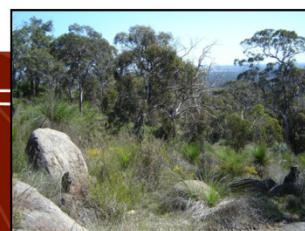


Special Council Meeting

Minutes for Monday 20 April 2015

UNCONFIRMED



**shire of
kalamunda**

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MINUTES

1.0 OFFICIAL OPENING

The Presiding Member opened the meeting at 6.35pm and welcomed Federal Member for Hasluck, Hon Ken Wyatt, Councillors, Members of the Public Gallery, the Press and staff.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Sue Bilich	(Shire President) (Presiding Member)	North Ward
Margaret Thomas JP		North Ward
Simon Di Rosso		North Ward
Noreen Townsend		South West Ward
Geoff Stallard		South East Ward
John Giardina		South East Ward
Frank Lindsey		South East Ward
Andrew Waddell JP		North West Ward
Dylan O'Connor		North West Ward

Members of Staff

Rhonda Hardy	Chief Executive Officer
Warwick Carter	Director Development Services
Dennis Blair	Director Infrastructure Services
Gary Ticehurst	Director Corporate Services
Darrell Forrest	Manager Governance & PR
Andrew Fowler-Tutt	Manager Development Services
Donna McPherson	Executive Research Assistant to the CEO
Nicole O'Neill	Public Relations Coordinator
Meri Comber	Governance Officer

Guests

Hon Ken Wyatt and partner	Member for Hasluck
Neil Foley	Planning Consultants Australia Pty Ltd

Members of the Public 95

Members of the Press 1

2.2 Apologies

Councillors

Allan Morton	South West Ward
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2.3 Leave of Absence Previously Approved

Justin Whitten	South West Ward
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3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this meeting. For the purposes of Minuting, these questions and answers are summarised. The Presiding Member indicated those making deputations would not be able to also ask questions at public question time.

3.1 Emma Kallarn, Gooseberry Hill

Q1. Why is the Shire accepting submissions on this subject from outside the Shire of Kalamunda?

A1. The Director Development Services indicated that the *Planning & Development Act* and associated regulations do not state that they must be received from only within the Shire.

Q2. How much bearing do they have on the immediate community?

A2. Councillors would take all submissions into consideration it is up to them to decide how much bearing they will have on the decision making.

3.2 Richard Tesch, Wattle Grove

Q. I note that the Main Roads submission indicates that access shall be by Gavour Road and not Welshpool Road, the Officer Comment states this could be addressed at the Development Application Stage, but what can be addressed?

A. The Director Development Services responded that which access road should be used is not an appropriate condition to be placed at this stage. The Shire have received such comments from Main Roads, however, the local government make the final decision. A traffic management plan has been submitted by the applicant suggesting access via Welshpool Road, however, when a development application is being considered the Shire will conduct their own traffic management plan.

3.3 Candy Gordon, Kalamunda

Q1. What is Council's strategy for accelerating residential aged care provision, given that the Shire requires at least three residential facilities immediately to address the shortfall?

Q2. Given that the aged care accommodation crisis is acknowledged by all three levels of government will this Council present the Gavour Road proposal in the most convincing and positive manner to the WAPC?

Q3. If the Shire of Kalamunda does not present this proposal in the most convincing manner to the WAPC, why would any developer consider coming to this Shire when they see how many obstacles are placed in front of them, not merely by bureaucratic red tape but by a vocal minority with submissions coming from many who do not even live in this Shire?

A. These questions were taken on notice.

3.4 Les Lyons, Wattle Grove

- Q1. Why has the land owner not dissected the block into Special Rural yet we keep coming back to Council for this tortuous affair which goes into the system and is then thrown out?
- A1. The Presiding Member indicated this would be a question for Mr Lyons to ask Mr Leighton directly.
- Q2. Why can't areas such as the former Pony Club in Hartfield Road be utilised when it is now lying derelict?
- A2. Council are looking at a number of locations which the Shire is currently examining for aged care use.

3.5 Peter Forrest, Kalamunda

- Q. This is a request for a local facts and relevant policy strategies that are always required for local planning decisions, this is a further request for a new and up-to-date documented statement of facts and policy with feasible action strategies on forward provision for the post retirement age group as a whole in the Shire; will Council commit to a timeline for when this information can be available as a Council document?
- A. This question was taken on notice.

3.6 Victor Mazza, Wattle Grove

- Q1. My concern is regarding the submission attachment, it gives name, address and comment and then an answer from the Shire. In my correspondence to the Council I simply asked if the groundwater should become polluted or adversely affected, then who would be responsible?
- A1. The Director Development Services responded that the contaminator is the primary responsible person, there is then a hierarchy from there, but in the first instance the polluter would be responsible.
- Q2. Would that equate to the developer?
- A2. It would, assuming it was the developer who polluted, it would be the person who created the pollution in the first instance.

3.7 Charles Dornan, Wattle Grove

- Q. With respect to the groundwater issue, the land in this area is predominantly sand and then clay with combined aquifers beneath, if there is to be septic tank/leach drain type effect there is a chance of a plume going down, as at the Kelvin Road rubbish tip; has the Shire insisted on monitoring bores?
- A. Director Development Services responded the site has had a local water management strategy approved by the Department of Water over the land so it does have potential to manage those issues. Any approval of an effluent disposal system of this size would be approved by the Department of Health and it would be up to them whether or not they conditioned their approval for such monitoring.

3.8 Robert Vletter, Wattle Grove

- Q1. Is the land subject to the amendment now reasonably able to be connected to reticulated sewerage?
- A1. Director Development Services responded that it is not connected to reticulated sewerage at present.
- Q2. My question was, is it reasonably able to be connected?
- A2. This is a subjective comment and I am unable to answer.
- Q3. So it is or it isn't able to be connected to reticulated sewerage, yes or no, can it currently be connected to reticulated sewerage?
- A3. In theory anything is possible.
- Q4. Has there been a full demonstration that the land in the locality can be urbanised in the short to medium term?
- A4. The Presiding Member indicated that this and any other question will be taken on notice.
- Q5. Would the land use of the proposed amendment constitute an urban use in a rural zone under the Metropolitan Region Scheme?
- Q6. Is the area designated urban investigation guaranteed to become urban?
- Q7. When may I expect a response to my questions?
- A7. The Presiding Member responded as soon as staff have had appropriate time to prepare the answers a letter will be sent answering the questions taken on notice.

3.9 Emma Kallarn, Gooseberry Hill

- Q1. Could the Shire tell me how many other potential developer they have that are working actively with them to develop other sites at this time?
- A1. The Director Development Services responded that the Shire has had a number of developers visit and the issue has always been land availability - that is, trying to find a suitable piece of land that they could buy which meet their standards. At the moment the other applications before Council are a residential facility in High Wycombe, also potentially opportunities for aged care at Wilkins Road, Kalamunda and at the Strelitzia Avenue Site in Forrestfield.
- Q2. How far are they from reaching any fruition?
- A2. The first is approved by Council, the other two are in the Amendment System, this is not Council's system, and therefore I cannot give you any definitive timeframe on those.

4.0 PETITIONS/DEPUTATION

- 4.1 A deputation was presented by Peter Webb Principal of Peter Webb & Associates and Lawyer, Paul McQueen of Lavan Legal on behalf of Ross Leighton the owner of Lot 500 in favour of the Officer Recommendation.

A Councillor queried what advice had been received in writing from government departments regarding access onto Welshpool Road. Peter Webb responded that during advertising of the amendment information was sent to all relevant government agencies who have an interest in this proposal. Main Roads offered a comment, however, it was considered necessary to remind Main Roads that this road is outside their responsibility as it is a WAPC controlled road; subsequent to this Main Roads withdrew their comments. The information from WAPC and the Shire is that they support, in principle, access onto Welshpool Road.

