

10.1.1. Crystal Brook Concept Plan - Consideration of Submissions and Proposed Modifications

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

Previous Items	OCM 195/2019, OCM 79/2019, OCM 35/2019
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-MRS-024
Applicant	NA
Owner	Various
Attachments	<ol style="list-style-type: none"> 1. Schedule of Proposed Modifications [10.1.1.1 - 7 pages] 2. Proposed Modified Concept Plan [10.1.1.2 - 1 page] 3. Draft Concept Plan [10.1.1.3 - 1 page] 4. Draft Concept Plan Report [10.1.1.4 - 56 pages] 5. Community Engagement Report - Preliminary Engagement and Visioning [10.1.1.5 - 176 pages] 6. Community Engagement Report - Public Advertising [10.1.1.6 - 35 pages] 7. Submissions Table [10.1.1.7 - 169 pages] 8. Schedule of Planning Requirements [10.1.1.8 - 2 pages] 9. Wattle Grove South Ecological Report Final [10.1.1.9 - 218 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 is substantive role of direction setting and oversight (e.g. 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 3: Kalamunda Develops

Objective 3.1 - To plan for sustainable population growth.

Strategy 3.1.1 - Plan for diverse and sustainable housing, community facilities and industrial development to meet changing social and economic needs.

Priority 3: Kalamunda Develops

Objective 3.4 - To be recognised as a preferred tourism destination.

Strategy 3.4.1 - Facilitate, support and promote, activities and places to visit.

EXECUTIVE SUMMARY

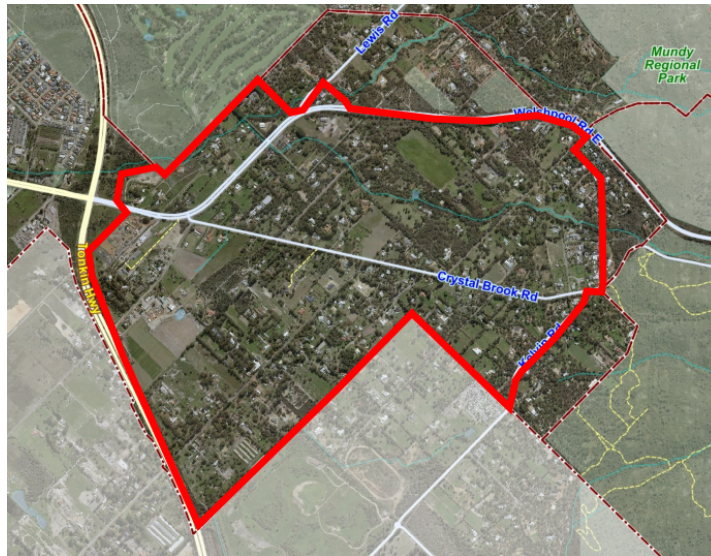
1. The purpose of this report is to consider the draft Crystal Brook Concept Plan and Report, outcomes of community engagement and public advertising and the proposed recommended modifications to the Concept Plan and Report.
2. Community engagement was undertaken between November 2019 to March 2020 which included a survey, vision workshop and two co-design workshops. The draft Concept Plan and Report was publicly advertised and included an online open house session attended by 18 community members, a feedback form with 50 responses and 215 written submissions.
3. It is recommended that Council:
 - 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, 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.

BACKGROUND

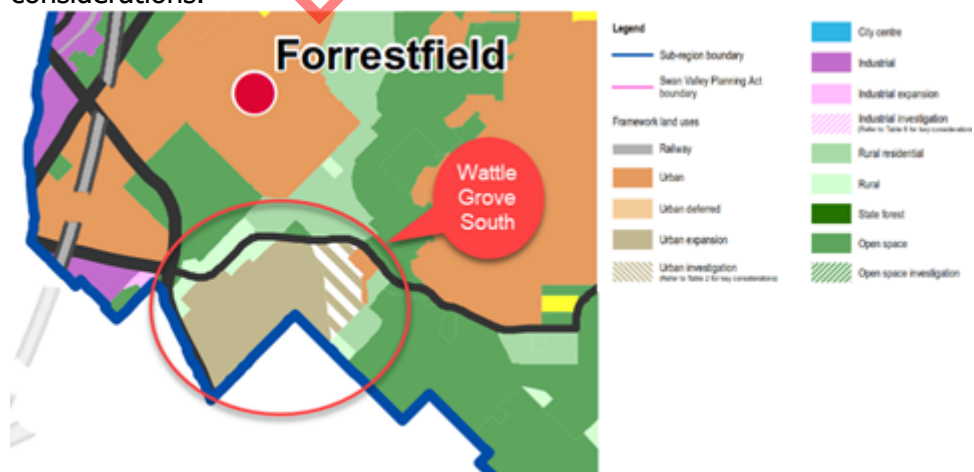
4. Land Details:

Land Area:	Approx. 400ha
Local Planning Scheme Zone:	Special Rural and Rural Composite
Metropolitan Regional Scheme Zone:	Rural

5. Locality Plan:



6. The Crystal Brook (formerly known as Wattle Grove South in previous reports) project area is within the suburb of Wattle Grove, generally bounded by Welshpool Road East, Lewis Road and Hartfield Park to the north, Fontano Road, Kelvin Road and the City of Gosnells local government boundary to the east and south, and Tonkin Highway to the west.
7. The City's Local Planning Strategy 2010 identifies part of Crystal Brook as an Urban Investigation area.
8. The Western Australian Planning Commission's (WAPC) North-East Sub-Regional Planning Framework (Framework), adopted in 2018, identifies the majority of Crystal Brook as an Urban Expansion area. An eastern portion of Crystal Brook is identified as Urban Investigation subject to key considerations.



9. The purpose of the Framework is to provide guidance for:
 - a) 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.

- b) The staging and sequencing of urban development to inform public investment in regional community, social and service infrastructure.
10. The Framework identifies the following key considerations for the Crystal Brook Urban Investigation Area:
- a) Geotechnical analysis/land suitability to provide connections to reticulated wastewater services
 - b) Bushfire risk
 - c) Protection of significant environmental attributes
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):
- a. *NOTE the Wattle Grove South Feasibility Study, as outlined in Attachment 1.*
 - b. *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 Crystal Brook project was 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 an RFQ via to the Western Australian Local Government Association (WALGA) eQuotes panel. The request closed on 31 May 2019. Six WALGA preferred suppliers were invited to provide submissions and four 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.

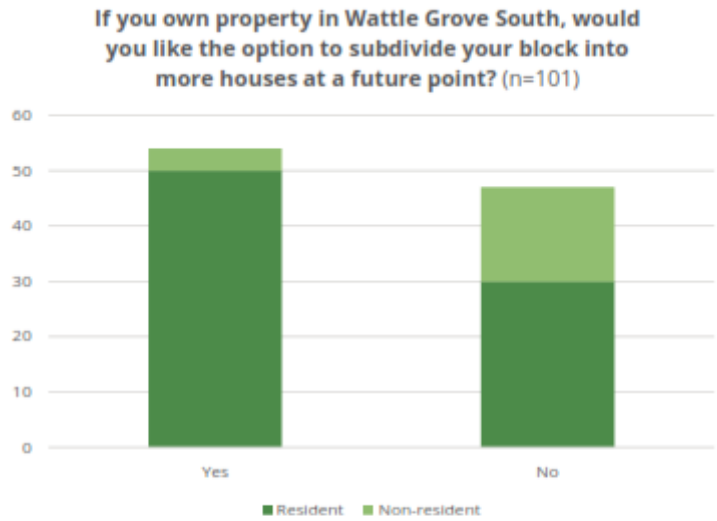
21. During the course of 2019/20 the City was also preparing its draft Local Housing Strategy 2020. The City's draft Strategy, was advertised mid-2020. The draft Strategy identifies Crystal Brook as an Investigation Area. The final Strategy will note Council's determination on the Concept Plan's strategic intent, principles and content for the project area.

DETAILS AND ANALYSIS

22. **Community Survey**

During November – December 2019 a survey was sent to all landowners and surrounding residents of Crystal Brook. 109 surveys were completed. Approx. 75% of the respondents were residents of the area and of the 25% of respondents not residing in Crystal Brook, one quarter maintained a property or business interest in the area. See Attachment 5 for survey results.

