

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

22. Request to Initiate an Amendment to the Metropolitan Region Scheme – Pickering Brook Townsite Expansion

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	PG-STU-034
Applicant	N/A
Owner	Various
Attachment 1	Current and Proposed Metropolitan Region Scheme Zoning Map
Attachment 2	Current and Proposed Local Planning Scheme No. 3 Zoning Map
Attachment 3	Environmental Assessment Report
Attachment 4	Level 2 Flora and Vegetation Assessment
Attachment 5	Transport Impact Assessment
Attachment 6	Infrastructure Servicing Report
Attachment 7	Bushfire Hazard Assessment
Attachment 8	District Water Management Strategy

PURPOSE

1. To request the Western Australian Planning Commission (WAPC) to amend the Metropolitan Region Scheme (MRS) by rezoning the proposed Pickering Brook Townsite Expansion Area from Rural to Urban.

BACKGROUND

2. **Land Details:**

Land Area:	90ha
Local Planning Scheme Zone:	Rural Agriculture
Metropolitan Region Scheme Zone:	Rural

3. The Shire's Local Planning Strategy, endorsed by the WAPC in 2013, identifies the Pickering Brook Townsite Expansion as an Urban Investigation area. The Local Planning Strategy assigned the following strategy to the area:

- 'Review the Pickering Brook town site with the intention of consolidating the uses and giving it a focus'

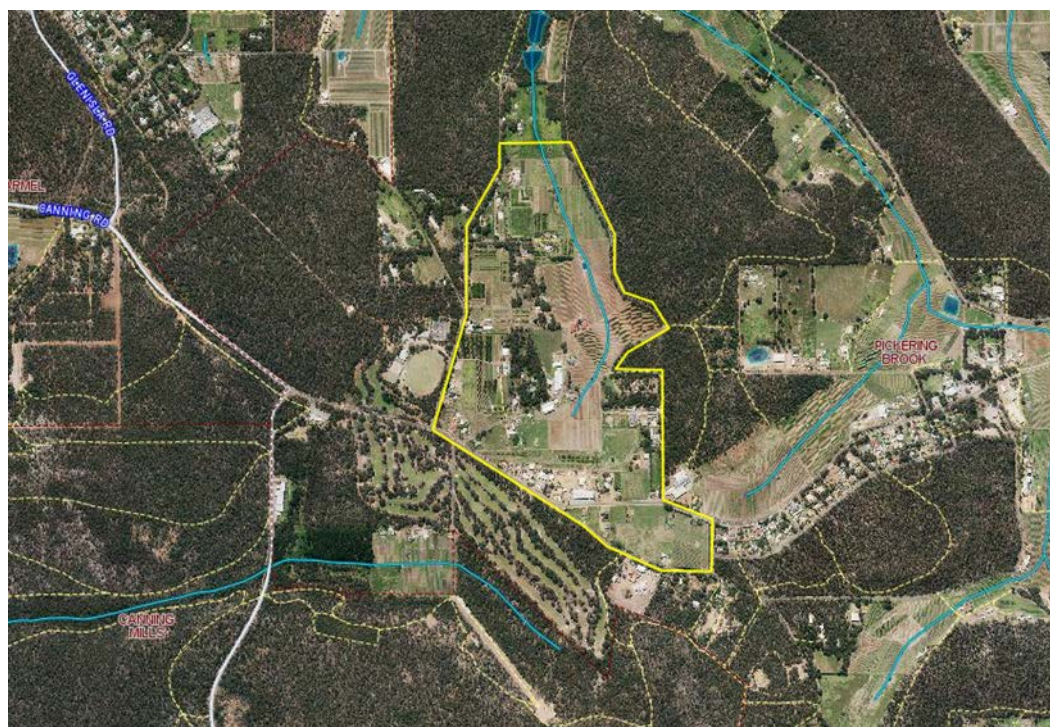
and the action:

- 'Undertake comprehensive planning analysis of the Pickering Brook Townsite and surrounds to investigate potential for the creation of new lots'.