A Councillor directed a query to Paul McQueen requesting further elaboration regarding a memorial, how it works, what the implications are and what protection it gives. Paul McQueen explained it was necessary when planning a development of this type to have a memorial signed-off by the Registrar of Titles for a number of reasons. This gives a series of protections for the person who is buying a retirement village unit. It is a criminal offence if a compliant memorial is not produced that complies with the Act. All contracts have to make reference to the Memorial and right of occupation may not be granted until the Memorial is lodged. In addition every subsequent purchaser is bound by this arrangement and cannot terminate the rights of a person who has acquired an interest or a right of occupation in the development.

- 4.2 A deputation was presented by Iris Jones on behalf of the Lesmurdie and Districts Community Associate Inc. in favour of the Officer Recommendation.

A Councillor noted that in this deputation a reference was made to Council building an aged care facilities, and asked if Iris Jones was aware of any Councils already doing this?

Iris Jones responded that the City of Belmont have done so and they also run other facilities in the city, with Boards of Management managing others. She added that a similar approach has been taken in the City of Swan, the Lesmurdie and Districts Community Association Inc is currently undertaking research on this subject. Iris Jones indicated the Association would be happy to present their findings to Council when complete. A Councillor requested that the Shire have access to this when available.

- 4.3 A deputation was presented by Claire Richards of the Rowe Group, Planning Consultants on behalf of the Wattle Grove Action Group, against the Officer Recommendation.

A Councillor asked for confirmation that the Wattle Grove Action Group employed Claire Roberts to carry out the research and investigate this particular issue and if they were paying her bills, Claire Roberts confirmed this was the case and they were paying her bills.

I have heard that you have been lobbying on their behalf to the Government and the WAPC, are you a registered lobbyist? Claire Roberts responded that she was not a registered lobbyist and she did not believe she had lobbied.

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- 4.4 A deputation was presented by Nigel Dickinson on behalf of the Zig Zag Branch of the Australian Labor Party, was received in favour of the Officer Recommendation.

There were no Councillor questions regarding this deputation.

- 4.5 A deputation was presented by Darren Walsh from Strategen Consulting in favour of the Officer Recommendation.

There were no Councillor questions regarding this deputation.

- 4.6 A deputation was presented by Clive Garnhan against the Officer Recommendation.

The Presiding Member gave Clive Garnham the opportunity to ask questions prior to his deputation as he had wished to ask questions at public question time. Mr Garnham asked the following: with reference to the effluent system, I understand that a Western Power easement requires unfettered vehicular access, at short notice at all times and I feel that that wouldn't be conducive to having the product of the sewage treatment irrigated on that area as indicated by the previous deputation. If this 2.5hectres had to be moved to a developable area this would significantly reduce the number of units available for sale and the development may then become uneconomical. Would the Shire of Kalamunda Town Planners ask Western Power directly what is acceptable as far as irrigating the product of a waste water treatment plant? This question was taken on notice.

There were no Councillor questions regarding this deputation.

5.0 ANNOUNCEMENTS BY THE MEMBER PRESIDING WITHOUT DISCUSSION

- 5.1 Nil.

6.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

- 6.1 Nil.

7.0 DISCLOSURE OF INTERESTS

7.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

- 7.1.1 Nil.

7.2 **Disclosure of Interest Affecting Impartiality**

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

- 7.2.1 Cr John Giardina declared an interest affecting impartiality regarding SCM 02/2015, Proposed Amendment to Local Planning Scheme No 3 – Lot 500 (32) Gavour Road, Wattle Grove, because he has relatives who live in the vicinity of the subject property.

As the Corporate & Community Services Meeting was due to commence, at 8.00pm the Presiding Member adjourned the Special Council Meeting for ten minutes.

Voting Requirements: Simple Majority

MOTION

1. The Special Council Meeting be adjourned for 10 minutes.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Margaret Thomas**

Vote: **CARRIED UNANIMOUSLY (9/0)**

The Special Council Meeting reconvened at 8.05pm, all those in attendance prior to the adjournment were present at the recommencement of the meeting apart from Hon Ken Wyatt, Member for Hasluck.

8.0 REPORTS TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

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

Cr John Giardina declared an interest affecting impartiality and was not present for the discussion or vote.

SCM 02. Proposed Amendment to Local Planning Scheme No. 3 – Lot 500 (32) Gavour Road, Wattle Grove

Previous Items	OCM 106/2004, OCM 42/2007, OCM 43/2009, OCM 65/2010 , OCM 122/2013
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	PG-LPS-003/057
Applicant	R & P Leighton
Owner	As above

Attachment 1	Independent Review of the Proposal
Attachment 2	Submission Table – Public Submissions

Attachment 3	Submission Table – Government Agencies' Submissions
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PURPOSE

1. To consider whether to finally adopt Amendment No. 57 (the Amendment) to Local Planning Scheme No. 3 (the Scheme) for Lot 500 (32) Gavour Road, Wattle Grove (the site).

BACKGROUND

2. In November 2012 the Minister for Planning refused Amendment 18 for the following reasons:
 1. *The land subject to the proposed amendment cannot be connected to the existing sewerage system in the locality.*
 2. *The proposed amendment is premature to the strategic planning that is still required to be undertaken for the locality, including the potential and timing for service provision and detailed structure planning. There has been no adequate demonstration that the area can be urbanised in the short to medium term.*
 3. *The proposed land use and development facilitated by the proposed amendment would constitute an urban use in the "Rural" zone under the Metropolitan Region Scheme and would set an undesirable precedent for the development in the locality, especially having regard to the current lack of urban services and utilities including readily available reticulated sewerage.*
3. Council at its Special meeting held on 26 August 2013 resolved to initiate a new Amendment to the Scheme for the subject site. This Amendment, 57, is the subject of this report.

4. The Shire received criticism and accusations against some of its officers in some of the submissions received during the public comment period, calling into question the ability of the Shire to independently critique the submission and planning justification.
5. In the interests of transparency, the Shire elected to bring in a third party to act as an independent assessor of the submissions and the planning justification, to make a recommendation to the Shire on the Amendment. The detailed analysis of the Amendment is contained in (Attachment 1).

DETAILS

6. The Amendment seeks to rezone the site from Special Rural to Special Use (Residential Aged Care). This report focuses on the recommendations of the Independent Report in (Attachment 1).
7. The independent report contains detailed analysis of the following:
 - The submissions received; and
 - Major issues associated with the Amendment, with an emphasis on the reasons given by the Minister for Planning in refusing the previous Amendment 18.

STATUTORY AND LEGAL CONSIDERATIONS

8. The *Planning and Development Act 2005* establishes the procedures for amending a Local Planning Scheme. Irrespective of Council's resolution, the amendment will be forwarded to the Minister for Planning for determination.
9. Under the Scheme a Special Use zoning may be considered to accommodate a specific use with special conditions on land where the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective.
10. In considering a Special Use zoning, the Council shall only make special provision by creating the Special Use zone where it considers it:
 - (i) Will satisfy a specific need(s) in the locality where the subject land situated;
 - (ii) Would enhance the amenity and the interest of the orderly and proper planning of the locality; and
 - (iii) Would be specifically appropriate or desirable.
11. In respect to the specific considerations required to be taken into account when considering a Special Use amendment, the following comments are made:

Satisfying a specific need in the locality.

It is considered that the term "locality" should be interpreted as the district of the Shire of Kalamunda and not specifically the rural area of Wattle Grove. It is well demonstrated that the Shire of Kalamunda requires aged persons' accommodation, particularly high end care, to serve the current and future needs of the community.

This issue is further expanded upon in the Independent Review of the proposal.