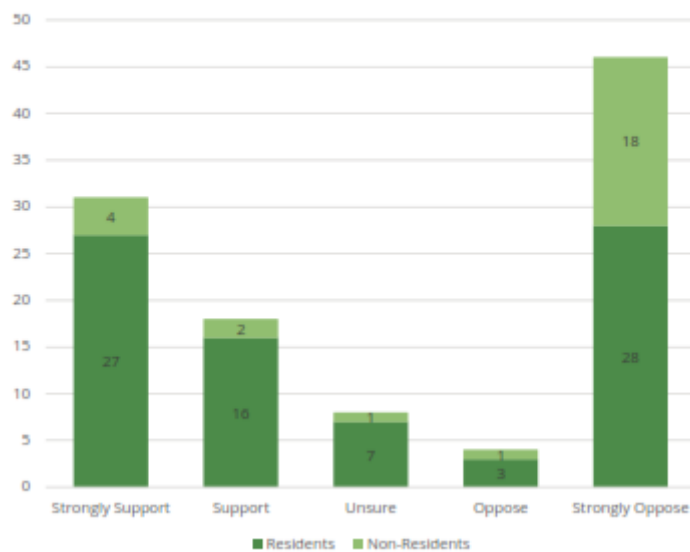
23. The survey identified a wide diversity of views with respect to the future of the area. Two clear and contrasting views were evident with regard to wanting, or not wanting, to sell or develop their property at some point in the future.



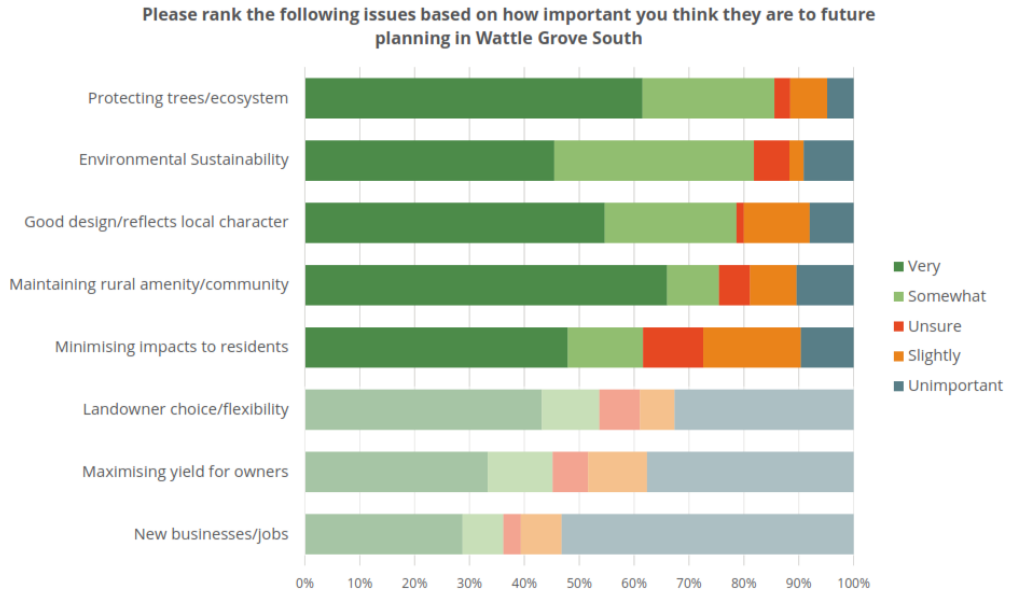
If yes, what level of subdivision would you like to have an option for in the future? (n=59)



Do you support mostly residential development within Wattle Grove South over the long term, subject to suitable controls and guidelines? (n=107)

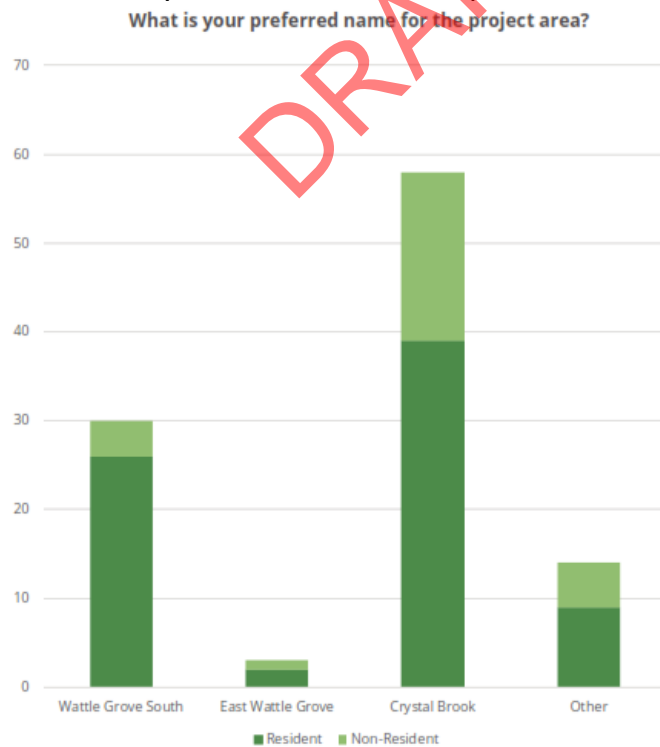


24. There was shared support for protection of natural vegetation, promoting sustainability and maintaining a spacious character which avoided conventional suburban development.



25. Those who indicated support for residential development identified limits / restrictions such as minimum lot sizes (1000sq, 2000sqm, 1ha, 2ha etc.) and more flexibility with what landowners can do on their property (tourism or higher density housing).

26. Following many suggestions that the name 'Wattle Grove South' was unpopular with the community, the question was asked what the project name should be. Crystal Brook was a clear preferred name based on survey results.



27. **Vision Workshop**
 A Vision Workshop was held on 5 February 2020 and was attended by 53 community members. Attendees included a mix of residents from throughout the study area in addition to other interested parties and representatives of

community groups. The Vision Workshop Outcomes can be viewed in Attachment 5. There were five exercises based on five different themes:

- a) Streets & Open Spaces
- b) Housing & Development
- c) Business & Community Uses
- d) Sustainability & Environment
- e) Spatial & Land Use Planning

28. **Co-Design Workshops**

Two co-design workshops were held on the 11 and 14 March 2020 with a total of 42 participants. The Co-Design process yielded a broad range of feedback and design outputs which were ultimately incorporated into the draft Concept Plan. Planning strategies developed following the Vision Workshop were presented and reviewed by the community. Results from the co-design workshops can be viewed in Attachment 5.

29. Conceptual designs for key sites based on the planning strategies and relating to the most commonly occurring lot sizes in the study area were then presented and workshopped in detail, with key design refinements and qualifications identified. Three site scenarios were explored:

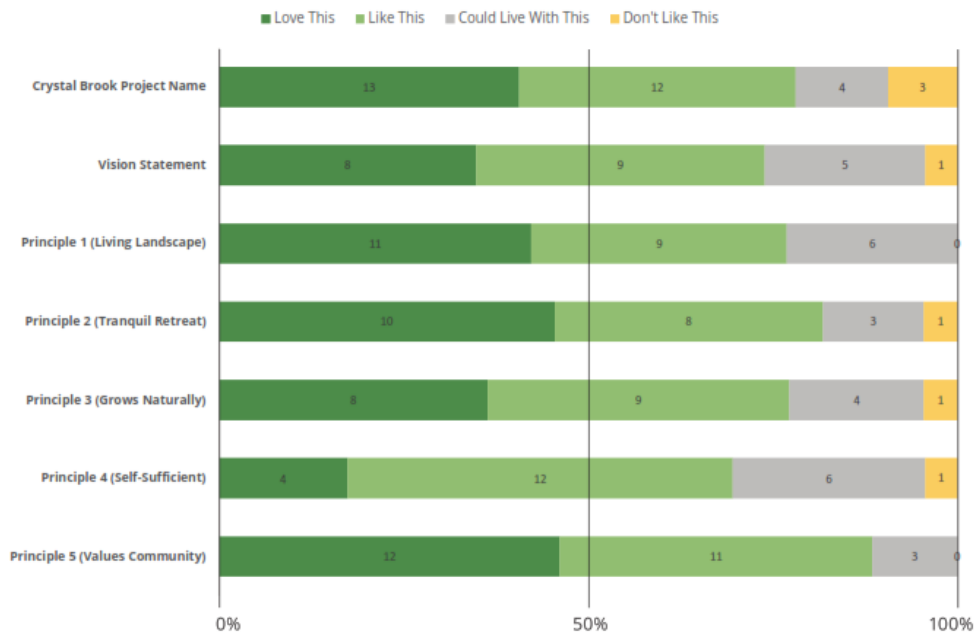
- a) 1ha site.
- b) 2ha site
- c) 4ha site.

