

10.1.4. Wattle Grove South - Proposed Metropolitan Region Scheme Amendment - Western Australian Planning Commission Request for Preliminary Comment

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

Cr John Giardina declared an Interest Affecting Impartiality as he has family living in close proximity to Victoria Road, Wattle Grove South. Cr Giardina left the meeting at 8:19pm and returned at 8:57pm.

Previous Items	OCM 226/2020, OCM 195/2019, OCM 79/2019, OCM 35/2019
Directorate	Development Services
Business Unit	Statutory Planning
File Reference	PG-MRS-024
Applicant	Element Advisory Pty Ltd / Hesperia Projects Pty Ltd ATF Wattle Grove Trust
Owner	Various
Attachments	<ol style="list-style-type: none"> 1. WGS MRS Amendment Report [10.1.4.1 - 382 pages] 2. City of Kalamunda Preliminary Submission - WGS MRS Amendment [10.1.4.2 - 28 pages]

TYPE OF REPORT

Advocacy	When Council is advocating on behalf of the community to another level of government/body/agency
Executive	When Council is undertaking its substantive role of direction setting and oversight (eg accepting tenders, adopting plans and budgets)
Information	For Council to note
↳ Legislative	Includes adopting Local Laws, Town Planning Schemes and Policies. When Council determines a matter that directly impacts a person’s rights and interests where the principles of natural justice apply. Examples include town planning applications, building licences, other permits or licences issued under other Legislation or matters that could be subject to appeal to the State Administrative Tribunal

STRATEGIC PLANNING ALIGNMENT

Kalamunda Advancing Strategic Community Plan to 2027

Priority 2: Kalamunda Clean and Green

Objective 2.1 - To protect and enhance the environmental values of the City.

Strategy 2.1.2 - Development and Implementation of the Urban Forest Strategy.

Strategy 2.1.3 - Development and implementation of the Local Biodiversity Strategy

Strategy 2.1.4 - Increasing and protecting local biodiversity and conservation, wherever possible, through integrating ecosystem and biodiversity protection into planning processes including schemes policies and strategies.

Priority 3: Kalamunda Develops

Objective 3.3 - To develop and enhance the City's economy.

Strategy 3.3.2 - Attract and enable new investment opportunities.

EXECUTIVE SUMMARY

1. The Western Australian Planning Commission (WAPC) is seeking preliminary comments for the proposed Metropolitan Region Scheme (MRS) Amendment for a portion of the Wattle Grove South project area (Attachment 1) prior to them undertaking the formal statutory process. The MRS Amendment request was lodged to the WAPC by Element Advisory Pty Ltd and Hesperia Projects Pty Ltd ATF Wattle Grove Trust (the applicant).
2. The purpose of this report is for Council to consider a preliminary submission (Attachment 2) for the proposed MRS Amendment.
3. The City of Kalamunda (City) will have another opportunity to provide a submission should the MRS Amendment be initiated by the WAPC and formally advertised. It is at that stage that the proposed MRS Amendment will also be advertised to the broader public.
4. It is recommended that Council endorse the preliminary submission to be forwarded to the WAPC.

BACKGROUND

5. Land Details:

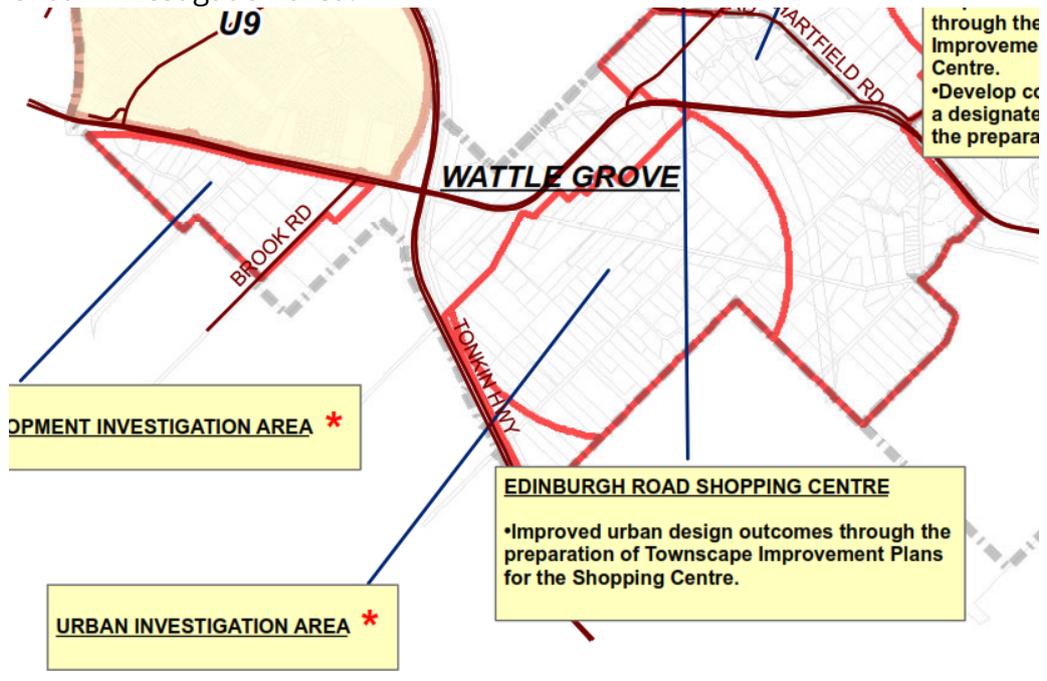
Land Area:	Approx. 106ha
Local Planning Scheme Zone:	Special Rural and Rural Composite
Metropolitan Region Scheme Zone:	Rural

6. Locality Plan:

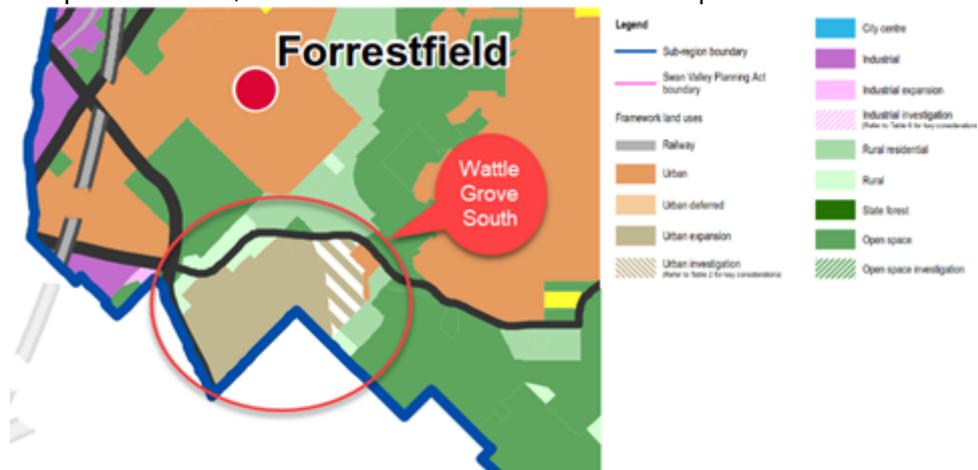


7. The proposed MRS Amendment area (the area) captures the southwestern portion of the Wattle Grove South (also known as Crystal Brook) project area. The area is generally bounded by Tonkin Highway, Welshpool Road East, Crystal Brook Road and the City of Gosnells local government boundary.