Enhance the amenity and the interest of the orderly and proper planning of the locality.

The amenity of the area would be enhanced by the prospect of developing such a facility in an area identified as an urban investigation thus ensuring the proper and orderly planning of the area.

Would be specifically appropriate or desirable.

The Local Planning Strategy adopted by the Shire and WA Planning Commission, amongst other matters, identified sites considered to present the best opportunity to deliver aged accommodation. The subject site was identified as having an opportunity to be considered for this purpose. As such, given this strategic basis, the amendment is considered appropriate and desirable.

This issue is further expanded upon in the Independent Review of the proposal.

POLICY CONSIDERATIONS

12. The Shire of Kalamunda Aged Accommodation Strategy notes the significant shortfall of residential care in the community.

COMMUNITY ENGAGEMENT REQUIREMENTS

13. The proposal was advertised for 60 days in accordance with the provisions of the *Town Planning Regulations 1967* (Note: the Regulations require a minimum advertising period of 42 days).

Advertising consisted of:

- Signs being erected on the frontages of the site;
- Notices being placed in newspapers circulating in the district;
- Nearby and affected land owners being notified in writing; and
- The proposal being placed on the Shire web page.

14. At the end of the consultation period 389 public submissions had been received comprising 158 objections, 229 non-objections and 2 neutral. Six submissions have been received from government agencies.

15. A précis of the issues raised in the submissions is included in the Independent Review and a full summary is contained as an attachment to this report. Refer (Attachment 2). A copy of all the submissions, in full, has been provided to Councillors.

FINANCIAL CONSIDERATIONS

16. Costs have been borne through assessment of the amendment including staff time, advertising and appointment of consultants. Costs will be recouped from the applicant in accordance with the adopted budget.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

17. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 1.2 -To ensure the ageing population has housing choice.

Strategy 1.2.1 - Collaborate with residential care providers to increase the number of residential care places within the Shire.

Strategy 1.2.2 – Advocate and facilitate large parcels of land within the Shire to be established for aged care facilities.

OBJECTIVE 4.2 - To effectively plan for the diverse range of housing stock that will be required to meet the social and economic needs of the Shire's changing demographics

Strategy 4.2.2 – Facilitate the delivery of suitable housing options for the aged population and people with special needs through a range of smaller and affordable homes and unit dwellings.

SUSTAINABILITY

Social Implications

18. If the Amendment is adopted by Council and subsequently approved by the Minister for Planning it will create the statutory environment to allow for development of Residential Aged Care. This will be of particular benefit to those residents of the Shire wishing to stay in the locality and to live in this type of facility.
19. Objections from nearby land owners cite impacts on amenity, including traffic, noise and visual impact.

Economic Implications

20. Development of the site will inject a significant capital investment into the locality and will lead to local employment opportunities.

Environmental Implications

21. Environmental issues in respect to clearing and effluent disposal are largely resolved and are addressed in the Independent Review. It is noted that as the site is mostly cleared, there will be minimal impact on endemic vegetation.
22. The Applicant has prepared a Local Water Management Strategy which has been approved by the Department of Water. The Strategy confirms the capability of the land to manage the onsite disposal of effluent associated with the future development of the site for integrated aged care.

RISK MANAGEMENT CONSIDERATIONS

23.

Risk	Likelihood	Consequence	Rating	Action/Strategy
That the land subject to the proposed amendment cannot be connected to the existing sewer system in the locality.	Possible	Major	High	This risk can be mitigated by amending the conditions of the Special Use provisions to include a requirement for an UWMP and a requirement that the waste water disposal system be designed and implemented so it can connect to the Water Corporations reticulated sewer system.
The proposed amendment is premature to the strategic planning required to be undertaken for the locality.	Possible	Major	High	The Shire's Local Planning Strategy has been adopted by the WA Planning Commission showing the subject lot and surrounding area as an Urban Investigation Area. This risk has been mitigated to some extent by virtue of the area being identified as an urban investigation area. This represents a first step in the consideration as to whether the area should become urban. Noting the many more steps in the planning process required to confirm or otherwise the suitability of the area for future urbanisation, the identification of the area as future urban in the soon to be released North-East sub regional structure plan would provide a greater level of confidence for the proposed amendment.

Risk	Likelihood	Consequence	Rating	Action/Strategy
The proposed integrated aged care use would constitute an urban use in the MRS 'Rural' zone and would set an undesirable precedent for development in the locality.	Possible	Major	High	The question of inconsistency with the MRS Rural zone could be considered in the context of land tenure. An aged care development that remains in single ownership and managed as a single integrated aged care facility is characteristic of an institutional use rather than a residential development which would be the case if the site was allowed to be strata titled or subdivided. The risk has been mitigated by recommending conditions that require the development to remain on one lot without strata titling.

OFFICER COMMENT

24. The Shire has engaged an eminently qualified planning consultant to undertake an independent detailed review of the proposed Amendment and make recommendations to the Shire on the Amendment.
25. As outlined in the consultant's report, the reasons given by the Minister for Planning in refusing the previous proposal, Amendment 18, are still relevant and highlight the difficulties, from a planning perspective, in trying to achieve outcomes for the development of new integrated aged care facilities. That said, it is clear that the Shire and more broadly the State of Western Australia faces a significant issue with the lack of integrated aged care facilities for the aging population.
26. If amendments such as these are not considered and supported, it raises a broader issue about where and how the State of Western Australia will address the significant ageing population before us. With the baby boomer generation well into the active retirement period, the demand for these facilities will increase dramatically in the coming decades.
27. The consultant, in his report, has recommended a number of changes to the conditions of the proposed Amendment which will, noting the reasons for the Minister's refusal to Amendment 18, provide a higher degree of certainty as to the outcomes if the development were to proceed. Ultimately however, it is open to the Minister for Planning to consider the proposed changes and approve the Amendment.

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28. The Shire understands that one of the key issues to be addressed in the Amendment is that of certainty. It is acknowledged that this means certainty that the aged care facility can be built and certainty that it will be built.
29. The issue of certainty as to whether the development, and in particular the assisted care component will be built has been the subject of many of the submissions received. The concern is that the proposed development would only be constructed to retirement village stage only. Whilst it is noted that the proposed developer has a history of delivering aged care facilities, the *Planning and Development Act* is unable to take this into consideration. The recommendations of the Consultant include changes to the conditions of the Amendment which will ensure the staged delivery of the care component of the aged care facility, regardless of the developer.
30. This certainty of whether it can be built has largely been addressed as part of the Local Water Management Strategy study of the site which has been approved by the Department of Water, included within (Attachment 1).
31. In this instance, noting the modifications to the Amendment proposed by the consultant, it is recommended that the Amendment be endorsed by Council.

Cr John Giardina declared an interest affecting impartiality as he has relatives who live near the vicinity of the subject property, he left the Chambers at 8.06 and was not present for the discussion or vote.

The Officer Recommendation was put and a mover and seconder found.

A Councillor asked to move an Amendment to Condition (f) in the Recommendation to add the words "identify the locations of the Aged Residential Care Facility" and delete the words "through the property" after an explanation for this Amendment the mover and seconder accepted the change and it became part of the substantive motion.

A Councillor asked to move a further Amendment to Condition (g) to read "Not more than 133 of the 190 Aged or Dependent Persons Dwellings shall be developed on Lot 500 until the development of an Aged Residential Care Facility (Nursing Home Component) has been constructed to practical completion", after an explanation for this Amendment the mover and seconder accepted the change and it became part of the substantive motion.

A Councillor asked to move a further Amendment to delete all of Condition (e), the following items to then be renumbered, after an explanation for this Amendment the mover and seconder accepted the change and it became part of the substantive motion.