4. A planning consultant was appointed to conduct preliminary investigations into the subject area and liaise with State Government stakeholders including the WAPC and Department of Water (DoW). In the last year, the Shire has been working with the consultant to identify constraints and opportunities and conduct technical studies in the area.
5. The Shire conducted a number of studies that found there were no inherent constraints to allow for the rezoning of the site from Rural to Urban under the MRS, these technical studies included:
 - Environmental Impact Assessment
 - Flora and Vegetation Assessment
 - Transport Impact Assessment
 - Infrastructure Servicing Report
 - Bushfire Hazard Assessment
 - District Water Management Strategy

Locality Plan

6.



7. The site is zoned Rural under the MRS and Rural Agricultural under the Shire's Local Planning Scheme No. 3 (the Scheme) (refer Attachments 1 and 2).
8. The site covers an area of approximately 90 ha comprising 37 land parcels bounded by Weston Road, Pickering Brook Road, Carinyah Road, Davey Road, Isaacs Road, McCorkill Road and Repatriation Road.
9. The site is characterised by predominantly small (2-4 hectares) rural agricultural landholdings either cleared or partially cleared. The majority of lots are being used for agricultural purposes, primarily citrus, stone and pome fruit orchards. The majority of lots also contain residences.

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10. Some existing landholdings to the south of the site are being used for commercial purposes associated with earth moving and cold storage.

DETAILS

11. The Shire proposes to request the WAPC to rezone the site from Rural to Urban under the MRS. The Shire will request the WAPC to progress a concurrent amendment to rezone the site from Rural Agriculture to Urban Development under the Scheme.
12. To support the proposal, the Shire has undertaken the following studies:
- Environmental Impact Assessment
 - Flora and Vegetation Assessment
 - Transport Impact Assessment
 - Infrastructure Servicing Report
 - Bushfire Hazard Assessment
 - District Water Management Strategy

Environmental Assessment Report

13. The Shire engaged a consultant to conduct an Environmental Assessment Report (EAR) to assess environmental opportunities and constraints associated with the proposal (Attachment 3).
14. The EAR concludes that there are no significant impediments to rural residential development:
- The vegetation condition across the majority of the site has been rated as 'Completely Degraded' due to historical clearing for agricultural activities. No flora species of conservation significance were recorded across the site.
 - Six fauna species of conservation significance are likely to visit/utilise the site. However, given the lack of remnant vegetation, it is unlikely that the site is significant to these species.
 - Acid Sulphate Soil risk mapping for the site shows that there is a 'Low to nil risk of acid or potentially acid sulphate soils greater than 3m below the ground surface'.
15. The EAR recommends that some further studies and management measures be considered during development of a final concept design for the site.
16. If this occurs, the EAR concludes the proposed MRS amendment and subsequent development of the site for rural residential purposes will have minimal potential environmental impacts.

Level 2 Flora And Vegetation Assessment

17. The Shire engaged a consultant to conduct a Level 2 Flora and Vegetation Assessment (FVA) to assess the impact the proposed development would have on the flora and vegetation that occurs across the site (Attachment 4).

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18. The FVA found that the proposal would not have a significant impact on the flora and vegetation.

Heritage Surveys

19. The Department of Aboriginal Affairs database indicates that no listed Aboriginal heritage places occur within or in close proximity to the site.
20. The Shire's Municipal Heritage Inventory indicates that one registered heritage place occurs within the site:
- Heritage Place No. 55 'Temby's home (fmr)' located at 30 Foti Road, Pickering Brook.

Transport Impact Assessment

21. The Shire engaged a consultant to conduct a Transport Impact Assessment (TIA) to assess the potential traffic and transport impacts that the proposed development may have on both the surrounding road and transportation networks (Attachment 5).
22. The TIA addressed:
- The expected future traffic volumes, taking into consideration the planned residential densities.
 - The current and future level of service of the Repatriation Road/Hewson Road intersection and Carinyah Road/Davey Road intersection.
 - An assessment of Pickering Brook Road and Carinyah Road in terms of capacity, turning movements and safety.
23. The TIA found that the MRS amendment would not have a significant impact on the safety or performance of the road and transport infrastructure.