8. The City's Local Planning Strategy 2010 generally identifies the site as an Urban Investigation area.



9. The WAPC's North-East Sub-Regional Planning Framework (Framework), adopted in 2018, identifies the site as an Urban Expansion area.



10. Broadly, the purpose of the Framework is to provide guidance for:
- The preparation of amendments to the Perth metropolitan and Peel region schemes, local planning strategies/schemes, district, and local structure plans, and activity centre plans.
 - The staging and sequencing of urban development to inform public investment in regional community, social, and service infrastructure.

11. In September 2017, the City appointed a planning consultant to undertake the Wattle Grove Feasibility Study. The Study was completed in May 2018 and presented to Council in July 2018 to consider the recommendations of the Study.

12. Council Resolved to (OCM 127/2018):

- NOTE the Wattle Grove South Feasibility Study, as outlined in Attachment 1.*
- SUPPORT continuing with the next phases of planning, subject to community consultation on the land use options as part of the preparation of the draft District Structure Plan.*

13. The community consultation process undertaken during August and September 2018, included two workshops and a survey.

14. The outcomes from community engagement were presented to a Special Council Meeting (SCM) on Monday 22 October 2018 to determine the next phase in the project. The resolution of Council was as follows: (SCM 177/2018)

Alternative Motion 2:

That Council:

- a) *ACCEPTS the community consultation outcomes shown in Attachments 1, 2 and 3.*
- b) *NOTES that community views vary in relation to the potential for commercial / light industry uses south of Crystal Brook Road, with most participants and submitters stating opposition to the proposal.*
- c) *NOTES that some community views support various forms of residential or a mixture of residential and commercial / light industry uses.*
- d) *NOTES the community engagement outcomes in relation to the environmental values of the area.*
- e) *REQUEST the Chief Executive Officer to prepare a report to Council, by May 2019, detailing the process and requirements, including cost, for establishing a Consultative Community Committee of Council to consider recommendations for the future of Wattle Grove South.*

15. A Special Electors Meeting (SEM) was called on 3 December 2018. The purpose of the meeting is as listed in the Public Notice of the Special Elector's Meeting published on 13 November 2018, being:

- a) *To consider the following motion in a Petition from Electors of the City of Kalamunda:*

"The Electors here present call upon the Council to immediately cease all efforts to rezone up to 310 hectares of the area described as Wattle Grove South in the draft Industrial Development Strategy for industrial purposes in order to reflect the outcome of recent community consultation which shows that an overwhelming majority of residents want Council to reject this environmentally destructive land use option".

A vote from electors was undertaken, with the result being 173 votes in favour of the motion and 17 votes being against the motion.

16. The following motion was adopted at the 26 February 2019 Ordinary Meeting of Council: (OCM35/2019)

That Council:

- a) *REQUEST the Chief Executive Officer to cease investigations into the establishment of a Consultative Community Committee of Council to consider recommendations for the future of Wattle Grove South.*
- b) *REQUEST the Chief Executive Officer to create a partial budget allocation in the 2018/2019 Mid-year Review, to commence the process, and the balance to be allocated in the 2019/2020 annual budget for engaging the services of suitably qualified consultants to conduct a comprehensive community consultation program to determine the level*

of community support for a variety of land use concept plans that incorporate the following design principles:

- i. Exclude any general or light industrial land uses.*
- ii. Reflect and acknowledge existing lifestyle and recreational opportunities of the area.*
- iii. A high-quality residential outcome that includes a range of densities.*
- iv. Include an appropriate amount of commercial development based on best practice design principles, including but not limited to public transport, technology, educational, medical and retail opportunities.*
- v. Retain existing vegetation and tree canopy cover where possible.*
- vi. Consider tourism development opportunities that embrace the environmental, social and financial aspects of the City of Kalamunda.*
- vii. Provide for modern sustainable housing design principles including renewable energy capture, water sensitive urban design, storage, sharing capabilities and smart city initiatives.*
- viii. The subject area 'Wattle Grove South' to also include the land to the north of Welshpool Road East bounded by Tonkin Hwy, Lewis Road and Hartfield Golf Course.*

17. The City prepared a scope of works in response to the resolution on 26 February 2019. On 30 April 2019 Council resolved (OCM 79/2019) as follows:

That Council:

- a) ENDORSES the scope of works as outlined in Attachment 1 subject to: The addition of the Department of Planning Perth Foothills Structure Plan (1992) as an additional 'Existing Reports and Studies' under Section 2.1 Background Research / Existing Reports and Studies.*
- b) REQUEST the Chief Executive Officer to seek quotations in accordance with the scope of works as outlined in Attachment 1 subject to: The addition of the Department of Planning Perth Foothills Structure Plan (1992) as an additional 'Existing Reports and Studies' under Section 2.1 Background Research / Existing Reports and Studies.*