The Presiding Member because of the nature of the item gave the mover and seconder the opportunity to speak to the motion.

Cr John Giardina returned to the Chambers at 8.34pm.

Voting Requirements: Simple Majority

RESOLVED SCM 37/2015

That Council:

1. Notes the submissions received in response to Amendment No. 57 to Local Planning Scheme No. 3.
2. Adopts the Amendment to Local Planning Scheme No. 3 with modifications in accordance with the following:

Modifies Schedule 4 - Special Use Zones as follows:

No. 19	Description of Land	Special Use	Conditions
	32 Gavour Road, Wattle Grove (Lot 500 on Deposited Plan 57971)	<p>Integrated Aged Care Facility</p> <p>The objective of this particular zone is to achieve the development and operation of an integrated aged care facility that is designed to allow "ageing in place". It will have a full range of accommodation designed for the aged including independent living units (Aged or Dependent Persons' Dwellings) and a nursing home component (Aged Residential Care facility) as well as common use community facilities. It will be designed and implemented to maintain the rural character of the adjacent area whilst also maintaining flexibility to enable the facility's integration with development on adjoining properties should land use changes occur in the future. It will remain in a single control and management arrangement to ensure it remains integrated and that it will be able to be maintained to a consistently high standard and kept up to date in response to the needs of its occupants.</p>	<p>a) At least one occupant of any Aged or Dependent Persons' Dwelling within this facility must have reached the age of 55 years.</p> <p>b) Development on the site shall be connected to the reticulated sewerage system or alternative waste water treatment system to the satisfaction of the Health Department of Western Australia and the local government on the advice of the Department of Water and the Swan River Trust.</p> <p>c) If development is approved without connection to the reticulated sewerage system, then: (i) prior to the approval of any development on Lot 500, an Urban Water Management Plan shall be prepared and approved by the Council on advice of the Department of Water</p>

		<p>a) Within this zone, the following uses are discretionary ('D') in accordance with clause 4.3.2:</p> <ul style="list-style-type: none"> • Aged Residential Care; • Aged or Dependent Persons' Dwellings • Caretaker's Dwelling • Consulting Rooms. <p>b) Council may approve other ancillary or incidental uses on this site, provided that they are minor in nature, they form part of the operational business of an integrated aged care facility, they would not particularly attract patrons or users who are not resident or employed within the development to the facility, and they would complement or enhance the usual living standards and requirements of residents living in, and staff working at, a facility of this nature.</p> <p>c) All other uses not mentioned under clauses (a) and (b) of this special use zone are not permitted ('X') in accordance with clause 4.3.2.</p>	<p>and the Swan River Trust; and (ii) the approved alternative waste water disposal system shall be designed and implemented so that it is able to connect to the reticulated sewerage system if and when it is extended to or near Lot 500. If the reticulated sewerage system is extended to within 200 metres of a boundary of Lot 500, then within 2 years of such occurrence, the owner or owners of Lot 500 shall connect all of the development on the lot to the reticulated sewerage system at the owner's cost.</p> <p>d) An integrated aged care facility is a development that shall not be strata titled.</p> <p>e) Prior to the occupation of any of the integrated aged care facility development on Lot 500 a foreshore reserve for Crystal Brook shall be ceded free of cost to the Crown as a Reserve for foreshore management. The extent of such Reserve shall be at least 20 metres distant from, and parallel to, the top of the northern bank of the brook and extending from that line southwards to the Gavour Road frontage of the lot. A</p>
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			<p>foreshore reserve management plan shall be prepared, approved by the Council, and implemented as part of the development at the cost of the owner of Lot 500.</p> <p>f) e) Development on Lot 500 shall be designed in the context of a detailed area plan prepared pursuant to clause 6.2.6 which covers the entire lot. This will, amongst addressing other relevant planning and design matters, identify the location of the Aged Residential Care Facility, identify proposed staging, and the location of a possible future public road and servicing easement(s) through the property with future implementation arrangements for these should land use changes occur on the properties adjoining Lot 500 in the future.</p> <p>g) f) No more than 60 Aged or Dependent Persons' Dwellings shall be developed on Lot 500 and occupied by residents unless and until the development of an Aged Residential Care facility (nursing home component) has been substantially commenced on Lot</p>
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			<p>500, and no more than 120 Aged or Dependent Persons' Dwellings shall be developed on Lot 500 and occupied by residents unless and until the development of an Aged Residential Care facility (nursing home component) has been completed and is operational on Lot 500.</p> <p>g) f) Not more than 133 of the 190 Aged or Dependent Persons Dwellings shall be developed on Lot 500 until the development of an Aged Residential Care Facility (Nursing Home Component) has been constructed to practical completion.</p> <p>h) g) Clause 5.6 shall not apply to this special use zone.</p>
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3. Amend the definition of 'aged residential care' in '1. General Definitions' of Schedule of the Scheme by adding the words "residential care" after the word "term" and by adding the word "(Commonwealth)" before the words 'Aged Care Act 1997' so that the definition reads in full "aged residential care" has the same meaning given to the term 'residential care' in the (Commonwealth) Aged Care Act 1997".

4. Amends the Scheme zoning map accordingly.

5. Upon receipt of modified documents in accordance with point 2. above, duly executes the Amendment documents and forwards them and submissions received to the Minister for Planning requesting final approval be granted.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Andrew Waddell**

Vote: **CARRIED UNANIMOUSLY (8/0)**

Attachment 1

Independent Review of the Proposal

[Click HERE to go directly to the document](#)

Attachment 2

Proposed Amendment to Local Planning Scheme No. 3 – Lot 500 (32) Gavour Road, Wattle Grove

Submission Table - Public Submissions

Submission		Details	Comments
1.	Name and address withheld	Objection. At all times you have failed to mention in any of your Council meetings the over 55's accommodation such as in High Wycombe, Kalamunda and other sites identified to you by the Wattle Grove Action Group.	The Shire is currently investigating whether sites identified by its Local Planning Strategy are suitable for such development, these include 100 Bougainvillea Avenue, Forrestfield, and 40 Wilkins Road, Kalamunda.
2.	Name and address withheld	Non-objection. Strongly supports proposal	Noted.
3.	Name and address withheld	Non-objection. Strongly supports proposal	Noted.
4.	J Saunders 21 Cabarita Rd, KALAMUNDA 6076	Non-objection. Acknowledges the need for aged care facilities	Noted.
5.	J Fermia 89 Gavour Rd, WATTLE GROVE 6107	Objection.	Noted.
6.	Mollie Douthie 10/33 Central Road KALAMUNDA 6076	Non-objection.	Noted.

7.	C Reeves 25 Gavour Rd WATTLE GROVE 6107	Objection.	Noted.
8.	B Bell 37 Ridley Rd, WATTLE GROVE 6107	Non-objection. Essentially supports but shows concern for noise and security	Such matters could be dealt with at the development application stage if the amendment is approved.
9.	I Jones 2 Orangedale Rd LESMURDIE 6076	Non-objection. Believes the Shire should support the amendment so facilities can be provided to the elderly and infirm.	Noted.
10.	M Maher 52 Temby Ave KALAMUNDA 6076	Non-objection. Believes the Shire should support the development for the elderly	Noted.
11.	M Brehaut 169 Williams St KALAMUNDA 6076	Non-objection. Supports the development as she is elderly and widowed, and any aged persons facility would be welcomed.	Noted.
12.	Name and address withheld	Non-objection. Supports the development. I am on a waiting list for aged housing, so please hurry up.	Noted.
13.	Percy Douthie 10/33 Central Rd KALAMUNDA 6076	Non-objection.	Noted.
14.	L Cooper 11/9 Byren Rd KALAMUNDA 6076	Non-objection. Concerned about shortage for current aged care facilities.	Noted.