30. A collaborative drawing exercise provided an opportunity for community members to directly guide the design team in the preparation of 6 separate community concept plans. These plans were developed through a planned sequence of key issues including landscape, streets and connectivity, lot sizes and commercial activity.

31. **Strategy Review**

Through the Co-Design process, participating stakeholders independently Reviewed, and voted on, suggested implementation strategies related to the project vision and principles. In total, 36 completed forms were received from the Co-Design participant group. The vision, principles, and strategies were implemented into the draft Concept Plan Report (Attachment 5)

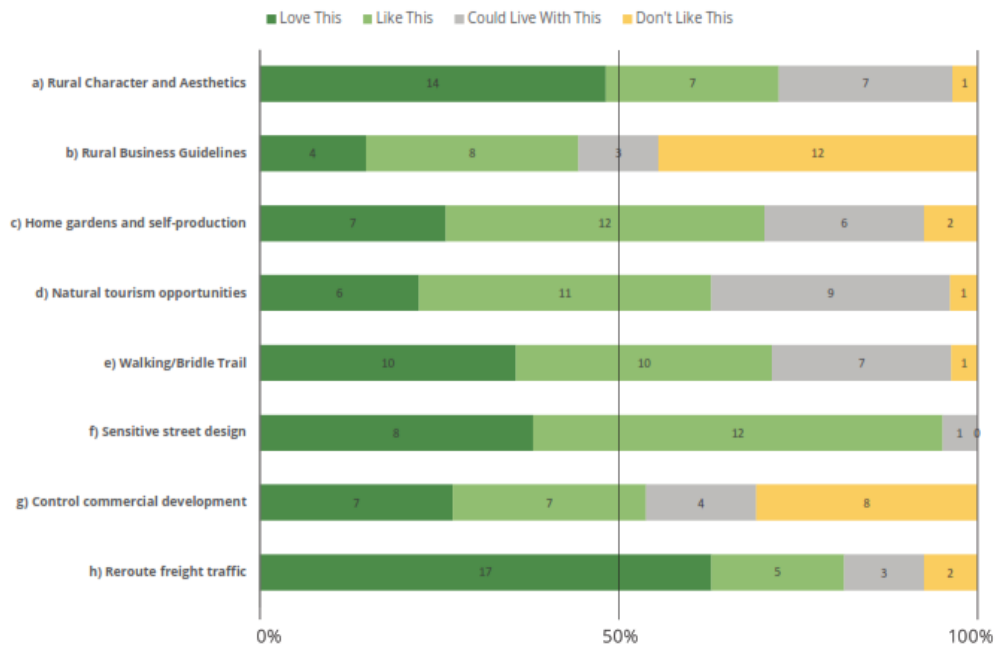
32. **Vision Feedback**



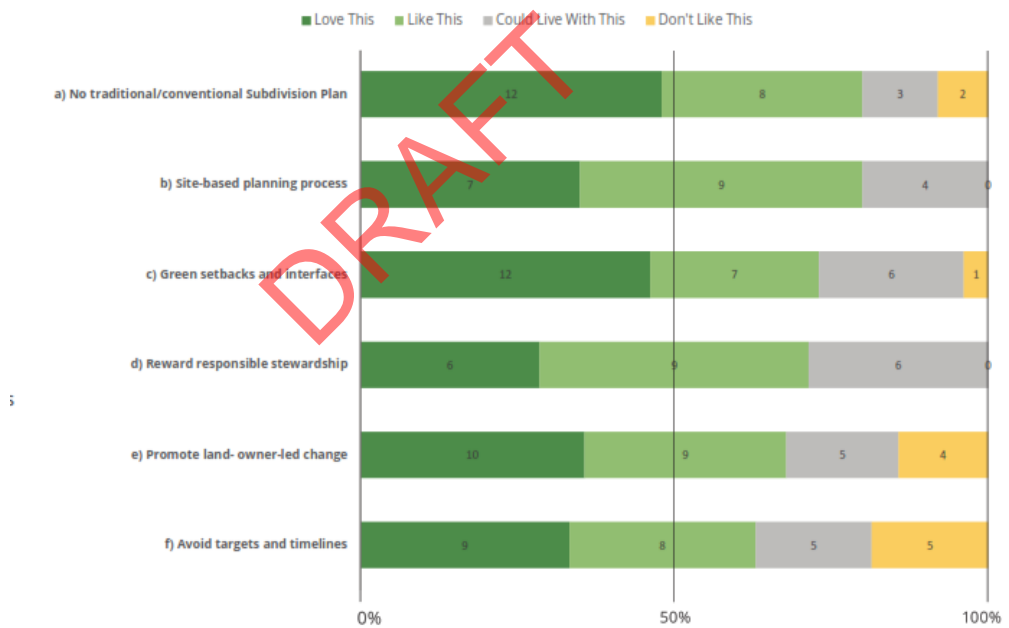
33. **Strategy Feedback (Crystal Brook is a Living Landscape)**



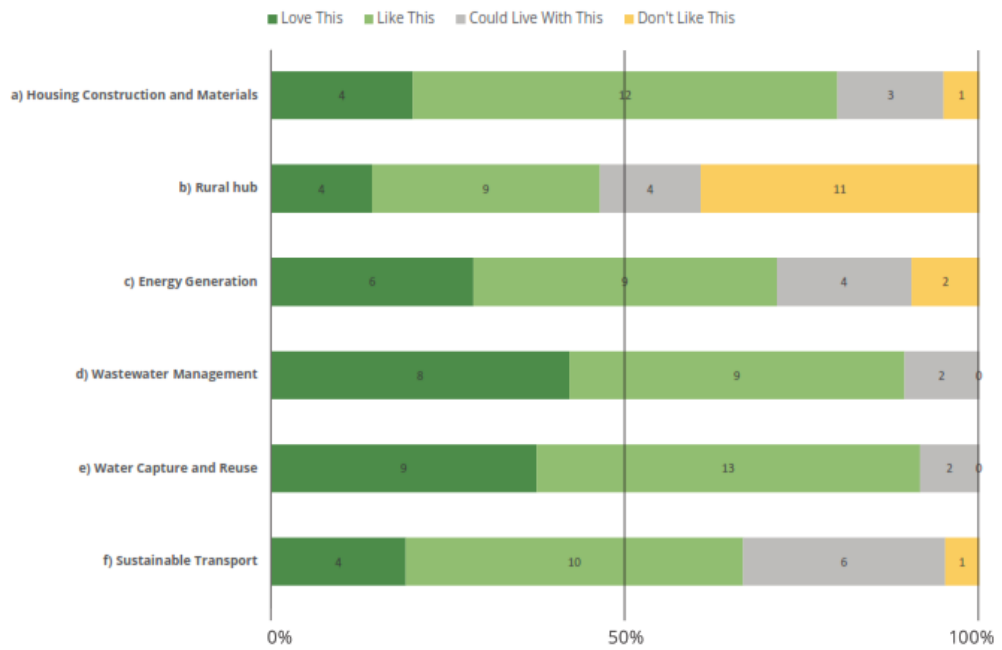
34. **Strategy Feedback (Crystal Brook is a Tranquil Retreat)**