18. On 8 May 2019, the City issued a Request for Quotation (RFQ) via to the Western Australian Local Government Association (WALGA) eQuotes panel. The request closed on 31 May 2019. Six (6) WALGA preferred suppliers were invited to provide submissions and four (4) responses were received.
19. On 27 August 2019, at the Ordinary Council Meeting (OCM 194/2019), the Council resolved to:
- That Council ACCEPT the proposal submitted by Roberts Day for Tender (eQuote) 2019-05 Wattle Grove South Concept Planning and Community Engagement in accordance with the proposal documentation for the lump sum value of \$79,850 (excl GST).*
20. In November 2019, Roberts Day commenced work on the Crystal Brook Concept Planning and Community Engagement project. The project area was renamed during the community engagement process from Wattle Grove South to Crystal Brook. These two names may be referred to interchangeably during the report, however both refer to the same project area.
21. On 24 November 2020, the Council considered the Concept Plan and associated report for the Crystal Brook project. Council (OCM226/2020) resolved to:
- a) *NOTE the outcomes of community engagement and public advertising and acknowledge that there are a range of views on the future planning for the project area.*
 - b) *NOTE the outcomes of the Ecological Report.*
 - c) *REQUEST the Chief Executive Officer to make modifications to the Concept Plan and Report in accordance with Attachment 1 and, in addition, include information regarding Voluntary Conservation Covenants on private land in accordance with Clause 11.1.3 of the City of Kalamunda – Local Biodiversity Strategy (2008), publish the modified document on the City's website and inform all landowners within the project area once completed.*
 - d) *NOTE the strategic outcomes of the Concept Plan and Report, as proposed to be modified.*
 - e) *CEASE further planning for the project as outlined in Option 2 of the Council Report.*

22. A key outcome from the engagement and concept planning process was that the Crystal Brook Concept Plan identified the area as an 'Urban Landscape'.



23. At the 27 July 2021 Ordinary Council Meeting, the Council adopted the Local Housing Strategy 2021 (LHS). The LHS identifies the site as a WAPC Urban Expansion and Investigation Area with further guidance for the planning for the area to be guided by the Crystal Brook Concept Plan.

DETAILS AND ANALYSIS

24. The WAPC is seeking preliminary comment on the proposed MRS Amendment. The WAPC will seek formal comment from the City when the MRS Amendment is initiated and advertised to the public.
25. Key details of the proposed MRS Amendment are detailed below. The proposed MRS Amendment seeks to rezone the site from Rural to Urban with the intent of facilitating the subdivision and development of the area for residential purposes.

30. Should the turf farm operations continue in the medium term, the applicant proposes that a number of interim measures will be required to be implemented to ensure the Department of Health (DoH), the Department of Water and Environmental Regulation (DWER), and the City are satisfied with the future release of residential lots. This includes:
- a) Implementation of a suitable design interface and spatial buffer between the turf farm and residential lots; and
 - b) Coordinated staged release of residential lots, providing a suitable spatial buffer from the turf farm.
31. The subject site abuts the Tonkin Highway road reserve. Provisions of the WAPC's State Planning Policy 5.4 - Road and Rail Noise (SPP 5.4) will need to be adhered to. The purpose of SPP 5.4 is to minimise the adverse impact of road and rail noise on noise-sensitive land-use and/or development within the specified trigger distance of strategic freight and major traffic routes and other significant freight and traffic routes.
32. A Transportation Noise Assessment will be prepared by the applicant at structure planning stage in accordance with the requirements of SPP 5.4 to assess noise levels in the vicinity of major roads. Any perceived potential impacts of noise emissions from the Highway can be directly addressed through a number of design and management tools when planning the future stages of the Wattle Grove South precinct, including but not limited to:
- a) Road traffic noise walls will be required to minimise road traffic noise from Tonkin Highway.
 - b) Design, orientation and configuration of lots.
 - c) Quiet House Packages will be incorporated as part of road traffic noise mitigation. These packages generally consist of upgraded glazing.
 - d) Notifications placed on lot titles where the noise level exceeds the assigned noise levels advising of the potential noise. Note that the extent of affected lots is to be determined when modelling includes road traffic noise walls and future buildings.
33. There are currently four dog kennels located outside of the subject site. The proposed urban development footprint of the Wattle Grove South precinct is located further away from the kennels and the existing sensitive receptors. Since each of these kennels is required to achieve noise emission compliance at existing residences (generally located within 60m of the kennels) the development itself does not encroach within the existing effective buffer.

34. **Vegetation**
Vegetation within the subject area is fragmented, consisting of limited areas of remnant native vegetation separated by significantly altered areas containing a combination of cleared and parkland cleared areas.
35. Some remnant native trees are scattered throughout the site, however, the majority of trees are non-native or exotic trees, such as planted eastern states species, including *Corymbia citriodora* (lemon scented gum) or foreign taxa such as *Melia azedarach* (cape lilac).
36. Vegetation within the subject site ranges from Completely Degraded to Excellent, with the Excellent and Very Good vegetation reflecting remnant vegetation occurring in limited localised areas within portions of some private lots. The applicant proposed that the areas of higher quality vegetation that have conservation value will be retained in Conservation Public Open Space, within public ownership for preservation and management by the City.
37. Due to the subject site being mostly cleared of native vegetation and used for rural purposes, the proponent advises that it is not likely that the area would offer large areas of valuable intact fauna habitat. The surrounding environment is also representative of clearing and rural land uses containing modified vegetation to the north, west and south of the site. Larger areas of intact vegetation area located to the east of the subject area and are considered to provide better fauna habitat than the area itself.
38. Banksia Woodlands on the Swan Coastal Plain (including limited areas of Threatened Ecological Communities (TEC) - FCT20a and SCP20b) were the only conservation significant ecological communities identified within the survey area. These listed ecological communities were highly fragmented and restricted to small patches of remnant vegetation amongst housing and semi-rural properties. Notwithstanding, these areas coincide with the areas of higher quality remnant vegetation and the applicant proposed to retain these areas in Conservation Public Open Space areas within public ownership for preservation and management by the City.
39. The applicant proposes the following project commitment:
- a) Portions of Lot 210 Crystal Brook Road and Lots 2 and 254 Victoria Road containing native vegetation with significant environmental values as identified in the Environmental Assessment Report are to be designated as Public Open Space – ‘Nature POS’ for the benefit of Conservation and ceded to the City in order to protect and preserve native vegetation or other special flora or fauna qualities.

- b) The acquisition and funding of the 'Nature POS' areas shall be undertaken in accordance with WAPC Development Control Policy 2.3 'Public Open Space in Residential Areas' (2002); WAPC Position Statement 'Cash-in-Lieu of Public Open Space'; and the City of Kalamunda Local Planning Policy 32 'Local Open Space'.

40. The applicant proposes the following project commitment:

- a) Prior to subdivision or development of Lot 210 Crystal Brook Road and Lots 2 and 254 Victoria Road, Wattle Grove a Vegetation and Fauna Management Plan(s) is required to be prepared and implemented for the applicable conservation areas. The Vegetation and Fauna Management Plan(s) is to address:
 - i. Fencing and any other measures required to limit public access;
 - ii. Initial rehabilitation and weed control;
 - iii. Educational signage; and
 - iv. Requirements for ongoing environmental management and maintenance (including bushfire control)
- b) Preparation of a Tree Retention Plan, which details location, species, size and structural health of significant trees (>300 DBH) within the site proposed to be retained during subdivision works.
- c) Preparation of a Tree Canopy Strategy that demonstrates that a minimum 20% tree canopy cover can be achieved and how this will be implemented within the rezoning area.