15.	M. Sanson-Fisher 13/9 Byron Rd KALAMUNDA 6076	Non-objection.	Noted.
16.	M Gray 61 Gavour Rd WATTLE GROVE 6107	Objection.	Noted.
17.	G Allingame 16 Valcan Rd WATTLE GROVE 6107	Objection. The proposal is not in keeping with the area.	Noted.
18.	G Smith 12/9 Byron Rd KALAMUNDA 6076	Non-objection. Supports proposal as it will relocate aged persons to be closer to each other and family creating social benefits.	Noted.
19.	G Watson 6/28 Elizabeth St KALAMUNDA 6076	Non-objection. Concerned about shortage for current aged care facilities.	Noted.
20.	M Caruso 15 Gavour Rd WATTLE GROVE 6107	Non-objection.	Noted.
21.	P Duxbury 138 Lewis Rd FORRESTFIELD 6058	Non-objection. Notes the location as "ideal".	Noted.
22.	J. Spratling 32/138 Lewis Rd. FORRESTFIELD 6058	Non-objection.	Noted.

23.	R. Barrington 19/138 Lewis Rd. FORRESTFIELD 6058	Non-objection.	Noted.
24.	B Booth 60/138 Lewis Rd FORRESTFIELD 6058	Non-objection.	Noted.
25.	G and A Byers 80 Crystal Brook Rd WATTLE GROVE 6107	Non-objection. Considers that the location, transport links and aging population creates an ideal scenario for this proposal	Noted.
26.	L Ashworth 17 Gilbert Rd LESMURDIE 6076	Non-objection.	Noted.
27.	B Gaunt 41/138 Lewis Rd FORRESTFIELD 6058	Non-objection.	Noted.
28.	Margaret Beck 57/136 Lewis Rd FORRESTFIELD 6078	Non-objection. Considers that the aging population requires more residential options such as the one proposed.	Noted.
29.	Robin Faulkner 14/138 Lewis Rd FORRESTFIELD 6058	Non-objection. Considers that there is a critical need for these types of facilities within the Shire.	Noted.
30.	Fran West 50/138 Lewis Rd FORRESTFIELD 6058	Non-objection.	Noted.

31.	M. Batchelor 44/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
32.	Alan Matthews 13/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
33.	John Wicks 18/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
34.	J.A Dunnings 2/138 Lewis Rd. FORRESTFIELD 6078	Non-objection.	Noted.
35.	Margaret McEwan 138 Lewis Rd FORRESTFIELD 6078	Non-objection. Considers that the aging population requires more residential options.	Noted.
36.	Jennifer Van Bockxmeer 26/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
37.	Johannes Van Bockxmeer 26/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
38.	Henk Romberg 40/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.

39.	Geoffrey Moore 138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
40.	Peter Voss 138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
41.	Fien Romberg 40/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
42.	Anthony Snook 11/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
43.	J. Harris 35/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
44.	Joyce Moore 31/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
45.	Thelma White 53/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
46.	Norman Casson 138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.

47.	Margaret Thwaites 71 Staniland St ORANGE GROVE 6109	Non-objection. Agrees with the current lack of aged care facilities therefore the proposal not only appeals to herself but friends as well	Noted.
48.	Lorna Snook 11/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
49.	Joselyn Casson 138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
50.	Margaret Adams 51/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
51.	Margaret King 6/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
52.	Janette Wild 63/138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.
53.	Barbara Slater 138 Lewis Rd FORRESTFIELD 6078	Non-objection.	Noted.

54.	Damien, Jacinta and Sally Rykers 10 Gavour Rd WATTLE GROVE 6107	<p>Objection</p> <ul style="list-style-type: none"> a) Not in keeping with the rural amenity of the area. b) Negative impact on the flora and fauna and the waterway running through the property through chemicals and pesticides. c) No reticulated sewer means on-site treatment of waste water will be required. d) There is no guarantee the property will be developed as per the approval. e) There is no guarantee the ageing population of Kalamunda will be given preference obtaining residency at this development. f) The current town planning scheme does not allow this type of development in the Special Rural areas. 	<ul style="list-style-type: none"> a) Noted. b) Noted. The proposal is subject to a Local Water Management Strategy that addresses this issue. c) Noted. Disposal of on-site waste water would need to be to the satisfaction of state government agencies. d) Agreed. There would need to be some specificity in the specific provisions to deal with this. e) Noted. Not a planning consideration. f) Noted.
55.	Iris Jones 130 Pomeroy Rd WALLISTON 6076	<p>Non-objection. Agrees that there is a current lack of aged care facilities, therefore the proposal is supported.</p>	Noted.

56.	Catherine Frans-Small 19 Fontano Rd WATTLE GROVE 6107	Objection. Makes reference to a lack of transport options, relevant businesses (medical, pharmaceutical) and impact on the current sewage line available.	Noted. The site is not optimally located for the proposed use.
57.	Ian Small 19 Fontano Rd WATTLE GROVE 6107	Objection. The proposal having an unacceptable impact on the amenity of the area.	The amenity impacts are unclear, although consideration at the development application stage could occur if the amendment is approved.
58.	Nicolas James Small 19 Fontano Rd WATTLE GROVE 6107	Objection. The proposal would set an undesirable precedence especially having regard to the current lack of urban services and utilities, including readily available reticulated sewerage.	Noted. The site is not optimally located for the proposed use.
59.	Lawrence Trapp 20 Flora St LESMURDIE 6076	Objection. No change should be made to the zoning. No property for the aged should be placed in an area with no shops, no medical centre, no bus route, no library and no amenities.	Noted.
60.	Valerie Trapp 20 Flora Tce LESMURDIE 6076	Objection. Opposes the proposal for any zoning changes. Specifically no amenities within walking distance	Noted.
61.	G Small 23 Grassdale Parkway ELLENBROOK 6069	Objection. Opposes the proposal as they suspect further development would be required. Wishes to keep Wattle Grove as a rural area instead of urban	Noted. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area. Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning

			Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport.
62.	Andrew and Helena Hicks 78 Grove Road KENWICK 6107	<p>Objection.</p> <p>a) Opposes the proposal as it conflicts with the rural lifestyle that is enjoyed. Fears that more development would follow, upsetting the status quo of the area.</p> <p>b) An increase in thermal mass gradient will alter the temperature in the immediate locality. Traffic and population are the major contributing factors that would ruin the amenity of the area.</p>	<p>a) Noted. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area.</p> <p>Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport.</p> <p>b) If the amendment proceeds to approval, vehicular access is proposed to be from Welshpool Road.</p>
63.	Robin Hicks & Pamela Taylor 33 Gosnells Rd East ORANGE GROVE 6107	<p>Objection.</p> <p>a) Opposes the proposal as it conflicts with the rural lifestyle that they enjoy. Fears that more development would follow, upsetting the status quo of the area.</p>	<p>a) Noted. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area.</p>

		<p>b) An increase in thermal mass gradient will alter the traffic in the immediate locality. Traffic and population are the major contributing factors that would ruin the amenity of the area.</p> <p>c) An increase in thermal mass gradient, traffic and population as the major contributing factors that would ruin the amenity of the area.</p>	<p>Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport.</p> <p>b) See comment 63 b).</p>
64.	<p>P. Turner PO BOX 89 FORRESTFIELD 6078</p>	<p>Objection. Does not wish for more development to follow after the proposed aged care facility. Wishes to keep the special rural zone as it is.</p>	<p>Noted. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area.</p> <p>Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport.</p>

65.	Peter Platell 23 Grassdale Parkway ELLENBROOK 6069	Objection. With two grandparents who are very likely to live in a facility such as this I have zero confidence in adequate bushfire evacuation procedures for such residents.	A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved.
66.	Keira Harcourt 162 Orange Valley Rd KALAMUNDA 6078	Objection. a) It is clear that the minority would benefit from this rezoning. b) Not only would it breach policies and schemes put in place to benefit the community, but many lives would be put in danger with health and safety a major issue. c) The Kalamunda Shire seems ready to turn a blind eye to all these issues: <ul style="list-style-type: none"> • Fire risks. • Facilities and access to vital support services well outside a reasonable distance for the elderly to access in case of an emergency. • Limited and unsafe access to transport services. • The land not being able to be serviced by a reticulated sewerage system. 	a) Noted. b) Noted. Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport. It is also within relatively close proximity to the Forrestfield District Centre. c) Noted. A bushfire management plan will be required to be submitted as part of the development application if the amendment is approved.