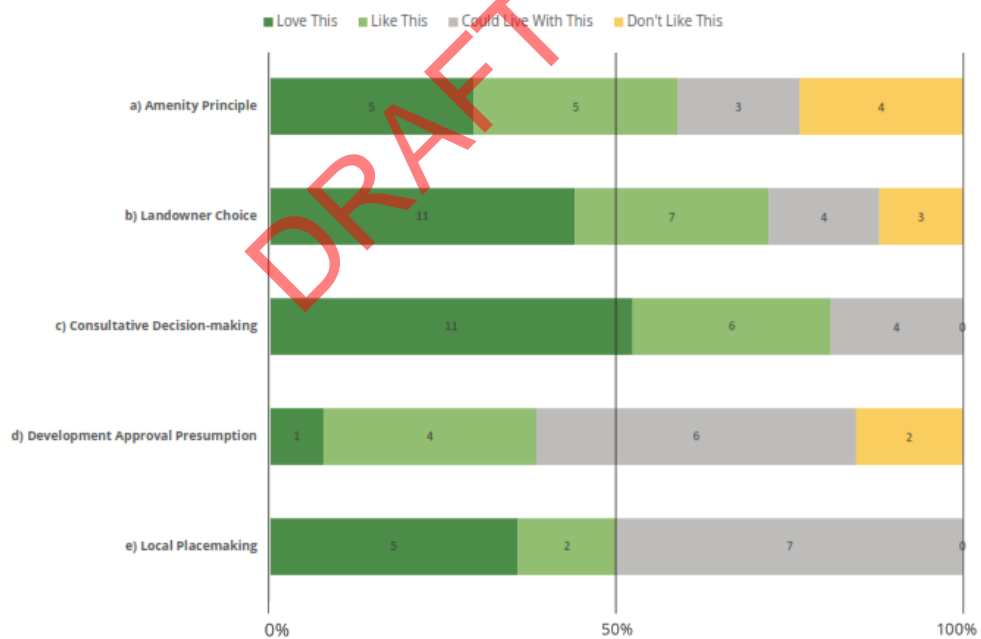
35. **Strategy Feedback (Crystal Brook Grows Naturally)**



36. **Strategy Feedback (Crystal Brook is Self-Sufficient)**



37. **Strategy Feedback (Crystal Brook Values its Community)**



38. **Ecological Report**

During the Spring of 2019, the City engaged an environmental consultant to undertake ecological surveys - Level 2 Flora and Vegetation Surveys, Level 1 Fauna Surveys and Targeted Black Cockatoo Survey. The outcomes of these surveys can be viewed in Attachment 9 – Ecological Reports.

39. Permission to access landowner’s properties was requested by the City for the consultant to undertake the surveys. Permission was sought from 262 private properties, with 91 landowners granting permission. Limitations of the survey are noted in the report.

40. The desktop assessment was completed to identify the flora, fauna and communities of conservation significance that may occur in the Crystal Brook area. The results identified 14 communities, 51 flora species and 26 fauna species of conservation significance that may occur in the survey area. Environmental values were ascertained in the ecological surveys.
41. The key outcomes from the ecological surveys are outlined below:
- a) Banksia Woodlands of the Swan Coastal Plain (Environment Protection and Biodiversity Conservation Act 1999 [EPBC Act] Endangered) was mapped in three patches extending across 2.41 ha within the survey area.
 - b) Three WA Threatened Ecological Communities (TECs) and one WA Priority Ecological Community (PEC) were identified across 4.55 ha, including WA TEC *B. attenuata* over species rich dense shrublands (SCP20a); WA TEC *B. attenuata* and/or *E. marginata* woodlands of the Eastern SCP (SCP20b); WA TEC *Corymbia calophylla* – *Eucalyptus marginata* woodlands on sandy clay soils of the southern SCP (SCP3b); and WA PEC Banksia dominated woodlands of the SCP.
 - c) *Conospermum undulatum* (EPBC Act Vulnerable, WA Vulnerable) was recorded on two properties comprising 95 individuals. *Isopogon drummondii* (WA P3) populations were recorded at the same two locations comprising 160 individuals.
 - d) Three fauna species of conservation significance were recorded including the Forest Red-tailed Black Cockatoo *Calyptorhynchus banksii* (EPBC Act and BC Act Vulnerable), Carnaby's Cockatoo *Calyptorhynchus latirostris* (EPBC Act and BC Act Endangered) and the Quenda *Isoodon fusciventer* (WA P4).
 - e) A total of 730 breeding and potential breeding trees were recorded including 17 trees with one or more hollows considered suitable for breeding black cockatoos (27 hollows in total).
 - f) Foraging habitat quality was mapped for Carnaby's Cockatoo, Baudin's Cockatoo *Calyptorhynchus baudinii* and the Forest Red-tailed Black Cockatoo. This included 41.14 ha of Very High and High Quality foraging habitat for Carnaby's Cockatoo and Baudin's Cockatoo, and
 - g) 33.52 ha of Very High and High Quality foraging habitat for the Forest Red-tailed Black Cockatoo.
 - h) It is likely that the other properties where access wasn't given to be surveyed may also have significant environmental value.
42. An Environmental Values Assessment of the project area was undertaken, taking into consideration the ecology survey outcomes and the inclusion of areas outside the ecology survey boundary for which a series of assumptions were made (properties that were not accessed). The mapping of this assessment can be viewed in Attachment 9. The categories for the environmental values assessment are as outlined below:

Category	Values	Area
High	<ul style="list-style-type: none"> • Good connectivity and/or suitable size for maintaining ecological integrity • BC foraging and/or breeding trees • All populations of <i>C. undulatum</i> that were recorded during the survey • Incorporates all TECs with the exception of two patches that are <0.2 ha which are captured as Medium • Includes 90% of areas mapped as "native vegetation" with exception of areas <0.2 ha with poor connectivity. 	35.13 ha
Medium	<ul style="list-style-type: none"> • Connects high value areas to adjacent high value areas or as 'stepping stone' • Includes BC foraging and/or breeding • May include native vegetation (understorey) species 	6.88 ha
Low	<ul style="list-style-type: none"> • Mostly cleared open areas or stands of trees over grassland • Includes planted gardens and hardscape 	301.36 ha

43. **Draft Concept Plan**
The draft Crystal Brook Concept Plan was prepared in response to the outcomes of community engagement and the Ecological Report, including the survey, vision workshop and co-design workshops. The draft Concept Plan can be viewed in Attachment 3.
44. The key features of the draft Concept Plan include:
- a) Potential Rural Hub.
 - b) Potential Open Space.
 - c) Indicative Key Road Connections.
 - d) Indicative Public Paths.
 - e) Moderate and High Retention Value Vegetation (captured from the Environmental Values Assessment within the Ecological Report).
 - f) Four Residential Typologies:
 - i. Residential 1 (Landscape Protection)
 - ii. Residential 2 (Landscape Enhancement)
 - iii. Residential 3 (Landscape Transition)
 - iv. Residential 4 (Landscape Unconstrained)
 - g) Eco-Business Corridor.
45. Four 'Landscape Residential' typologies are broadly identified to guide development (subject to further planning and consultation) based on community feedback, environmental constraints and preliminary servicing investigations. Landscape Protection includes the most significant vegetation and is suited to large lots with a conservation focus. Landscape Enhancement is aligned to key ecological corridors and flora of moderate value where re-vegetation is encouraged. Landscape Transition identifies areas generally suited to lots in the order of 2,000sqm but requiring sensitive interface treatments. Landscape Unconstrained identifies areas where environmental and servicing constraints do not impede development, subject to meeting the strategic objectives of the concept plan.
46. **Technical Considerations**
The draft Concept Plan Report (Attachment 4) identifies technical considerations which will require further detailed consideration through future stages of planning. These Technical Considerations are identified below:

- a) Primary vehicle entries require modified intersection treatments to address traffic movement issues, subject to further detailed investigations at a later date.
- b) Limited new road connections to Welshpool Rd East but connectivity at Lewis Rd and further east preferable.
- c) Development may not be possible on constrained land including landscape protection areas, Crystal Brook foreshore, powerline easement and vegetation linkages.
- d) Preferred Rural Hub fronting Brentwood Rd. Possible alternative locations with Welshpool Rd East and/ or Crystal Brook Road frontages (not preferred).
- e) Lot sizes to transition away from landscape protection areas with sizing subject to future planning and consideration of sewer servicing feasibility.
- f) Proposed new road linkages to improve connectivity and precinct permeability to be mandated in agreed locations.
- g) Opportunity for Public Open Space to provide active recreation amenity. POS incorporates areas of higher value conservation areas and co-located with Rural Hub.
- h) Potential need for Primary School subject to ultimate residential densities and further Department of Education liaison. Co-location with Rural Hub preferred.
- i) Protection of high retention value vegetation clusters in POS or within private ownership to be investigated further.
- j) Interface and buffer with Gosnells Rural-Residential precinct to be further investigated.
- k) Preliminary City of Gosnells concept for operations centre and public open space at Kelvin investigated. Road may help meet regional active space demand.