Infrastructure Servicing Report

24. The Shire engaged a consultant to conduct an Infrastructure Servicing Report (ISR) to assess the existing infrastructure in proximity to the site and the upgrade/connection requirements for the proposed development (Attachment 6).
25. The ISR investigated existing and future roads, stormwater drainage, water, power, telecommunications and gas services.
26. The ISR found that the MRS amendment would not have a significant impact on the performance of existing and future roads, stormwater drainage, power, telecommunications or gas services.
27. Water supply services will likely require some upgrades. The Shire will investigate the technicalities and specifics of these upgrades as part of the Local Structure Planning phase of the planning process.

Bushfire Hazard Assessment

28. The Shire engaged a consultant early in the process to conduct a Bushfire Hazard Assessment of the subject area. The assessment will influence the design and staging of the Townsite expansion project (Attachment 7).
29. The current level of assessment shows that the majority of the site is a 'Low' risk, with some 'Moderate' risk where there is remnant vegetation. The site is surrounded by 'Extreme' risk bushland, which will need to be appropriately considered during the Local Structure Planning process.

District Water Management Strategy (DWMS)

30. The Shire engaged a consultant to conduct a DWMS of the subject area. Since the subject area is currently a Priority 2 Public Drinking Water Source Area, no Urban development can be permitted. The purpose of the DWMS is to provide justification that the area should be reclassified to Priority 3, meaning that Urban development is possible. The implementation of the principles and objectives of DWMS through the preparation of the Local Structure Plan will ensure that the drinking water quality of the area will be maintained.

STATUTORY AND LEGAL CONSIDERATIONS

31. The *Planning and Development Act 2005* (the Act) establishes procedures relating to amendments to the MRS and the Scheme. If the WAPC initiates the proposed amendment, then ultimately the amendment will be determined by the Minister for Planning.
32. The Act allows for 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.
33. This amendment is recommended to be processed as a minor amendment for the following reasons:
 - The scale and size of the proposed amendment is not considered regionally significant. It does not reflect a change to the planning strategy or philosophy for the Metropolitan Region and is unlikely to have an adverse impact on the surrounding localities;
 - The MRS amendment accords with the general intent of a number of strategic State and Local Government documents such as: Directions 2031 and Beyond, Outer Metropolitan Perth and Peel Sub-regional Strategy, and the Local Planning Strategy; and
 - The amendment is to be initiated subject to the resolution of various issues at later stages of the planning process
34. If the amendments to the MRS and the Scheme are approved by the Minister, a Local Structure Plan will be prepared for the Pickering Brook Townsite Expansion, which will be required to be endorsed prior to the Shire considering any subdivision or development proposals within the area.

POLICY CONSIDERATIONS

Development Control Policy 1.9 – Amendment to Region Schemes

35. The WAPC's Development Control Policy 1.9 - Amendment to region schemes sets out the criteria for deciding whether the major or minor process should be followed.

Directions 2031 and Beyond

36. *Directions 2031 and Beyond* addresses urban growth needs and also takes into consideration the need to protect our natural ecosystems. The framework provides for different lifestyle choices, vibrant nodes for economic and social activity and a more sustainable urban transport network.
37. The amendment is consistent with the intent of *Directions 2031 and Beyond* as it will facilitate the construction of a new local centre that will provide a location for incidental shopping for people within the Pickering Brook area and contribute to a decrease in daily car use and increase in the health of the community. Furthermore, the amendment will facilitate small-scale commercial and tourism development in the Hills Orchard Region, which will increase the level of economic and employment self-sufficiency in the region.

Draft North-East Sub-regional Planning Framework

38. The draft North-East Sub-regional Planning Framework expands on the principles of *Directions 2031 and Beyond* as they relate to urban development, and is used to inform local planning strategies and schemes.
39. The proposal was not represented in the draft North-East Sub-regional Planning Framework as Urban Expansion area. However, the Pickering Brook Townsite Expansion and the site's designation as Urban Expansion formed part of the Shire's Local Planning Strategy, which was approved by the State government. It is unclear at this stage why the proposal was not identified, particularly given the level of consultation undertaken by the Shire with senior staff at the WAPC. The rezoning of the site from Rural to Urban Expansion was included in the Shire's comments on the draft Planning Framework.