67.	Richard Grunwell and Sharon Jenkins 45 Ridley Rd WATTLE GROVE 6107	Non-objection. Supports the proposal for an aged care facility	Noted.
68.	Name and address withheld	Non-Objection.	Noted.
69.	Name and address withheld	Objection. Does not believe the current site is appropriate for the proposal	Noted.
70.	Jean Smiley No address provided	Is neither for nor against the development but notes that an aged care facility is needed.	Noted.
71.	Rosemary & John Offer No address provided	Non-Objection.	Noted.
72.	D McAtee 14 Lookout Road KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
73.	Emma Kallarn No address provided	Non-Objection. The proposal will not only bring about better care options for the elderly but also provide economic opportunity for employment and other relevant services.	Noted.
74.	Nina and Fred Flor No address provided	Non-Objection. Notes that there is a need for this type of development.	Noted.

75.	Name and address withheld	<p>Objection.</p> <p>Once again this council has disregarded the planning process and the residents of its shire. It goes completely against the residents in this precinct, Planning Minister John Day's decision and the Supreme Court.</p>	<p>The Shire is following the statutory requirements for amending the Scheme in accordance with the <i>Planning and Development Act 2005</i> and <i>Town Planning Regulations 1967</i>.</p>
76.	Heather Fitzgerald No address provided	Non-Objection.	Noted.
77.	Name and address withheld	<p>Objection.</p> <ul style="list-style-type: none"> a) The current zoning delivers a high number of mature jarrah and other trees, most of which would be lost with an urban use. b) The placement of dense development in the middle of this away from transport, shops, medical services, footpaths etc. is inappropriate. c) The proposal does not fit the state planning strategies and the Network City recommendations. 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area. <p>Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport. It is</p>

		d) Reticulated sewerage and other services do not cater for an urban use, especially such a dense urban development.	agreed that it is premature to the current WAPC sub-regional structure planning process. d) Noted.
78.	Gill Baxter 9 Marie Way KALAMUNDA	Non-objection. Supports the proposal for an aged care facility	Noted.
79.	Christina Esschert No address provided	Non-objection. Supports the proposal for an aged care facility	Noted.
80.	Johnston & Georgina Reid No address provided	Non-objection. Supports the proposal for an aged care facility	Noted.
81.	Barrie Oldfield 3 Over Avenue LESMURDIE	Objection. Priority for development of an aged care facility would be better situated on Wilkins Rd and the approved extension at Sunshine park	The Shire is currently investigating other properties which could also be used for aged care development such as 100 Bougainvillea Avenue, Forrestfield, and 40 Wilkins Road, Kalamunda.
82.	Marilyn Rollings No address provided	Non-Objection. Explains the need for an aged care facility is urgently required.	Noted.
83.	James Hansen 19 Hillside Crescent GOOSEBERRY HILL	Non-Objection. Explains the need for an aged care facility is urgently required.	Noted.

84.	Bronwyn Goss 35 Torwood Drive, GOOSEBERRY HILL	Non-Objection. Explains the need for an aged care facility is urgently required and current site is mostly cleared already leads to an ideal situation.	Noted.
85.	Clare Arnold PO BOX 2426 HIGH WYCOMBE 6057	Non-Objection. Outlines the need for an aged care facility is urgently required	Noted.
86.	D Sharp 10 John St GOOSEBERRY HILL	Non-Objection.	Noted.
87.	M. Sharp 10 John St GOOSEBERRY HILL	Non-Objection.	Noted.
88.	A Bail 138 Lewis Rd FORRESTFIELD 6078	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
89.	Richard Arnold PO BOX 2426 HIGH WYCOMBE	Non-Objection. Too many people have to leave the Shire to find Aged care accommodation	Noted.
90.	E. A. Crowder 12 Camira Pl GOOSEBERRY HILL	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
91.	Pam Holtmelien PO BOX 126 KALAMUNDA 6926	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.

92.	Nora Stubbs 1/160 William St GOOSEBERRY HILL	Non-Objection.	Noted.
93.	Jean Holbrook 77 Stanhope Rd KALAMUNDA 6076	Non-Objection.	Noted.
94.	William Lees 77 Stanhope Rd KALAMUNDA 6076	Non-Objection.	Noted.
95.	Jill McClellans 29 Warren Rd MAIDA VALE	Non-Objection.	Noted.
96.	N. M Cambell 9/27 Central Rd KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required.	Noted.
97.	Yvonne Parslow 17 Booligal St LESMURDIE	Non-Objection.	Noted.
98.	Stephanie Johnston 29 Carob Tree Place LESMURDIE	Non-Objection.	Noted.
99.	Edwin Chenoweth 1/23 Central Rd. KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.

100.	Mrs R. Chenoweth 1/23 Central Rd. KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
101.	S. A Jackson 3 Milford Close GOOSEBERRY HILL	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
102.	Christine Wilkinson 4/17 Heath Rd KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
103.	C. Tolomei-Catalano 4 Mary Drive LESMURDIE	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
104.	Elaine Turnbull 15 Barbary Rd HIGH WYCOMBE 6057	Non-Objection.	Noted.
105.	D. A Norries 7/9 Secrett lane KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
106.	Kerry Hoadley 16 Wyee Pl GOOSEBERRY HILL 6076	Non-Objection.	Noted.
107.	Judith Fagan 27 Baden Rd BICKLEY 6076	Non-Objection.	Noted.

108.	Kathleen Kain 14 Rich St GOOSEBERRY HILL 6076	Non-Objection.	Noted.
109.	F J Vernon 18 Seymour Rd KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required	Noted
110.	Mrs J M Vernon 18 Seymour Rd KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
111.	Judith Cross 23 Arthur Rd GOOSEBERRY HILL	Non-Objection.	Noted.
112.	Maureen Gilmore 32/106 Williams St. GOOSEBERRY HILL	Non-Objection.	Noted.
113.	Norma and Max Walsh 25 Central Rd KALAMUNDA	Non-Objection. Would like to see aged care facility in Kalamunda	Noted.
114.	D. Bentley 11/345 Hawtin Rd FORRESTFIELD	Non-Objection.	Noted.
115.	R. J Bentley 11/345 Hawtin Rd FORRESTFIELD	Non-Objection.	Noted.

116.	Diana Johnson 2 Gavour Road WATTLE GROVE	<p>Objection.</p> <p>a) The development would totally destroy what is a magnificent rural area.</p> <p>b) Land use facilitated by the amendment would constitute an undesirable precedent in the locality and foothills generally especially having regard to the lack of services, including reticulated sewer.</p> <p>c) The proposal conflicts sharply with the rural character and is inconsistent with proper and orderly planning.</p>	<p>a) Noted.</p> <p>b) Noted. Any Scheme amendment would be taken on its merits. On-site effluent disposal would be determined by relevant government agencies.</p> <p>c) Noted.</p>
117.	Eileen Saunders 5/9 Secrett Lane KALAMUNDA 6076	Non-Objection.	Noted.
118.	Sandra Walker 6 Diosma Way FORRESTFIELD	<p>Non-Objection.</p> <p>Explains the need for an aged care facility is urgently required</p>	Noted.
119.	Cathy Innes 68 Berkshire Rd FORRESTFIELD	<p>Non-Objection.</p> <p>Explains the need for an aged care facility is urgently required</p>	Noted.
120.	Cyrilla Rodrigues 17 Lourdes St. LESMURDIE 6076	<p>Non-Objection.</p> <p>The proposal will make life easier for older people</p>	Noted.
121.	Grace Simpson 2 Cunnold Cl PICKERING BROOK	Non-Objection.	Noted.