47.

Technical Plan

A Technical Plan was prepared that incorporates the typologies and key components of the draft Concept Plan, technical considerations and the following additional features:

- a) Cockatoo Habitat Trees.
- b) Alternative Potential Open Space location.
- c) Alternative Potential Rural Hub location.
- d) Green Corridors / Street Character Protection. This includes the consideration of 20m landscaped buffers to existing roads.

48.

Further Investigation

The Concept Plan and associated implementation strategies are preliminary ideas only which require further planning investigation, liaison with key decision-makers and incorporation into formal planning instruments before they can be given effect. These key considerations are:

- a) Sustainability Requirements.
- b) Servicing Methodology.
- c) Residential Densities and Size.
- d) Public Open Space Provision.
- e) Road Network Expansion.
- f) School Site and Other Services.

- g) Governance and Implementation.
- h) Rural Hub Delivery.
- i) Bushfire Risk.

49. **Implementation Strategies**

In response to the community feedback the Implementation Strategies were prepared as part of the Concept Plan Report. The Implementation Strategies are suggested ways that the Concept Plan's vision and principles can be implemented through the planning and development framework. This range of practical measures are intended to be employed together to ensure that community expectations for the future of the area are considered.

50. Some of the suggested Implementation Strategies include but are not limited to:

- a) Set a minimum lot size based on engineering/servicing requirements, precedent in area and tree retention feasibility (i.e. 2,000sqm) with specified ranges set in certain areas to ensure diversity.
- b) Establish a formal planning requirement to survey, assess and retain on site trees to strengthen protection of trees and limit clearing associated with development.
- c) Require that a minimum percentage of a site be replanted with native species as part of any development to actively improve local biodiversity.
- d) Continue to allow boutique rural businesses but provide specific guidance potentially including an approved list of acceptable activities and strong amenity and design quality controls.
- e) Promote self-sufficiency by requiring new homes to provide for urban agriculture, vegetable gardens, orcharding or other productive rural pursuits at a small scale.
- f) Adopt a principle of independent lot development with green buffers at shared boundaries to avoid impacts to adjoining landowners as an alternative to conventional planning.
- g) Establish high standards for housing construction and thermal performance to reduce carbon impact in construction and ongoing operation.
- h) Identify a suitable location where existing and related rural activities can be transitioned to a higher amenity and community-focused service hub to reduce vehicle trips, promote walking and cycling and reduce food miles and carbon emissions while preserving the amenity of surrounding areas.
- i) Establish quality-of-life supporting community facilities such as an arts studio, mens' shed or communal park with pizza oven. Encourage the installation of artworks by local artists within private and public land.

51. **Public Advertising**

Public advertising of the draft Concept Plan and associated documents commenced on 18 May 2020 and closed on 15 June 2020. The feedback was made available on www.engage.kalamunda.wa.gov.au and letters and hard copies of the feedback form were posted to landowners in the Crystal Brook area. As the public advertising occurred during the Covid-19 restrictions, the City also held an online workshop which was attended by 18 community members. During the advertising period, the City received 50 feedback form responses and 215 written submissions (see Attachment 6 – Community Engagement Report and Attachment 7 - Submission Table. Note that three

submissions are included in a Confidential Attachment). Included within the submissions was a petition of 12 written signatures and 785 electronic signatures in objection to the draft Concept Plan.

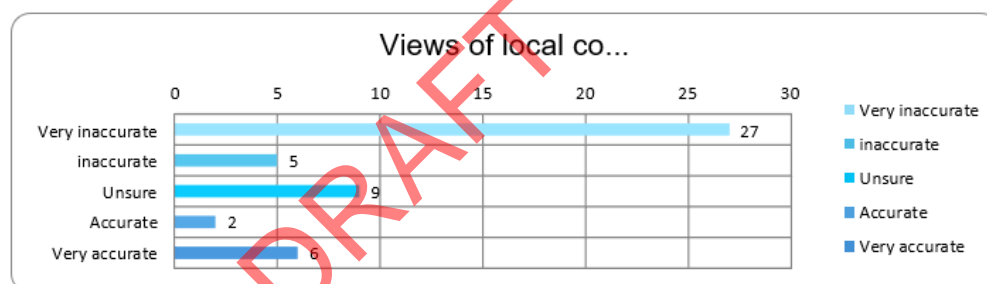
52. **Feedback Form Results**

The overwhelming message from the feedback form was that the community was very dissatisfied with the draft Concept Plan and that it doesn't reflect the views of the community.

1. How would you rate your satisfaction with the Concept Plan overall?



5. How accurately do you feel the draft Concept Plan reflects the views of the local community as shared through the consultation process?



53. Question 2 sought feedback on what the community liked about the draft Concept Plan. The most common answer was nothing. A few individual responses stated they liked the location of public open spaces, retention of vegetation and changing the name to Crystal Brook. Noting that these likes were also heavily criticised in the feedback.

54. Question 3 sought feedback on what the community disliked about the draft Concept Plan. Some of the key items disliked included:

- Onerous street setbacks of 20m.
- Public Open Space being identified on private land.
- Proposed roads.
- Proposed pathways.
- Potential rural hub.
- Opposed increased density.
- Min lot size of 2000sqm (both arguments – wanting this to be less and wanting it to be greater).

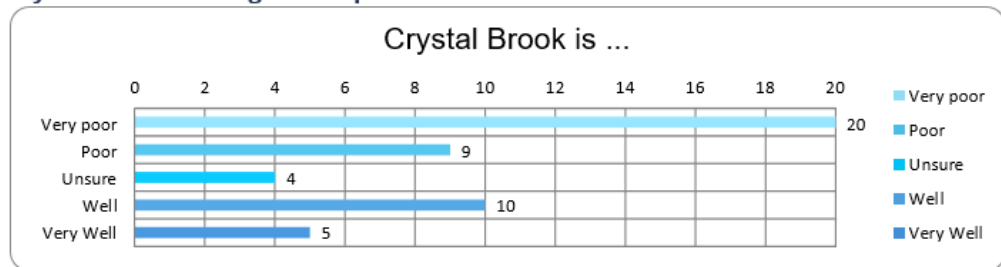
55. Question 4 sought feedback on the most important attribute captured in the plan. The most common answer was nothing. A few individual responses stated that the most important attributed captured was a good amount of

vegetation and the concept of communal area for gardening and play areas, that there is an area recognised for business and that the plan has captured the importance of preserving and enhancing the rural lifestyle. Noting that these attributes were also heavily criticised in the feedback.

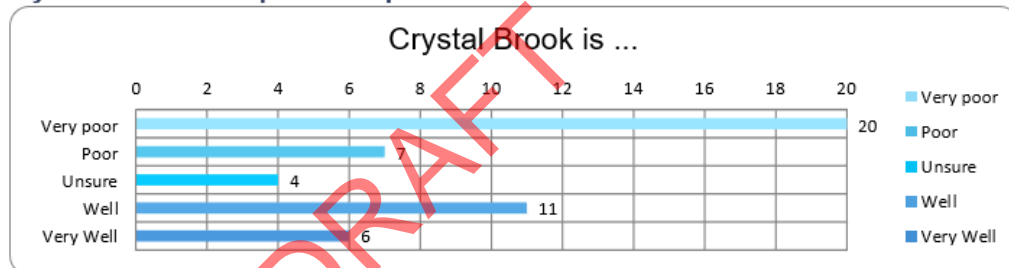
56. Question 6 sought feedback from the community on how well the draft Concept Plan captures the intent of the agreed Principles. The feedback from the community indicated that the Principles were not reflected in the draft Concept Plan.