Shire of Kalamunda Local Planning Strategy

40. The Local Planning Strategy enables Council to determine the vision and strategic planning direction for the Shire for the next 20 years to coincide with *Directions 2031 and Beyond*.
41. The Local Planning Strategy has identified the Pickering Brook Townsite Expansion as a Residential Bushland area suitable for further subdivision. Therefore, the amendment complies with the intent of the Local Planning Strategy. The State Government endorsed the Local Planning Strategy in 2013.

Statement of Planning Policy 2.7 Public Drinking Water Source Areas

42. This Policy addresses land use and development in public drinking water source supply areas. The policy will protect and manage public drinking water source areas from incompatible land uses and pollution in order to maintain the quality of the drinking water. Land uses that are detrimental to the quality and quantity of the water supply will not be permitted unless it can be demonstrated that such an impact can be managed.

COMMUNITY ENGAGEMENT REQUIREMENTS

43. A public forum was held on 3rd March 2016 to inform landowners of the proposal and the process to be followed. Public consultation and advertising will be conducted by the WAPC and the Shire if the request to initiate the rezoning is supported.

FINANCIAL CONSIDERATIONS

44. Any future costs can be met through existing operational expenditure.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

45. *Kalamunda Advancing: Strategic Community Plan to 2023*
- Strategy 4.1.1 – Develop, implement and review strategic land-use plans and policies which guide the location and sustainability of industrial, commercial and residential areas within the Shire.

SUSTAINABILITY

Social Implications

46. The proposed Pickering Brook Townsite Expansion will provide a greater variety of housing stock that caters to the existing demographic profile. It will provide suitable housing options to both the ageing local community and those people whose place of employment has moved from the orchards to outside the Pickering Brook area.

Economic Implications

47. Due to reduced viability of orcharding activities, this proposal gives some landowners alternative ways to use their land.

Environmental Implications

48. The site contains an unnamed tributary of Piesse Brook which drains in a northward direction into Piesse Gully and the Helena River. The ephemeral creek is poorly defined within the site which runs through a series of orchards.

49. As the majority of the site has been historically cleared for agricultural purposes there will be minimal potential environmental impacts. No flora or fauna of conservation significance should be impacted by the proposed development. There will, however, be additional studies undertaken at the Local Structure Plan stage.
50. The amendment will be subject to review by the Environmental Protection Authority for assessment under the requirements of the *Environment Protection Act 1986*.

RISK MANAGEMENT CONSIDERATIONS

51.

Risk	Likelihood	Consequence	Rating	Action/Strategy
The WAPC may resolve not to initiate amendment, based on the current Sub-Regional Framework.	Possible	Minor	Medium	Ensure the WAPC is aware that the proposed amendment has strategic significance to the local and broader region and senior WAPC staff have indicated no objection to the proposal.

OFFICER COMMENT

52. The Shire's Local Planning Strategy recognises the Pickering Brook Townsite Expansion Area as an important site for accommodating future population growth in the Kalamunda area, and the local community of Pickering Brook.
53. Consolidation of the Pickering Brook Townsite will give the settlement of Pickering Brook a focus and would be an economic and social advantage to the community.
54. The proposal will provide greater housing options for an ageing population and will provide land use alternatives to people who no longer find orcharding to be a viable economic and employment option.
55. The proposal will provide small-scale commercial and tourism opportunities for the community, further improving economic and social advantages of the area.
56. Notwithstanding the recommendation of the Draft Strategic Framework for the North East Region, the Shire has been liaising with a number of local government agencies including the senior staff at the WAPC in order to progress the amendment to this point.

Voting Requirements: Simple Majority

COMMITTEE RECOMMENDATION TO COUNCIL (D&I 22/2016)

That Council:

1. Requests the Western Australian Planning Commission initiate an amendment to the Metropolitan Region Scheme, rezoning the Pickering Brook Townsite Expansion Area from Rural to Urban as per Attachment 1;
2. Pursuant to Section 126(3) of the *Planning and Development Act 2005*, requests the Western Australian Planning Commission concurrently rezone the Pickering Brook Townsite Expansion Area from Rural Agriculture to Urban Development under Local Planning Scheme No. 3 as per Attachment 2; and
3. Forwards the additional documents, included at Attachments 3-8, to the Western Australian Planning Commission for their information.