41. **Wetland Management**

Regional geomorphic wetland mapping (WALGA 2019) indicates that two Resource Enhancement Wetlands (REW) partially intersect the site:

- a) UFI 8037 - identified as a seasonally inundated sumpland located on the western boundary of the site which has been cleared and filled and no longer exists.
- b) UFI 15257 - identified as a seasonally waterlogged Plausplain, located in the northern corner of the site.

42. Two Conservation Category Wetlands (CCW) are located within Lot 501 immediately north of the site on the opposite side of Boundary Road. Land use planning typically requires a buffer of 50m between the boundary of a CCW and any potential development.

43. To the west of the site, on the opposite side of Tonkin Highway, there are a series of CCW, REW and Multiple Use Wetlands (MUW) associated with the Brixton Street Wetlands which is listed as a nationally important wetland. The wetland is seasonally inundated, with most of the water supply entering through direct precipitation. The wetlands support several threatened flora species and ecological communities.

44. The applicant proposes the following project commitment:
- a) Prior to subdivision or development of Lot 112 and 146 Brentwood Road, Wattle Grove an assessment of the portion of Resource Enhancement Wetland UFI 15257 that intersects with the site is to be undertaken to determine any environmental value of the wetland to the satisfaction of the Department of Biodiversity, Conservation and Attractions (DBCA).
 - b) If it is determined by the DBCA that the wetland, or portions of the wetland within the site, is worthy of retention, a Wetland Management Plan shall be prepared and is to address as a minimum, actions to prevent and manage impacts of urban development on the wetland and associated wetland buffer, including any vegetation that has been identified for retention.
45. **Urban Water Management**
A District Water Management Strategy (DWMS) has been prepared by Hyd2o Hydrology consultants to support the MRS amendment proposal. The DWMS has been prepared in accordance with the principles and objectives of Better Urban Water Management (Western Australian Planning Commission, 2008) and following discussions with key agencies ultimately involved with its implementation including the City, DBCA, and DWER.
46. The applicant proposes the following project commitment:
A Local Water Management Strategy (LWMS) and Urban Water Management Plan(s) (UWMPs) are to be prepared and implemented in accordance with the DWMS (hyd2o, April 2021) and WAPC's 'Better Urban Water Management' (2008). The LWMS is to demonstrate the following:
- a) A reduction of predevelopment nutrient rates; and
 - b) Maintenance of predevelopment flows to the satisfaction of the DWER.
47. **Bushfire Management**
A Bushfire Management Plan (BMP) has been prepared (Strategen-JBS&G) to support the MRS amendment, which includes an assessment of vegetation within and surrounding the site to determine applicable bushfire hazards, in accordance with Australian Standard 3959:2018 Construction of buildings in bushfire prone areas (AS 3959), and an assessment of the bushfire protection criteria outlined in the Guidelines.

48. At this strategic planning stage, provisions have not yet been made for future landscaping or designation of public open space (POS) and drainage areas within the project area. Other than the three discrete localised conservation areas that have been identified within the project area, the balance of the area has been predominantly parkland cleared with little to no understorey. It is expected that many of the existing large trees will be retained, generally within areas of POS, drainage/ road corridors and larger lots, and such that the bushfire risk can be appropriately managed in an urban setting.

49. The applicant proposes the following project commitment:
A BMP is to be prepared to inform the local structure plan and implemented through the subdivision and development processes, including building setbacks and construction standards required to achieve a Bushfire Attack Level (BAL) 29 or lower in accordance with Australian Standards (AS3959-2009):

'Construction of buildings in bushfire prone areas'. Notifications will be required on the titles of those lots identified in the BMP as having a BAL rating of 12.5 or above.

50. **Heritage**

According to the Department of Planning, Lands & Heritage (DPLH) Aboriginal Affairs Aboriginal Heritage Inquiry System the subject site is partly affected by two registered Aboriginal Heritage sites located along the southern boundary near the Tonkin Highway reserve. These sites are identified as:

- a) ID 4343 Brentwood Road Swamp.Type: Artefacts/Scatter
- b) ID 4342 Brentwood Road Quarry.Type: Artefacts/Scatter

51. DPLH 4342 Brentwood Road Quarry is listed on the Register of Aboriginal Sites as an artefact scatter and quarry with a reliable location. The site was reallocated and recorded to a site identification level by Archae-aus Pty Ltd in 2019 while undertaking an archaeological heritage survey for proposed Tonkin Highway Upgrades and Grade Separation for Main Roads WA. Archae-aus identified a dense scatter of quartz and fossiliferous chert flaked artefacts in a deflated sand dune on the west side of Tonkin Highway, on the opposite side to the rezoning area (Horizon Heritage Management, 2021). As such, this site will not be impacted by development within the proposed Urban area.

52. A site assessment was undertaken by Horizon Heritage Management (2021) to verify the location of Brentwood Road Swamp (Site ID 4343). A reliable location for the site will be determined following DPLH being advised of the results of the site assessment. A reliable site location will be made available in due course. As the site is a registered Aboriginal heritage site, it is afforded protection under the AH Act.
53. There are no registered State Heritage Sites or Other Heritage Sites (City of Kalamunda Municipal Heritage Places) located within the subject site. However, it is noted that there is one heritage listed site (Other Heritage Sites), known as 'White's home and store', located on the corner of Crystal Brook Road and Victoria Road.
54. **Design Considerations**
The applicant has stated that the future structure planning design for the 'Urban' zone will be progressed over the coming months. Broadly the project design ethos is to:
- a) Retain a 'rural-suburban' feel to streetscapes and open space which captures the essence of the wider setting.
 - b) Retain existing areas of good quality vegetation and wherever practical enhancing visual connectivity between identified tree groups of significance.
 - c) Provide visual connections to conservation areas and features of interest that assist in orientation and legibility.
 - d) Integrate innovative sustainable urban drainage and use for passive irrigation of the public realm setting the benchmark for future development in the area.
 - e) Create landscape linkages, recreational nodes and circuits of pedestrian routes within the site and promote connections to the surrounding landscape.
 - f) Encourage community ownership and sense of pride through the creation of diverse urban landscapes that reflect the site's unique characteristics.
55. The applicant has identified the following key design principles:
- a) Maximise Tree Canopy
 - b) Unique Public Open Space and Domain
 - c) Connected Community

56. **Movement Network**

A Transport Impact Assessment (TIA) has been prepared by Cardno which outlines the transport aspects considered for the MRS amendment area. The assessment has been prepared in accordance with the WAPC Transport Assessment Guidelines for Developments: Volume 2 – Planning Schemes, Structure Plans and Activity Centre Plans (2016).