6. How well does the draft Plan capture the intent of the agreed Principles?

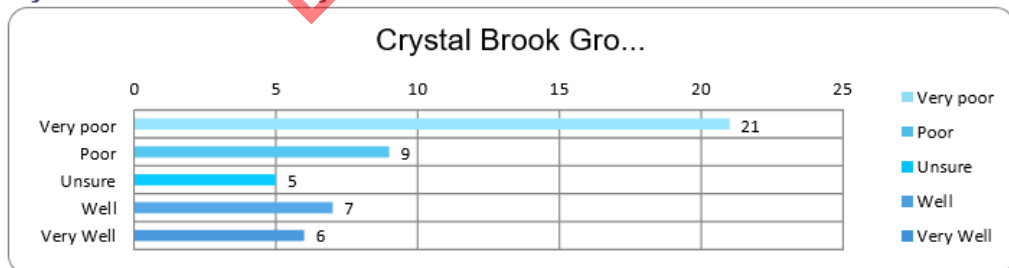
Crystal Brook is a Living Landscape



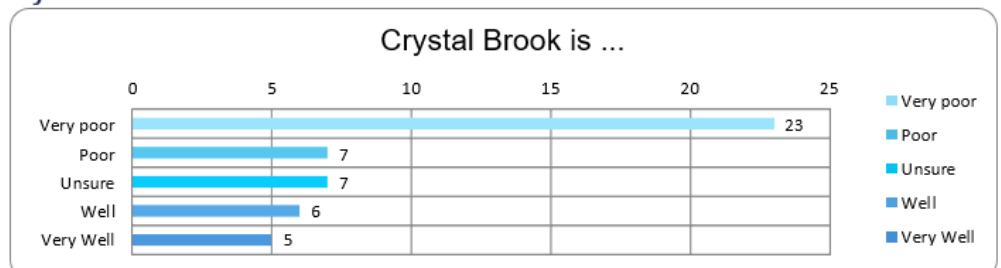
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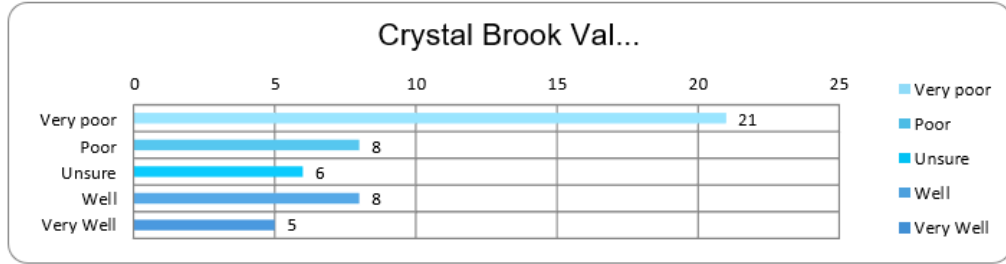
Crystal Brook Grows Naturally



Crystal Brook is Self-Sufficient



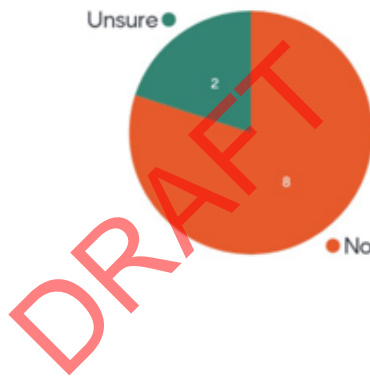
Crystal Brook Values its Community



57. **Online Open House**

The online open house session was held on Friday 29 May 2020 at 11am. The draft Concept Plan was presented by Roberts Day, followed by a mentimetre survey. There was also a chat forum and verbal discussion. The full results of the online session can be viewed in Attachment 6. The results of the mentimetre survey are displayed below.

58. **Do you support the Vision?**



Participants were given three options; yes, no or unsure.

59. **What do you like about the Concept Plan**



Participants were able to provide any answer.

60.

What would you like to change?

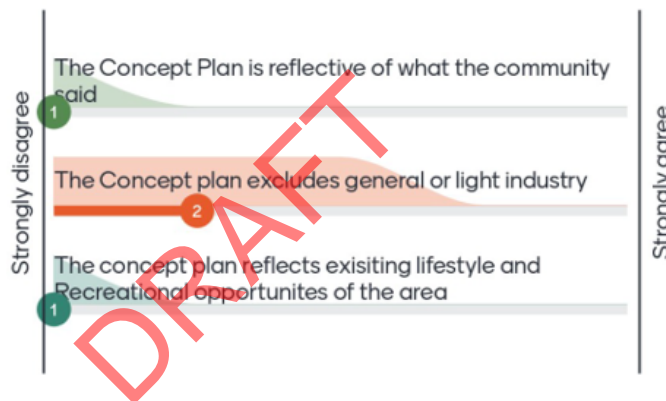


6

Participants were able to provide any answer.

61.

Tell us what you think



4

Participants were asked to rate the answers from 1-5, 1 being strongly disagree to 5 being stringly agree. The table below reflects the average response.

62.

Tell us what you think



5

Participants were asked to rate the answers from 1-5, 1 being strongly disagree to 5 being stringly agree. The table below reflects the average response.

63.

Tell us what you think



7

Participants were asked to rate the answers from 1-5, 1 being strongly disagree to 5 being stringly agree. The table below reflects the average response.

64.

Submissions

A total of 215 submissions on the draft Concept Plan were received. 201 submissions were from or on behalf members of the public and 14 submissions were from public authorities. Some members of the public provided multiple submissions and some properties had multiple submissions from the various members of the household. 30 of the 201 submissions were from members of the public outside the project area or immediate surrounds. See Attachment 7 for the Schedule of Submissions. Note that three submissions are included in a Confidential Attachment.

65. All submissions from members of the public, except two, stipulated a level of objection to the draft Concept Plan. All 30 submissions from outside the project area or immediate surrounds stated a preference for the area to remain rural.
66. The most common reasons for objections of the draft Concept Plan included:
- a) Identification of 'indicative roads'.
 - b) Identification of 'potential open space'.
 - c) Identification of commercial uses – 'Rural Hub' and 'Eco-Business Corridor'.
 - d) Resumption of land for public open space due to 'High Retention Vegetation' or 'Landscape Protection' identification.
 - e) Ambiguous undefined land use terms –
 - i. Residential 1 (Landscape Protection),
 - ii. Residential 2 (Landscape Enhancement),
 - iii. Residential 3 (Landscape Transition),
 - iv. Residential 4 (Landscape Unconstrained),
 - v. Eco-Business Corridor.
 - f) Desire to be retained as 'Rural'.
 - g) Desire to be identified as 'Urban'.
 - h) Incorrect alignment of Crystal Brook creekline.
 - i) Significant burden on development potential caused by landscape buffers to roads and property boundaries.
 - j) Potential loss of environmental values.
67. Two common proforma submissions were received (some with minor differences). One proforma requested the project area be retained as Rural under the MRS and expressed the significant environmental and rural character value of the area. The other proforma requested the project area be rezoned to Urban under the MRS.
68. In addition to the proformas, there was submissions that expressed varying levels of support for retaining Rural or rezoning to Urban. The approximate breakdown of this is listed below:

Preference	Approx. No Submissions
a) Retain Rural under MRS Proforma	92
b) Retain Rural, no change to existing zoning and lot sizes (leave area as is)	15
c) Retain Rural, specifics on subdivision or lot sizes not provided	27
d) Rural – allow for subdivision of 2000sqm or 5000sqm lots	13
e) Rezone to Urban under the MRS Proforma	38
f) Rezone to Urban, lot size preference not provided	4
g) Rezone to Urban under the MRS, allow for commercial	1
h) Rezone to Urban under the MRS, allow for smaller lot subdivision than 2000sqm	4
i) Objected – Land Use preference not specified	5
j) Commented - Land Use Preference not specified	2