122.	Joyce Everton 28 Chullwyne Mews HIGH WYCOMBE	Non-Objection.	Noted.
123.	Vera King 4/19 Boonooloo Rd KALAMUNDA	Non-Objection.	Noted.
124.	Kaye Payne 2 Jesssie Rd GOOSEBERRY HILL	Non-Objection.	Noted.
125.	Graeme Piggott 14 Hume Rd HIGH WYCOMBE	Non-Objection.	Noted.
126.	Pamela Piggott 14 Hume Rd HIGH WYCOMBE	Non-Objection.	Noted.
127.	Roberta O. Whalley 53 Bailey Rd LESMURDIE 6076	Non-Objection.	Noted.
128.	Frank Mussel 3/3 Brooks St KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
129.	Heather Mussel 3/3 Brooks St KALAMUNDA 6076	Non-Objection.	Noted.

130.	Thomas Sheehan 58 Gavour Rd WATTLE GROVE	Neither objects nor accepts the proposal. Wishes to be as unduly affected as possible	Noted.
131.	Robert Vletter 47 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) It appears from the Shire's action in re initiating the rezoning that the Shire was at the time not aware that the Minister had considered the treatment of sewerage on the site or the advice from the Department of Health concerning the same prior to making his decision. If the Shire, when considering adoption of the rezoning application, has doubts in relation to the Minister being aware of the Health Departments decision, a recent Supreme Court decision of 12 May 2014 should assist with clarification - Leighton V The Honourable Mr John Day MLA. This decision confirms that when rejecting the rezoning the Minister was aware of the Department of Health position in respect to an on site effluent disposal system.</p> <p>b) The Shires Local Planning Strategy (LPS) which was endorsed by the Western Australian Planning Commission as recently as February 2013 recognises that comprehensive planning is yet to be undertaken in the Wattle Grove East locality. The Shires adoption of the proposed rezoning would be contrary to the Shire's own Local Planning Strategy.</p>	<p>a) Noted. The Department of Health has indicated in December 2014 that on site disposal of waste water could be achievable.</p> <p>b) Agreed. It would be contrary to parts of the Strategy but also compliant with it in that Lot 500 is identified as one of six sites with potential for the development of aged care facilities.</p>

		<p>c) Wattle Grove has not been identified as an urban investigation area in Directions 2031, it has been identified as having <u>“potential for future consideration as an urban investigation area”</u></p> <p>d) The Shire is again basing their support for to the proposed rezoning on “the need for Aged Care accommodation in the Shire”, however the Special Use provisions and conditions the amendment proposes to include, do not require its construction as a condition precedent. The Special Use provisions and conditions are completely inadequate as they would allow the construction of any type of dwellings provided that they accommodated at least one person who has reached the age of 55 and a myriad of other uses providing that they form part of the operational business of the facility which uses <u>might</u> complement or enhance the usual living standards and requirements of the residents</p>	<p>c) The Shire’s Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area.</p> <p>Clause 9.4.2. of the Commission’s Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport</p> <p>d) Agreed that the provisions require more specificity in this regard.</p>
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		<p>and staff serving a facility of this nature, in a nut shell, anything at all. The Shire is also no doubt aware that there is an abundance of over 55's accommodation available in the Shire and the metropolitan area.</p> <p>e) As the rezoning of Amendment site cannot be justified on the basis that it will supply more over 55's accommodation and the Special Use provisions and conditions included in the amendment do not require the immediate construction of Aged Care accommodation, what is the justification for approval of Amendment 57?</p> <p>f) It is completely unreasonable that we are being ask to comment on a rezoning without knowing what could be constructed, site layout, servicing, traffic or other matters. I can only assume that the Shire has a vendetta against the residents of Wattle Grove East by re initiating the amendment less than 12 month after rejection by the Minister.</p> <p>g) Kalamunda Shire, by the Council's own research "Aged Accommodation Strategy"</p>	<p>e) The Shire has considered a number of sites for aged care in the local authority and concluded that there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is not easily available. It is agreed that the proposed Scheme provisions should address this issue if the amendment is to proceed to approval.</p> <p>f) Noted.</p> <p>g) Noted. There is however a deficit in the amount of aged care residential</p>
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		<p>notes that there is a surplus of over 55 accommodation in the Shire sufficient for projected needs until 2030.</p> <p>h) The proposed rezoning is inappropriate and should be rejected as the land use would isolate the elderly behind a Blue Road (Welshpool Road East) carrying 80 KM/ hour general and heavy haulage traffic.</p> <p>i) The proposed rezoning is inappropriate and should be rejected as the land use would create an enclave of the elderly isolated from Health and Medical Services</p> <p>j) The proposed rezoning is inappropriate and should be rejected as the land use would create a community of the elderly isolated from community and easily accessible public transport facilities.</p> <p>k) The proposed rezoning is inappropriate and should be rejected as the land use would create a community of the elderly located 1.7 Km from the nearest shopping area (a small local centre with one major retailer being an IGA).</p> <p>l) The proposed rezoning is inappropriate and should be rejected as the land use would create a community of the elderly</p>	<p>development in the Shire such as that proposed in this integrated aged care facility.</p> <p>h) It is agreed that Welshpool Road will be a barrier to pedestrian movements between the site and services to the north.</p> <p>i) Noted.</p> <p>j) Noted.</p> <p>k) Noted.</p> <p>l) Noted.</p>
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		<p>disconnected from their friends and relatives in Kalamunda and Lesmurdie</p> <p>m) The proposed rezoning is inappropriate and should be rejected as it is inconsistent with the Shire of Kalamunda LPS 3.</p> <p>n) The proposed rezoning is inappropriate and should be rejected in that "Aged Residential Care" is an "X" land use (PROHIBITED LAND USE) within the "Special Rural" zone under the provisions of Kalamunda LPS 3 -- NOT PERMITTED UNDER ANY CIRCUMSTANCES EVEN IF THERE ACTUALLY WAS A SHORTAGE OF LIFE STYLE VILLAGES. WHICH THERE IS NOT ACCORDING TO THE SHIRES OWN AGED CARE STRATEGY.</p> <p>o) The proposed rezoning is inappropriate and should be rejected as it is inconsistent with the principles of orderly and proper planning as it does not retain the amenity and landscape of the "Special Rural" zone consistent with the objectives of the "Special Rural zone as defined under LPS 3.</p> <p>p) The proposed rezoning is inappropriate and should be rejected as it is an Urban Land use within the "Special Rural" zone</p>	<p>m) Noted. The proposed land use is not permissible in the Special Rural zoning and that is why a request to amend Local Planning Scheme No. 3 has been made.</p> <p>n) Noted. The proposed land use is not permissible in the Special Rural zoning and that is why a request to amend Local Planning Scheme No. 3 has been made.</p> <p>o) Noted.</p> <p>p) Noted. It is agreed that the intensity of the development would not be consistent with that in a semi-rural area.</p>
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		<p>which will destroy the rural landscape and amenity of Wattle Grove East.</p> <p>q) The proposed rezoning is inappropriate and should be rejected in that the proposed land use is incompatible with surrounding land uses. The building of perimeter brick walls and buffer zones as previously proposed by the proponent's planner, Peter D Webb, only serves to reinforce that the proposed development is out of context (noxious), otherwise why the proposed walls and buffers necessary?</p> <p>r) The proposed rezoning is inappropriate and should be rejected as it is inconsistent with Subdivision Guide Plan for the Special Rural Zone of Wattle Grove East which the Shire of Kalamunda has prepared.</p> <p>s) The proposed rezoning is inappropriate and should be rejected in that if adopted it would directly conflict with Subdivision Guide Plan mentioned above. The rezoning and proposed development will render lots adjoining 32 Gavour Road incapable of sub division as proposed in the Shire's Subdivision Guide Plan as the Subdivision Guide Plan designates a shared road between 32 Gavour Road and the adjoining lots which cannot be built if the proposed rezoning is approved.</p>	<p>q) Noted. The applicant would be required to undertake screen planting at the development stage.</p> <p>r) Subdivision Guide Plans in this locality have not been supported by the Commission.</p> <p>s) Noted.</p>
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		<p>t) The proposed rezoning is inappropriate and should be rejected as the proposed amendment is unquestionably an Urban Use which is not consistent with the lands "Rural" zoning under the Metropolitan Region Scheme and therefore requires an amendment to the MRS. If the principles of proper and orderly planning were adhered to by the Shire the amendment to the MRS should precede the amendment to Kalamunda LPS 3.</p> <p>u) The proposed rezoning is inappropriate and should be rejected as the proposed amendment conflicts with the Western Australian Planning Commissions spatial framework Directions 2031.</p> <p>v) The proposed rezoning is inappropriate and should be rejected as it has been overwhelmingly opposed by the effected landholders in the Wattle Grove East area consistently and repetitively over the past 10 years.</p> <p>w) The proposed rezoning is inappropriate and should be rejected as the nature of the development is unknown.</p> <p>x) The proposed rezoning is inappropriate and should be rejected as the Department of Planning have comprehensively</p>	<p>t) Noted. It is agreed that the uses and intensity of the proposed development are difficult to be seen as consistent with the MRS Rural zone.</p> <p>u) Noted.</p> <p>v) Noted.</p> <p>w) Noted.</p> <p>x) Noted.</p>
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		<p>recommended against the amendment based on sound planning grounds.</p> <p>The proposed rezoning is inappropriate and should be rejected as the Western Australian Planning Commission have recommended that any development on the site should be connected to the Water Corporation sewerage system in the locality.</p> <p>y) The proposed rezoning is inappropriate and should be rejected as vehicle access for the approximately 620 car movements per day, has not been approved by the Department of Planning.</p>	<p>y) This issue would be addressed at the development application stage should the amendment proceed to approval.</p>
132.	E King 4/19 Boonooloo Rd KALAMUNDA	Non-Objection.	Noted.
133.	Margaret Nichols 2/37 Central Rd KALAMUNDA 6076	Non-Objection.	Noted.
134.	Robert A Nichols 2/37 Central Rd KALAMUNDA	Non-Objection.	Noted.
135.	W E Spijkers 55 Canning Rd KALAMUNDA	Non-Objection.	Noted.