57. The following conclusions were made regarding the proposed MRS amendment:

- a) An analysis of expected daily traffic volumes on the external road network indicates that:
 - i. Welshpool Road East, between Tonkin Highway and Crystal Brook Road, will increase to over 30,000 vehicles per day. This can be accommodated within the existing road layout, but will require intersection upgrades (refer below).
 - ii. Crystal Brook Road will require upgrading to accommodate between 6,000 and 10,000 vehicles per day. The extent and form of upgrades will be subject to the location of access points to the site and the internal subdivisional road layouts and will be further assessed at Structure Plan stage.
 - iii. Kelvin Road is expected to have moderate increases in traffic volumes but remain within the Distributor B threshold.
- b) Analysis of the key intersections on the external road network has been undertaken with the following conclusion:
 - i. The future interchange at Tonkin Highway / Welshpool Road East and Tonkin Highway / Kelvin Road is expected to be able to cater for the proposed development traffic. Note that the analysis is based on a concept design and MRWA has yet to confirm the final design for these interchanges;
 - ii. Welshpool Road East and Crystal Brook Road intersection would need upgrades to cater for the proposed development; and
 - iii. Crystal Brook Road and Kelvin Road can cater for the proposed development and no upgrade requirement is identified at this stage.
- c) To support the sites development, modifications to bus routes in the area should be investigated in collaboration with the Public Transport Authority. There is an opportunity to provide for Route 283, or a new route, to operate through the site.
- d) Well-connected pedestrian and cycling networks should be provided within the site, as well as convenient connections to the Tonkin Highway Principle Shared Path (PSP). Welshpool Road East and Crystal Brook Road upgraded sections should include high-quality pedestrian and cycling facilities.

58. **Servicing**
There is no reticulated gas supply within the site or generally within the immediately adjacent area. However, an ATCO Gas high-pressure gas main is located in Welshpool Road East to the west of the site, terminating near the Lancelot Garden cul-de-sac, Wattle Grove. Welshpool Road East also contains a medium-pressure gas main that extends through the existing Wattle Grove residential development north of Welshpool Road East and west of Tonkin Highway. The applicant has stated that in discussions with ATCO, a connection to and extension of the existing high-pressure main in Welshpool Road East will allow a reticulated gas network to be provided to the site.
59. Though the Wattle Grove subject area is not currently serviced by a wastewater scheme, the site is within the Water Corporation license area and covered by the Wattle Grove Sewer District (SD) conceptual wastewater planning.
60. Though within the Wattle Grove SD, the site is located on the planned boundary between the Corporation's Wattle Grove and Forrestfield sewer districts. Crystal Brook Road is the topographical boundary between the sewer districts. In September 2020, Water Corporation wastewater planners conducted a review of planning and an assessment of the relative costs and merits of servicing this land either through the Wattle Grove SD downhill to the south west, as per the Water Corporation long-term planning (identified as Option 2), or pumping northwards through the Forrestfield SD on a temporary basis (identified as Option 1).
61. Option 1, the proposed option of a temporary/interim WWPS pumping northwards into the Forrestfield SD is not supported because of a lack of conveyance capacity in the Forrestfield sewer network and because additional out-of catchment pumped flows into the Forrestfield SD would immediately trigger a requirement to extend the DN1500 Maida Vale main sewer and install a section of the DN1050 and DN750 Forrestfield branch sewers.
62. As such, the Water Corporation's assessment concluded that the preferred longer-term Option 2 option, in terms of capital and operating cost and technical feasibility, is to service the entire future 'Urban Expansion' area plus the MKSEA industrial area westwards into the Wattle Grove SD. The major works required to service the Wattle Grove SD are currently identified as:
- a) 1.4km of DN750 gravity sewer along Bickley Brook Road;
 - b) 830m of DN600 gravity sewer along Bickley Brook Road;
 - c) 1.5km of DN600 gravity sewer along Brentwood Road; and
 - d) 750m of DN450 sewer along Brentwood Rd up to Tonkin Highway.

63. Notwithstanding, through the further detailed planning for the locality, there is an opportunity to review and optimise the sewer infrastructure required for this locality.
64. The ultimate discharge from the area being a gravity connection to the existing 900mm Branch Sewer located in Bickley Road, near Dulwich Street in Maddington.
65. As previously noted, the site is within the Water Corporation license area. With respect to water planning, the site is situated at the eastern edge of the Trunk Mains PRV scheme. As the site is currently zoned 'Rural', the Corporation's water planning is based on this zoning, which arose from the WAPC's Foothills Structure Plan. The Water Corporation has advised the water planning will be revised as and when the land is rezoned to 'Urban'.
66. The site has a 66kV high voltage (HV) overhead power line extending along the south-eastern side of Brentwood Road. The site also has 22kV HV overhead power lines running along the north-western side of Brentwood Road and Victoria Road and a low voltage (LV) overhead power line on the south-eastern side of Boundary Road. The existing cables will be able to provide power to the proposed development of the site.
67. The site is within the NBN network footprint and NBN fixed line services are available within the site.
68. **Structure Planning**
The subsequent structure plan being prepared for the subject site will address the detailed planning for the land, including:
- a) Density of residential lots,
 - b) Road layout,
 - c) Location and size of public open spaces,
 - d) Landscape strategy,
 - e) Conservation lot management plan,
 - f) Noise mitigation measures, and
 - g) Heritage and place planning design considerations.
69. Having regard for the information provided as part of the preliminary referral process, the City has prepared a preliminary submission with the key components of the submission detailed below.

70. **MRS Amendment Report**

Comments in the submission should be factored into the proposed project commitments of the MRS Amendment. The proposed project commitments are supported by the City subject to submission comments factored in, and it is the City's expectation that these commitments are followed through at structure plan and implementation stage.

71. The site vegetation is described as highly fragmented. The City recommends that a feature survey is provided at structure plan stage where all natural assets are mapped and prioritised to determine which natural assets are to be retained in through corridors of POS and road reservations. The linkages should be designed having regard for ecological principles, that is to ensure they are appropriate for the movement of target organisms.

72. Quenda are known to co-habitate in the this area with a high likliehood that a significant population of quenda occurs outside the higher quality remant vegetation. It is recommend additional surveys are undertaken to better understand the population of quenda, and measures should be put in place at structure plan stage to ensure their population is not detrimentally impacted.