69. The approximate majority of submissions north of Crystal Brook Road indicated support for preferences a-d. Submissions west of Welshpool Road East were approximately even between preferences a-d and e-h. Submissions south of Crystal Brook Road were approximately even between preferences a-d and e-h. Breaking this down further the approximate majority of submissions west of Victoria Road indicated support for preferences e-h and the approximate majority of submissions east of Victoria Road indicated support for preferences a-d.
70. The submissions from the Department of Planning, Lands and Heritage (DPLH) and Department of Biodiversity, Conservation and Attractions (DBCA) stated that consideration should be made for high value vegetation to be brought into public ownership rather than remain on private rural properties. This could be by being identified at the highest level of the planning system (MRS) or through local open space identification under the Local Planning Scheme.
71. The DPLH also expressed the importance of Structure Planning in coordinating development and provision of services and that a Development Contribution Plan may need to be implemented in unison with a Structure Plan.
72. The DPLH stated that consideration should be given to what the expected population in the project area would be at full build-out, and how this compares to the minimum density requirement of 15 dwellings per gross urban zoned hectare under both Directions 2031 and Perth and Peel @ 3.5 Million. If there is a significant undersupply compared to the State's minimum expectations, the City would need to consider how this is to be addressed, including potential to offset the undersupply in other areas.
73. Perth Airport stated that using the National Airports Safeguarding Framework (NASF) recognised N65 contour, the area will experience up to 100 aircraft noise events above 65 decibels across an average day. Noise at this level is disruptive to a conversation, even inside a dwelling and will be unacceptable to most people.
74. Perth Airport recommends that any development in this area should have appropriate insulation to protect against future aircraft noise. The strategy to maintain the rural character by limiting density and the principle to protect residential amenity are both supported by Perth Airport.
75. In regards to reticulated sewer, Water Corporation stated that the Crystal Brook area currently falls into two approved wastewater schemes. The Forrestfield scheme which covers basically north of Crystal Brook Road and the Wattle Grove scheme which covers basically south of Crystal Brook Road. To service the whole area as per the current scheme planning would require significant infrastructure (Headworks Infrastructure) to be extended over a long distance for both areas.
76. Water Corporation stated that with the Crystal Brook area being investigated for potential development, the Water Corporation very recently investigated other options to service the whole project area from just one location. The result of that investigation has not been approved as yet and a plan does

formally exist, but it is basically a change to the Wattle Grove scheme. This option requires infrastructure to be extended from near the intersection of Bickley Road and Dulwich Street up through the Maddington Kenwick Strategic Employment Area (MKSEA) and crossing north of Crystal Brook Road. This still requires significant infrastructure and significant funding.

77. **Petition**

The City received a petition which expresses objection to the draft Concept Plan and aligns with the content of the Rural proforma as outlined in the above submissions section. The petition received 12 written signatures and 785 electronic signatures. The petition has been included as a submission in its own right and is included in the submission table in Attachment 7.

78. Ten (10) of the 12 written signatures provided an address within the project area, the other 2 provided addresses from outside the project area and general surrounds. Eighteen (18) of the electronic signatures specified a Wattle Grove location. There were a large number of electronic signatures that specified a Perth, WA location that could have come from Wattle Grove. There was a large number of electronic signatures that specified locations all over Australia and all over the world.

79. **Proposed Modifications**

As a result of the significant feedback received from the community and public authorities on the draft Concept Plan and associated report, the City has prepared a schedule of proposed modifications (Attachment 1 – Schedule of Proposed Modifications).

80. A spatial representation of the recommended changes to the draft Concept Plan can be viewed in Attachment 2 – Modified Concept Plan. In summary, the recommended modifications to the draft Concept Plan are as follows:

- a) Administrative corrections.
- b) Replace the various land use typologies with Urban Landscape and Rural Landscape. Refer to Attachment X for proposed land use alignment.
- c) Remove indicative key roads.
- d) Remove indicative public paths.
- e) Remove potential open space.
- f) Remove potential Rural Hub.
- g) Remove cadastral boundaries.
- h) Amend Crystal Brook Creekline.
- i) Remove landscaped buffers.
- j) Add Boundary Road.
- k) All other aspects retained.

81. In reference to point 80(a) the land use typologies are to be described as the following:

Rural Landscape:

Identifies areas that may have significant vegetation, areas that align with key ecological corridors and identifies areas which may be suitable for subdivision but requiring sensitive site responses and interface treatments. Lots in this

area may range from 2000sqm to 1ha+. Captures an array of land uses (including but not limited to):

- a) Special Rural
 - b) Rural Composite
 - c) Residential R2 (min 5000sqm), R2.5 (min 4000sqm), R5 (min 2000sqm)
- It is noted that this use typology doe NOT include industrial or commercial.

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. This use captures an array of uses (including but not limited to):

- a) Residential (Starting from R2)
- b) Commercial (Any commercial land is 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).

It is noted that this use typology doe NOT include industrial.

82. Within the draft Concept Plan Report, some of the key recommended modifications include:
- a) Reference to the results of public advertising.
 - b) Removing references to the items removed from the Concept Plan and stating that such items will be determined at a more detailed planning stage. In regards to the Rural Hub, stating that a suitably sized non-residential centre (not industrial) commensurate to the density of the population to be defined at future detailed planning and subject to needs assessment.
 - c) Removing reference to green easement setbacks and instead state that as a principle generous setbacks will be encouraged to allow protection and enhancement of natural vegetation and streetscapes to be enhanced to encourage green streetscape.
 - d) Removing the Technical Plan.
83. To proceed with the planning for the area and capture the intended strategic outcomes of the Concept Plan and Report further detailed planning and technical studies will be required to further define the intended zonings, land use permissibilities, development controls and infrastructure (amongst other things). The planning documents and techical studies that may be required at the different stages of planning are identified in Attachment 8 – Schedule of Planning Requirements.
84. Draft Local Planning Policy 28 – Delivery of State and Local Strategies Through the Preparation of Structure Plan (LPP28) guides Council, the City's officers,

and external stakeholders identifying the City's responsibilities for the preparation of structure plans in order to achieve the implementation of the Framework. In this regard the Policy states the following on the preparation of District Structure Plans (DSP):

The City may be responsible for the preparation of DSPs subject to:

- a) The location of the DSP area being identified within a City Strategy or the Framework.
- b) Preliminary community engagement indicating that there is general consensus on the vision for the area and need for the City to progress a DSP.
- c) A Council decision is made to support the preparation of the DSP.
- d) There is sufficient budget made available for the preparation of the DSP.
- e) The cost of the preparation of the DSP and associated technical studies may be recouped through a future development contribution plan or other acceptable recuperation method.

85. In regards to the future planning of the area, the Council have a number of options on how to proceed. The recommended options are detailed below.

86. **Option 1 – Undertake modifications to the Concept Plan and Report and initiate preparation of a District Structure Plan and MRS Amendment request.**

A budget would need to be set aside to undertake this work. Under this option, the City would be coordinating the detailed planning for the area.

87. **Pros**

- a) Future vision for the area and planning framework would be established, through formal planning proposals, by the City.
- b) Greater oversight by the City through the preparation of formal planning proposals for the area.
- c) Proceeding with preparing a DSP would be consistent with Clause 2.1(1) of draft LPP28 which requires the location to be identified within a City Strategy or the Framework.

88. **Cons**

- a) Given the varying views on the future of the area, coordinating this process would prove to be a significant challenge and require significant resources (human and financial).
- b) Given the varying views on the future of the area, proceeding with preparing a DSP would be inconsistent with Clause 2.1(2) of draft LPP28 which requires general consensus on the vision for the area for the City to proceed with preparing a District Structure Plan.
- c) Cost of preparing a DSP is estimated to be approx. \$500,000+.

89. **Option 2 – Cease further planning for the project area and note the modified Concept Plan and Report.**

This option would see the City cease any further planning for the project area until Council resolves to recommence further planning (if it chooses to do so). This is the recommended option.

90.

Pros

- a) The strategic intent for the area, established through community engagement, is reflected in the modified Concept Plan and Report and will be given regard as part of any future planning.
- b) Should landowners or a private developer wish to proceed with the detailed planning of the area they would need to have regard to the outcomes of the modified Concept Plan and Report.
- c) Given the varying views on the future of the area, not proceeding with preparing a District Structure Plan would be consistent with Clause 2.1(2) of draft LPP28 which requires general consensus on the vision for the area for the City to proceed with preparing a District Structure Plan.
- d) Should landowners or a private developer wish to proceed with the detailed planning of the area they would need to have regard for draft LPP 28 Appendix 1 – Schedule of Planning Requirements, which outlines the information and tasks required to be completed through the various stages of the detailed planning process.
- e) No costs to be incurred with the preparation of any further plans or studies.
- f) The City would take a regulatory role in relation to the assessment of any Scheme Amendments or Local Structure Plan.

