conservation areas under the EP Act framework, noting that the City have limited resources to accept long term management of these sites without adequate funding.

It is noted that the retention areas shown in the ERD figures do not propose retention of all identified TECs/ quality native vegetation. The City request further consideration of TECs being retained and protected, particularly noting that these do not occupy a significant portion of the Amendment Area.

The City's Local Biodiversity Strategy identifies Reserve 40275 (immediately west of Hawtin Road) as having a high "Natural Area Prioritisation Score" (high environmental value), and low viability due to it's long narrow, linear shape. The ERD shows that this Reserve was not part of the flora and vegetation survey, nor is this reserve recognised in the amending plan. DBCA mapping shows this Reserve as potentially containing TECs. The City request that this Reserve is considered for a Parks and Recreation reserve, along with a buffer area to protect and enhance the values and viability of the Reserve.

Further it is recommended that a viability assessment of proposed conservation areas be undertaken to ensure that their size, shape and connectivity provides the best opportunity for long term survival. Connectivity is also important from an ecological linkage perspective for vegetation, flora and fauna. The City's Local Biodiversity Strategy identifies four ecological linkages through the amendment area which should be considered in determining areas for conservation. Only one of these has been mapped in the ERD.

The ERD reports fragmentation as an impact to vegetation and flora. The City is aware of recent research (Delnevo, ECU, 2022) on the impact of fragmentation on *C. undulatum*; due to *C. undulatum*'s reliance on native bee pollination, smaller populations lead to lower genetic diversity and greater inbreeding, while isolated populations lead to lower dispersal gene flow and lower pollinator interactions.

The ERD outlines that there is 38.55 ha of high-quality black cockatoo foraging habitat and foraging evidence of the Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo are recorded within the Amendment Area. The ERD outlines that there are 574 potential black cockatoo breeding trees within the Amendment Area. Out of the total number of trees, 290 trees may be permanently loss through direct impacts, and 284 trees would be retained. The retained trees represent 49.5% of the total number of trees. As above, the designation of conservation areas should maximise the protection of black cockatoo habitat and ecological connectivity. The City's expectation is that any future structure planning and subdivision



design prioritise additional retention of black cockatoo habitat in road verges, larger lot sizes and local open space.

The City of Kalamunda's recently adopted Urban Forest Strategy 2023-2043 seeks to retain, protect and grow the City's urban forest. DPLH data shows the Amendment Area as currently having 25-30% cover. Comparatively, the built-up, surrounding Swan Coastal Plain suburbs have 5-10% cover based on the City's Urban Forest Strategy mapping. In considering any future structure planning and subdivision applications, the City will seek avoidance of tree removal to maintain canopy cover and will recommend that the minimum canopy cover targets of the Urban Forest Strategy and of Local Planning Policy 33 Tree Retention are achieved.

The ERD outlines that a preliminary 30m buffer has been recommended to Crumpet Creek to protect significant areas from future urban development and enable the protection of significant flora and vegetation, flooding, and fauna habitat. There appears to be no buffer proposed to Poison Gully Creek. It is recommended that a buffer also be recognised for Poison Gully Creek. Erosion at the creek/ development interface is an existing issue along Poison Gully Creek. It is also noted that Poison Gully Creek is a Registered Aboriginal Heritage site. While it is acknowledged that 30m is consistent with minimum specified in the Draft State Planning Policy 2.9 Guidelines, the Guidelines outline that in some circumstances, especially where significant ecological, social or economic values are present, there may be the need for a wider foreshore area or reserve. This will minimise the potential for loss of valuable habitat and the degradation of foreshore and waterway values. The City's expectation is that the reserve width can accommodate social uses outside of the foreshore protection area, such as maintenance vehicle tracks, bench seats, walking trails, rubbish bins etc. Therefore, the width of the reserve required would likely be greater than 30m.

1.7 INFRASTRUCTURE

Of critical importance will be the need for a Development Contribution Plan (DCP) for the entire locality, given that there are fragmented landholdings. The DCP will be required to ensure there is equitable distribution of Public Open Space and infrastructure within Maida Vale South. The Maida Vale South area meets the criteria for the establishment of a DCP through State Planning Policy 3.6. In order to meet the 8 overarching principles including equity, certainty, and efficiency, an early preparation and adoption of a DCP is considered to be essential.

There is a need to obtain confirmation of the future Roe Highway flyover between High Wycombe South and Maida Vale South. The High Wycombe South Residential Precinct Local Structure Plan Amendment No. 1 (WAPC approved in August 2023) notes the location of a 'Potential Future Fly-Over Roe Highway' connecting to Ravenswood Road in the Maida Vale area. The overpass location has not been approved by the WAPC or Main Roads WA and requires further assessment. The cost for this overpass will need consideration in any developer contribution plan for the Maida Vale Precinct and Forrestfield North DSP.



The report notes the Transport Impact Assessment (TIA) is to be updated to the satisfaction of Main Roads WA and Department of Transport, and confirmation of the Roe Highway overpass prior to the transfer of the land to the Urban zone. The City is concerned that because a TIA has not been undertaken and further investigation into this matter is required.

It is noted that the MRWA and DoT advice in the amendment document largely refer to the MKSEA are in Wattle Grove and not to MVS. However, after receiving further correspondence from the Department of Planning, Lands and Heritage on the Transportation section of the report, it is noted that these comments were an oversight and are not related to the Maida Vale South amendment.

The amendment report states that future developers will need to compensate any additional drainage flows on their own land without affecting Water Corporations drainage system. The City has not had the opportunity to review the District Water Management Strategy (DWMS).

1.8 URBAN DEFERMENT LIFTING

Section 5 of the amendment report 'Coordination of local and region scheme amendments' confirms that s.126(3) of the *Planning and Development Act 2005* does not apply as rezoning is from Rural to Urban Deferred and not to Urban. The applicant has however indicated a desire for rezoning directly to Urban. In this regard, it is essential that detailed structure planning is undertaken in consultation with the City and WAPC prior to or in conjunction with the progression of local planning scheme amendment to the Urban Development Zone.

The WAPC's Lifting of Urban Deferment Guidelines (Nov 2019) provides strong guidance for transferring Urban Deferred land to the Urban zone. Considerable work will be necessary to enable this process addressing environmental issues, infrastructure servicing, hazards and risk, employment and public uses, and an appropriate structure plan response.