73. It is important that the remnant areas of high ecological value are not only retained but buffered with suitable landuses that increase the capacity of the remnants to be resilient to the impacts of the altered landscape. Analysis to determine the optimum size of the remnants, including the buffers, should be undertaken to ensure the remnant areas will not degrade over time, be manageable by the City without large amounts of management inputs, and will be suitable to contain and support populations of critical flora and fauna.

74. The tree retention plan should provide details of all trees, and not just those greater than 300mm DBH (diameter at breast height). Trees currently less than 300mmDBH are established and will become trees greater than 300mmDBH. A comprehensive plan on retention, buffering and connection and rehabilitation of important linkages should be undertaken as part of the structure planning process. It is important to recognise these features first and best attempt to integrate them as part of the broader urban design process.

75. Supplemental Street Tree planting should consider the biodiversity and ecosystem benefits of the species as well as amenity value of trees planted. Local native species should be used in preference of other species, where appropriate.

76. Landscape design should enhance the “gateway to the Perth Hills” and not detract from the visual amenity people have when entering the Perth Hills. Detrimental visual amenity could detract from tourism to the Hills area.
77. The City notes that in the report, it is recommended that the City recommend that a concurrent rezoning of the LPS3 to a development zone is undertaken. The City at this preliminary stage reserves it’s right to make comment on this recommendation until the MRS Amendment is formally initiated and formally advertised.
78. The City supports the structure plan and implementation provisions as identified in the MRS Amendment report with consideration of the points provided in the submission factored in. The City also recommends that the Crystal Brook Concept Plan implementation strategies, items for further investigation and technical considerations are properly addressed at the structure plan phase. This is further outlined in the Crystal Brook Concept Plan section of the submission.
79. TIA figures for Crystal Brook Road at the eastern end shows 2031 total traffic nearing/exceeding capacity. The intersection of Crystal Brook Road and Welshpool Road East (eastern) should be modelled for performance. Noting that it is likely that Crystal Brook Road east of Kelvin would have to remain in the same format due to site constraints, as would the intersection. The implication for the MRS amendment (and structure plans) is there needs to be a redistribution of traffic in the network.
80. **The Framework.**
The proposed MRS Amendment is consistent with the designation of Urban Expansion under the Framework. Future Structure Planning will address the technical requirements regarding protection of significant environmental attributes, basic raw materials, water resources, bushfire risk, servicing, community and social infrastructure, movement networks and employment as identified in the Framework.
81. **Local Planning Strategy 2010**
The proposed MRS Amendment is consistent with the Urban Investigation designation under the Local Planning Strategy. The Local Planning Strategy identifies the following key matters that should be addressed (but not limited to):
- a) Bushfire risk.
 - b) Transport/movement networks.
 - c) Infrastructure/servicing.
 - d) Environmental and landscape impacts.
 - e) Urban water management.

82. These items have been addressed for the purposes of the proposed MRS Amendment in the supporting reports and will be further addressed in future structure planning.

83. **Local Housing Strategy 2021**

The proposed MRS Amendment is consistent with the WAPC Urban Expansion and Investigation Area under the City's LHS. The LHS estimates between 510 and 2725 additional dwellings and up to 7085 additional persons for the Wattle Grove South area. The Traffic Impact Assessment (TIA) for the proposed Amendment indicates approximately 1300 dwellings at this initial planning stage which would be consistent with the LHS estimate.

84. **Crystal Brook Concept Plan**

The proposed Urban MRS Amendment boundaries do not align with the 'Urban Landscape' boundaries of the Crystal Brook Concept Plan. It is recommended that the Urban boundaries of the MRS Amendment align with the Urban Landscape boundaries of the Crystal Brook Concept Plan in so far as they bound Crystal Brook Road, Victoria Road and the local government boundary with the City of Gosnells as outlined in the below image.



85. Key reasons for requesting this boundary change are as follows:
- a) Ensures a coordinated planning outcome.
 - b) Provides a logical boundary utilising Crystal Brook Road.
 - c) Aligns with the Urban Landscape designation in the Crystal Brook Concept Plan.
 - d) Includes areas of noteworthy environmental value that need to be planned for and ultimately managed.
86. The Concept Plan defines Urban Landscape: Identifies areas where environmental and servicing constraints may be present but on assessment does not, at this high level of analysis, impede development, subject to meeting the strategic objectives of the concept plan and ensuring sensitive interface treatments between land use typologies. These areas are generally suited to lots in the order of 2000sqm due to current servicing constraints. Smaller lot sizes could be explored subject to the availability of services. Captures an array of uses (including but not limited to):
- a) Residential (Starting from R2)
 - b) Commercial (Any commercial land to be commensurate to the density of the population, to be defined at future detailed planning, subject to community consultation and subject to retail needs and sustainability assessment).
 - c) Not to include industrial.
87. Structure planning will need to ensure that the planning and implementation of the site will align with the Concept Plan's 'Urban Landscape' typology.
88. The Crystal Brook Concept Plan includes a set of technical considerations, issues for further investigation and recommended implementation strategies to be addressed at future detailed planning. The proposed MRS Amendment addresses some of these matters at a preliminary level, however they will need to be fully addressed at the future structure planning stage.
89. It is recommended that the proposed MRS Amendment should outline whether these matters are being addressed and how they are being addressed. If they are to be addressed at a later planning stage (such as structure plan stage), then that should be stated in the supporting planning report. This could be undertaken in a table style format.

90. At the 24 November 2020 OCM in consideration of the Concept Plan, the Council resolved to cease further planning for the project. As the MRS Amendment has been prepared by a developer and private consultant with no direct involvement from the City, the preparation of this proposal is consistent with Council's resolution.
91. **Perth Airport Submission on the Concept Plan**
An assessment of the project area with the New Runway in place using the National Airports Safeguarding Framework (NASF) recognised the area will experience up to 100 aircraft noise events above 65 decibels across an average day.
92. Guidelines used by NASF state the benchmark of 50 noise events to be the point where the frequency and level of aircraft noise events should be considered as impacting planning decisions. This 50-event trigger is met (and exceeded) in this area.
93. As part of their submission, Perth Airport recommended that insulation to mitigate these noise impacts be considered to be made mandatory. The City recommends that this recommendation is considered through the structure planning phase.
94. **Department of Education Submission on the Concept Plan**
The Department of Education (DoE) provided a submission that stated the additional population generated in the area plus existing pressures on existing schools may require up to an additional two primary schools and one high school.
95. The City recommends that the applicant liaise with DoE on school requirements for the site and acknowledges that this will be further detailed at structure planning stage.
96. **Draft Urban Forest Strategy**
The City's Draft Urban Forest Strategy (UFS) targets to retain at least 20% canopy cover in areas earmarked for, but yet to undergo, urban development.
97. Stated within the MRS Amendment report is that a key objective of the project is to maximise tree retention within new public open space areas, streetscapes and larger lots and introduce substantial street tree planting to achieve significant tree canopy areas and local amenity as the site develops. Substantial tree planting shall be undertaken as part of the future redevelopment of the existing and proposed 'Urban' zone to achieve significant tree canopy areas as the site develops and which will result in an increase to the current area of tree canopy.