91.

Cons

- a) The City has limited oversight of the preparation of formal planning proposals for the area.
- b) The modified Concept Plan and Report are non-stutory documents. Therefore, proposals can be put forward that may vary the principles and outcomes of the Concept Plan and Report and must be considered during the assessment process. Should the City not endorse proposals that vary the principles and outcomes of the modified Concept Plan and Report, the WAPC can still approve these proposals or, in the case of formal Structure Plans, they can be challenged through the State Administrative Tribunal (SAT).

92.

Option 3 – Cease detailed planning for the area and reject the outcomes of the Concept Plan and Report

This option would see the City cease any planning of the project area until Council resolves to recommence planning on the matter (if it chooses to do so).

93.

Pros

- a) Should landowners or a private developer wish to proceed with the detailed planning of the area they would need to have regard for draft LPP 28 Appendix 1 – Schedule of Planning Requirements, which outlines the information and tasks required to be completed through the various stages of the detailed planning process.
- b) Given the varying views on the future of the area, not proceeding with preparing a District Structure Plan would be consistent with Clause 2.1(2)

of draft LPP28 which requires general consensus on the vision for the area for the City to proceed with preparing a District Structure Plan.

- c) No costs for the City in prepping further plans or detailed planning proposals.
- d) The City would request a fee for the assessment of any Scheme Amendments or Local Structure Plans.

94.

Cons

- a) Should landowners or a private developer wish to proceed with the planning for the area they would not have to have any regard to the outcomes of the Concept Plan and Report. This would mean there is a greater range of proposals that can be prepared and considered under the 'Urban' designation.
- b) The City has limited oversight of the preparation of formal planning proposals for the area.
- c) Should the City not approve proposals that the City does not consider to be appropriate for the area, the WAPC can still approve these proposals or, in the case of Structure Plans, they can be challenged through the State Administrative Tribunal (SAT). There is greater likelihood of this occurring without a strategic framework established through a document such as the modified Concept Plan and Report, established through community engagement.

STATUTORY AND LEGAL CONSIDERATIONS

95. The project area is zoned Rural under the Metropolitan Region Scheme (MRS). To facilitate residential development, precincts or the entire area may require an MRS Amendment to rezone it to Urban. This would be determined should further detailed planning progress.

96. The project area is currently zoned a mixture of Special Rural and Rural Composite under the City's Local Planning Scheme No.3 (LPS3). To facilitate residential development, the City will be required to progress a Scheme Amendment to rezone the area. The zoning would need to be determined at the Scheme Amendment phase and depending on Council's decision may have due regard to the outcomes of the Concept Plan and Report. The Scheme Amendment would allow the preparation of a Structure Plan to coordinate the location of roads, land uses and other infrastructure requirements for the area.

POLICY CONSIDERATIONS

97. Draft LPP28 guides Council, the City's officers and external stakeholders identifying the City's responsibilities for the preparation of structure plans in order to achieve the implementation of the Framework. Information required and tasks to be completed at the various planning stages are outlined in Appendix of the Policy.

STAKEHOLDER ENGAGEMENT

98. During November – December 2019, a survey was sent to all landowners and surrounding residents of Crystal Brook.

99. A Vision Workshop was held on 5 February 2020 and two co-design workshops were held on the 11 and 14 March 2020.
100. Public advertising of the draft Concept Plan and associated documents commenced on 18 May 2020 and closed on 15 June 2020. The feedback was made available on engage.kalamunda.wa.gov.au and letters and hard copies of the feedback form were posted to landowners in the Crystal Brook area. As the public advertising occurred during the Covid-19 restrictions, the City also held an online workshop.
101. The feedback received throughout the public advertising process has been comprehensively documented and reviewed. The proposed modifications are in response to the key matters arising from the engagement process.

FINANCIAL CONSIDERATIONS

102. The preparation of the Concept Plan and Report was included in the 2019/20 budget.
103. Should the City proceed with detailed planning, budget will need to be set aside either as a budget review for the 2020/21 budget or included in the 2021/22 budget.

SUSTAINABILITY

Social Implications

104. 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 be explored in greater detail during the detailed planning phase to ensure that all demographic groups are accommodated.

Economic Implications

105. An increased population to the area will see demand for retail and commercial uses and provided 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 detailed planning.

Environmental Implications

106. Ecological surveys were undertaken during the Spring of 2019. These surveys identified areas of significant environmental values. The method in which these environmental values are protected will need to be determined at detailed planning stage.
107. Given participation in ecological surveys was only approx. of the land area there is need for further investigation to fully establish the complete assessment of the area.

RISK MANAGEMENT

108. **Risk:** The City ceases progressing planning for the area leaving the planning process open to the development industry or the State Government to progress.
- | Consequence | Likelihood | Rating |
|--------------------|-------------------|---------------|
| Significant | Possible | High |
- Action/Strategy**
- Note the key outcomes of the modified Concept Plan and Report for consideration detailed planning proposals progress, they have to have due regard to the key outcomes from the common consultation on the draft Concept Plan and Report.
109. **Risk:** The community disagrees with the outcomes of the Final Concept Plan and Report.
- | Consequence | Likelihood | Rating |
|--------------------|-------------------|---------------|
| Significant | Almost Certain | High |
- Action/Strategy**
- Endorse the recommended modifications into the final Concept Plan and Report to reflect the key issues identified during public advertising.
110. **Risk:** The community disagrees with the recommended modifications to the Concept Plan and Report.
- | Consequence | Likelihood | Rating |
|--------------------|-------------------|---------------|
| Significant | Possible | High |
- Action/Strategy**
- Communicate that the modifications have been made having regard for the feedback provided during community engagement and that the views of the community vary significantly.
111. **Risk:** Members of the community want planning for the area to cease.
- | Consequence | Likelihood | Rating |
|--------------------|-------------------|---------------|
| Moderate | Almost Certain | High |
- Action/Strategy**
- Cease detailed planning for the project area and note the key outcomes of the modified Concept Plan and Report. Should a detailed planning proposal be submitted the City would act as a key regulatory authority and the proponent would need to have due regard for the outcomes of the Concept Plan and Report.
112. **Risk:** Members of the community want planning for the area to continue.

Consequence	Likelihood	Rating
Moderate	Almost certain	High
Action/Strategy		
Should a detailed planning proposal be submitted the City would act as a key regulatory authority and the proponent would need to have due regard for the outcomes of the Concept Plan and Report.		

113.	Risk: Future development proposals will impact on environmental values.	
	Consequence	Likelihood
	Major	Likely
	Rating	
	Extreme	
	Action/Strategy	
	Ensure any development proposals are cognisant of the environmental values and can address and manage the canopy, vegetation and wildlife values identified in the studies to date.	

CONCLUSION

114. It is clear from community engagement and public advertising that there is a range of contrasting views on the future planning of the project area. It is highly likely that there will be significant opposition regardless of the determination made.
115. The proposed modifications to the Concept Plan and Report have been made in response to the community feedback and attempts to achieve a balanced outcome by identifying the two land use typologies on which future detailed planning would have regard for; urban landscape and rural landscape, and within the report identifies key principles and implementation strategies to help retain the key environmental and values of the area.
116. By noting the key outcomes of the Concept Plan and Report, any future detailed planning would be required to have regard to those outcomes. Should the Concept Plan and Report not be noted then any future detailed planning would not have any regard to the outcomes of the Concept Plan and Report.

Voting Requirements: Simple Majority

RECOMMENDATION

That Council:

1. 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.
2. NOTE the outcomes of the Ecological Report.

3. REQUEST the Chief Executive Officer to make modifications to the Concept Plan and Report in accordance with Attachment 1, publish the modified document on the City's website and inform all landowners within the project area once completed.
4. NOTE the strategic outcomes of the Concept Plan and Report, as proposed to be modified.
5. CEASE further planning for the project as outlined in Option 2 of the Council Report.

{planning-policy-recommendations}

DRAFT