Moved: **Cr John Giardina**

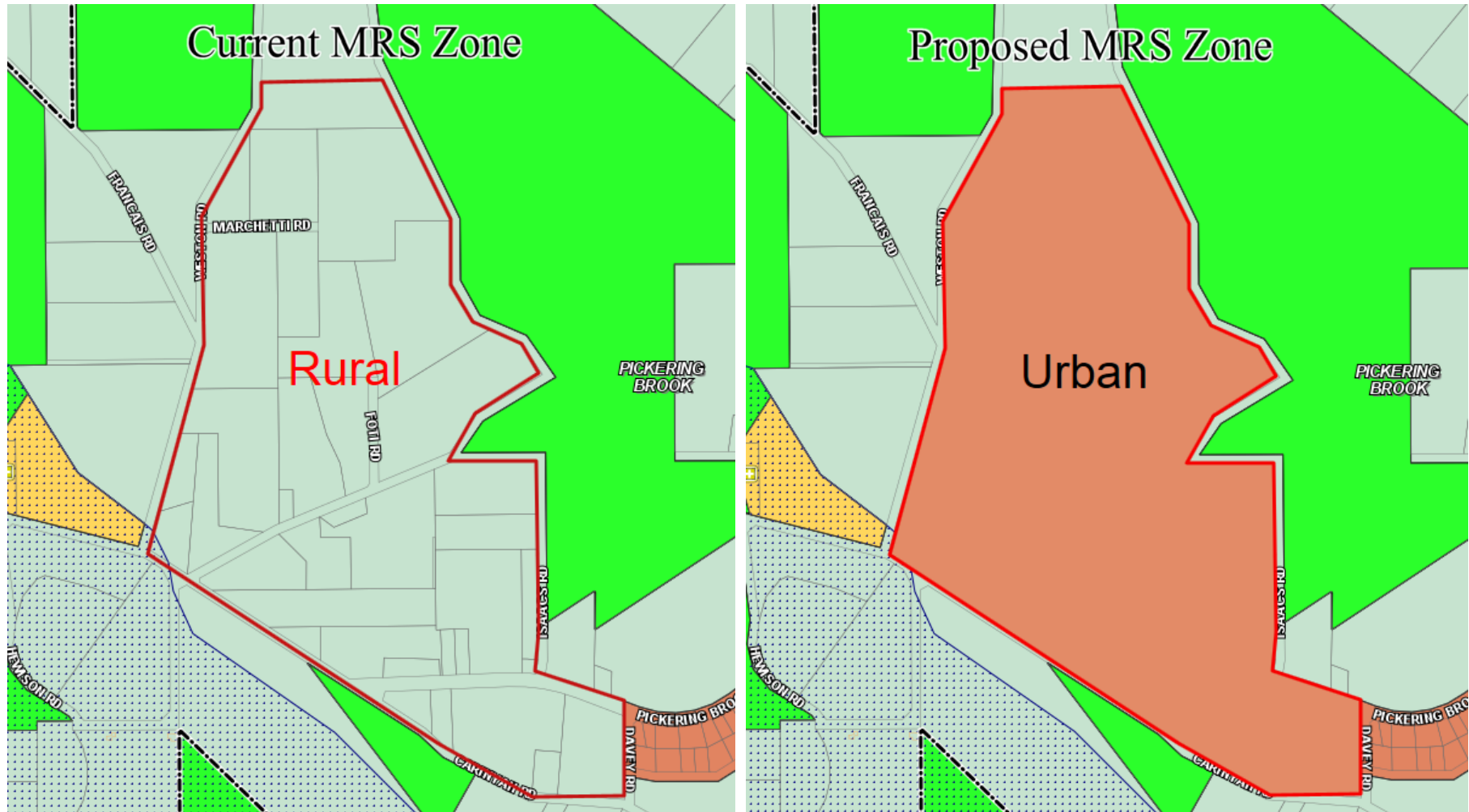
Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (11/0)**

Attachment 1

Request to Initiate an Amendment to the Metropolitan Region Scheme – Pickering Brook Townsite Expansion

Current and Proposed Metropolitan Region Scheme Zoning Map



Attachment 2

Request to Initiate an Amendment to the Metropolitan Region Scheme – Pickering Brook Townsite Expansion

Current and Proposed Local Planning Scheme No. 3 Zoning Map