98. The City is supportive of this objective and recommends that a minimum of 20% canopy cover is committed to and achieved through structure planning and implementation during the project's development. This should be achieved through the application of retention of trees on private property (City's Environmental Land Use Planning Strategy (ELUPS)) and streetscapes as per the UFS to ensure a balanced approach between public and private land.
99. **Local Biodiversity Strategy 2008 and Draft Local Biodiversity Strategy 2020**
It is stated within the MRS Amendment Report that the intention of the project is to retain biodiversity values in Conservation Public Open Space areas within public ownership for preservation and management by the City as part of the structure planning and subdivision design stages of the project. Local Structure Plan provisions will provide a statutory mechanism to ensure that these areas are identified and vested in the City for conservation management.
100. Stated within the MRS Amendment Report is the following project commitment:
- a) Prior to subdivision or development of Lot 210 Crystal Brook Road and Lots 2 and 254 Victoria Road, Wattle Grove a Vegetation and Fauna Management Plan(s) is required to be prepared and implemented for the applicable conservation areas. The Vegetation and Fauna Management Plan(s) is to address:
 - i. Fencing and any other measures required to limit public access;
 - ii. Initial rehabilitation and weed control;
 - iii. Educational signage; and
 - iv. Requirements for ongoing environmental management and maintenance (including bushfire control)
 - b) Preparation of a Tree Retention Plan, which details location, species, size and structural health of significant trees (>300 DBH) within the site proposed to be retained during subdivision works.
 - c) Preparation of a Tree Canopy Strategy that demonstrates that a minimum 20% tree canopy cover can be achieved and how this will be implemented within the rezoning area.
101. The City supports the commitment of the project to protect medium-high biodiversity rated vegetation in conservation public open space and implement a Flora and Fauna Management Plan(s), and it is the expectation that this commitment is fulfilled. The City recommends that the structure plan identifies networks of public open space which link biodiversity assets.

102. **Local Planning Policy 28 – Delivery of State and Local Strategies Through the Preparation of Structure Plans (LPP28)**
Local Planning Policy 28 (LPP28) Appendix 1 identifies the information required to be submitted with a planning proposal.

103. In accordance with LPP28 the following information is required to be submitted with a MRS Amendment:

Information Required	Provided?
District Structure Plan (DSP)	X
Transport Impact Assessment	ü
Geotechnical Investigations	ü
District Water Management Strategy	ü
Groundwater Monitoring	ü
Surface Water Monitoring	ü
Environmental Assessment Report	ü
Flora and Vegetation Survey	ü
Fauna Survey	ü
Bushfire Management Plan	ü

104. Additional to the requirements of LPP28 an Infrastructure and Servicing Strategy has been provided.

105. It is noted that a DSP has not been provided in accordance with the requirements of LPP28. The City accepts the decision not to provide a DSP and that going straight to a LSP/s is acceptable in this instance as long as the LSP/s address the broader area in consideration of environmental matters infrastructure delivery, amenity impacts, traffic impacts, noise impacts, traffic, cycling and pedestrian networks and interface treatments.

106. It is also noted that the Crystal Brook Concept Plan provides broad overarching development principles and implementation strategies not dissimilar to the role of a DSP and that those matters can be carried through at a LSP phase.

107. During the subsequent planning stages including Local Planning Scheme Amendment and Local Structure Planning, the requirements of Appendix 1 of LPP28 are to be addressed.

APPLICABLE LEGISLATION

108. The MRS may be amended in accordance with Part 4, Division 2, Section 37 (1) of the Planning and Development Act 2005.

109. As the MRS is a State Government Region Scheme, it is the responsibility of the WAPC to resolve to amend a region planning scheme subject to Section 36 of the Planning and Development Act 2005.
110. The Planning and Development Act 2005 allows amendments to the MRS to be processed as either “minor” or “major” amendments depending on whether they are considered to constitute a substantial alteration to the MRS or not. This amendment is considered to meet the WAPC’s ‘minor’ amendment criteria for the following reasons:
- a) The size and scale of the proposed amendment is not considered regionally significant as it does not reflect a regional change to the local planning strategy or philosophy for the metropolitan region.
 - b) The proposal aligns with the WAPC’s North-East Sub-Regional Planning Framework which identifies the rezoning area as an Urban Expansion area.
 - c) All service infrastructure can be readily provided to service the development via extensions to the existing network within the adjacent neighbourhood.

APPLICABLE POLICY

111. **Liveable Neighbourhoods**

Liveable Neighbourhoods is a WAPC operational policy that guides the structure planning and subdivision for greenfield and large brownfield (urban infill) sites.

The Local Structure Plan(s) will be required to address the requirements of the Policy.

112. **Development Control Policy 2.2 Residential Subdivision**

This policy sets out the WAPC’s requirements for landowners intending to subdivide residential land. It assists to create a diversity of lot and housing types throughout the State.

The Local Structure Plan(s) will be required to address the requirements of the Policy.

113. **Development Control Policy 2.3 Public Open Space**

The basic component of this policy is the requirement that 10 per cent of the gross subdivisible area of a conditional subdivision shall be given up free of cost by the subdivider for public open space.

The local structure plan(s) will need to address this policy by providing adequate and usable open space for a variety of users and functions including sport, recreation and nature.

114. **State Planning Policy 2.0 Environment and Natural Resources**
State Planning Policy 2.0 (SPP 2.0) defines the principles and considerations that represent good and responsible planning in terms of environment and natural resource issues within the framework of the State Planning Strategy. Supplemented by more detailed planning policies on particular natural resource matters. SPP 2.0 objectives are to:
- a) Integrate environment and natural resource management with broader land use planning and decision making;
 - b) Protect, conserve and enhance the natural environment; and
 - c) Promote and assist in the wise and sustainable use and management of natural resources.
115. State Planning Policy 3.7 Planning in Bushfire Prone Areas
This policy directs how land use planning should address bushfire risk management in Western Australia.

STAKEHOLDER ENGAGEMENT

116. The WAPC has provided the proposed MRS Amendment to the City for preliminary comment.
117. Following the consideration of preliminary comments and any changes submitted by the applicant, the WAPC may resolve to initiate the MRS Amendment, following which the WAPC will refer the proposed MRS Amendment to the Environmental Protection Authority (EPA) for environmental review decision.
118. The EPA may either decide that:
- a) Environmental review is not required;
 - b) Environmental review is required – process followed according to EP Act.
 - c) Scheme Amendment cannot be made environmentally acceptable – process followed according to EP Act.
119. Following environmental review from the EPA, should the Amendment be environmentally acceptable, the WAPC will release the proposed MRS Amendment for public advertising and formal comment once the Minister consents to advertise. The WAPC makes the Amendment available for public inspection and advertises for submissions for not less than 3 months.

FINANCIAL CONSIDERATIONS

120. The planning for the site is being undertaken by a private planning consultant engaged by a prospective developer, therefore there are no costs to the City apart from officer time on this matter.
121. There will be future financial considerations in regards to the services and needs to future populations. The City's Long-Term Financial Plan (LTFP) in this regard has considered future population growth and the need to review services that the City provides in response to that population growth. The population growth envisaged through the area has been factored into the LTFP.

SUSTAINABILITY

122. The population of the area is expected to increase over time, resulting in an increased demand for community facilities and infrastructure. An appropriate hierarchy of community facilities and infrastructure will need to be explored in greater detail during the structure planning phase to ensure that all demographic groups are accommodated.
123. An increase population to the area will see demand for retail and commercial uses and provide a greater population catchment for existing businesses in the area. The necessity of non-residential land allocation within the project area will be determined during the structure planning process and be subject to appropriate justification through assessment.
124. It is stated within the MRS Amendment Report that biodiversity values will be retained in Conservation Public Open Space areas within public ownership for preservation and management by the City. Local Structure Plan provisions will provide a statutory mechanism to ensure that these areas are identified and vested in the City for conservation management.
125. Stated within the MRS Amendment Report is that a key objective of the project is to maximise tree retention within new public open space areas, streetscapes and larger lots and introduce substantial street tree planting to achieve significant tree canopy areas and local amenity as the site develops. Substantial tree planting shall be undertaken as part of the future redevelopment of the existing and proposed 'Urban' zone to achieve significant tree canopy areas as the site develops and which will result in an increase to the current area of tree canopy.

RISK MANAGEMENT

126.

Risk: The City does not provide a preliminary submission to the WAPC therefore potentially resulting in a formally initiated MRS Amendment proposal which does not take into consideration the views of the City.		
Consequence	Likelihood	Rating
Significant	Unlikely	Medium
Action/Strategy		
Council endorse the submission in Attachment 2 and forward to the WAPC to ensure the City's views are taken into consideration prior to formally initiating the MRS Amendment.		

127.

Risk: The development of the area causes unacceptable impacts to the natural environment.		
Consequence	Likelihood	Rating
Major	Possible	High
Action/Strategy		
Council endorse the submission in Attachment 2 and forward to the WAPC to ensure the City's views on protecting high value vegetation, retention of tree canopy and creating environmental corridors is taken into consideration during the different planning phases and implementation.		

128.

Risk: The proposed MRS Amendment receives significant community opposition.		
Consequence	Likelihood	Rating
Significant	Likely	High
Action/Strategy		
Council endorse the submission in Attachment 2 which captures the outcomes in the Crystal Brook Concept Plan which captured the views of the community and forward to the WAPC. Noting that the community will have the opportunity to provide their views when the MRS Amendment and Structure Plan(s) are advertised.		

CONCLUSION

129. The WAPC is seeking preliminary comments for the proposed MRS Amendment for a portion of the Wattle Grove South project area.

130. The City has prepared a preliminary submission (Attachment 2) which considers the contents of the MRS Amendment Report and reviews the proposal against relevant strategies and policies.
131. The City will have another opportunity to provide a submission when the MRS Amendment is initiated and formally advertised. It is at this stage, the proposed MRS Amendment will also be advertised to the public.
132. It is recommended that Council endorse the submission as outlined in Attachment 2 and forward its submission to the WAPC.

Voting Requirements: Simple Majority

Council sought clarification on various aspects of the report. The Director Development Services provided clarification on various matters raised. The Presiding Member then called for a mover for the Recommendation as presented.

Cr Stallard moved the recommendation and foreshadowed an amendment to include property which is not currently included within the MRS Amendment proposal. Cr Stallard provided rationale for the proposed amendment to the recommendation. The amended recommendation received a seconder before being debate and put to the vote.

RECOMMENDATION

That Council ENDORSE the Preliminary Submission (Attachment 2) and REQUEST the Chief Executive Officer forward it to the Western Australian Planning Commission for consideration.

RESOLVED OCM 257/2021

That Council:

1. ENDORSE the Preliminary Submission (Attachment 2) and REQUEST the Chief Executive Officer forward it to the Western Australian Planning Commission for consideration subject to the inclusion of Lot 20 (#47) Victoria Road, Wattle Grove for the following reasons:
 - a. The property is identified on the boundary of the Urban Landscape and Rural Landscape of the Crystal Brook Concept Plan (2020).
 - b. The property is identified within the Urban Expansion designation of the Western Australian Planning Commission's North-East Sub-Regional Planning Framework (2018).
 - c. The property is identified within the Urban Investigation Area designation of the City's Local Planning Strategy (2013).

- d. The property owner has signalled an intention to provide a form of transitional development between the two landscape areas (i.e. 2000sqm).

2. REQUEST that as part of detailed planning for service infrastructure, consideration be given to emission reduction initiatives including the exclusion of reticulated gas services to allow for a preference towards renewable electricity sources.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Janelle Sewell**

Vote:	<u>For</u>	<u>Against</u>
	Cr Janelle Sewell	Cr Dylan O'Connor
	Cr Geoff Stallard	Cr Kathy Ritchie
	Cr Lesley Boyd	
	Cr Mary Cannon	
	Cr Brooke O'Donnell	
	Cr Sue Bilich	
	Cr Lisa Cooper	
	Cr Cameron Blair	
	Cr Margaret Thomas	

CARRIED (9/2)

The Presiding Member called for a brief adjournment. The meeting adjourned at 8:57pm and resumed at 9:06pm.