136.	Josephine Wann 36/138 Lewis Rd FORRESTFIELD	Non-Objection.	Noted.
137.	B Johnston 11 Jessie Rd GOOSEBERRY HILL	Non-Objection.	Noted.
138.	R. M Paparo 6/21 Central Rd KALAMUNDA	Non-Objection.	Noted.
139.	Wendy Day 163/45 Berkshire Rd FORRESTFIELD	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
140.	Daphne V. James 6/9 Secrett Lane KALAMUNDA	Objection.	Noted.
141.	Marilyn Tostevin 115 Crystal Brook Rd WATTLE GROVE 6107	Objection. a) There is no provision for connection to reticulated sewerage. It is unrealistic that onsite waste treatment can be undertaken without impacting on surrounding properties. b) The density of the proposed rezoning is not in keeping with the surrounding properties.	a) If the amendment is approved disposal of waste water would be to the satisfaction of relevant government agencies. b) Noted.

142.	Doug Tostevin 115 Crystal Brook Rd WATTLE GROVE 6107	<p>Objection.</p> <p>a) There is no provision for connection to reticulated sewerage. It is unrealistic that onsite waste treatment can be undertaken without impacting on surrounding properties.</p> <p>b) The density of the proposed rezoning is not in keeping with the surrounding properties.</p> <p>c) Increased noise and traffic associated with a development of this density in a rural area.</p>	<p>a) Refer to comment on submission 141 a).</p> <p>b) Noted.</p> <p>c) Noted.</p>
143.	Johanna Mayo 10/9 Secrett lane KALAMUNDA	Non-Objection.	Noted.
144.	C Milne 89 Lesmurdie Rd LESMURDIE	Non-Objection.	Noted.
145.	Wendy Milne 89 Lesmurdie Rd LESMURDIE	Non-Objection.	Noted.
146.	Janice Nickisson 30 Ridley Rd WATTLE GROVE	Non-Objection.	Noted.
147.	Tom Jackson 3 Milford Close GOOSEBERRY HILL	<p>Non-Objection.</p> <p>Explains the need for an aged care facility is urgently required</p>	Noted.

148.	Patricia Miller 2/21 Boonooloo rd KALAMUNDA	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
149.	Norman Miller 2/21 Boonooloo Rd KALAMUNDA 6076	Non-Objection.	Noted.
150.	Chris Turner 109 Crystal Brook Rd WATTLE GROVE	Objection. a) Multiple prior applications, all proved unsatisfactory for various reasons, most importantly lack of sewer. b) Totally inappropriate. c) Disadvantages most of the surrounding neighbours. d) Major EPA concerns.	a) Noted. b) Noted. c) Noted. d) A draft LWMP has been prepared which indicates on site effluent disposal may be satisfactory should the amendment be approved. If not, then reticulated sewer would be required.
151.	Christine Turner 109 Crystal Brook Rd WATTLE GROVE	Objection. a) The proposal is inconsistent with proper and orderly planning. b) The proposal will result in increased traffic causing significant loss in the rural lifestyle.	a) Noted. b) It is likely that all development will be accessed by Welshpool Road.

		<p>c) The affected residents have no information on what will be built.</p> <p>d) The rezoning of this site in this locality is contrary to every plan and strategy published by the WA Planning Commission.</p>	<p>c) The development concept plan and other documentation advertised provide some guidance, but is not binding..</p> <p>d) The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area.</p> <p>Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport. The WAPC's North-East sub-regional structure plan will provide more guidance.</p>
152.	Patricia Hawkins 35 Halleendale Rd WALLISTON	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
153.	M Thomas 10 McNess Rd KALAMUNDA	Non-Objection.	Noted.
154.	Noel Clement 30 Temby Ave KALAMUNDA	Non-Objection.	Noted.

155.	Duncan John McInnes 45 Wilkins Rd KALAMUNDA	Non-Objection. Explains the need for an aged care facility is urgently required.	Noted.
156.	Patricia Clement 30 Temby Ave KALAMUNDA	Non-Objection.	Noted.
157.	Margaret McInnes 45 Wilkins Rd KALAMUNDA	Non-Objection.	Noted.
158.	Keith Hawkins 35 Hallendale Rd WALLISTON	Non-Objection. Explains the need for an aged care facility is urgently required.	Noted.
159.	Gloria Willmott PO BOX 483 KALAMUNDA	Non-Objection.	Noted.
160.	Mandy Campbell 1 Jack Road Wattle Grove	Objection. a) The rural zone of the metropolitan region is an inappropriate location for aged care accommodation. b) The land use and development facility would set an undesirable precedence for the use and development of land nearby.	a) Noted. b) Noted.
161.	Murray Willmott PO BOX 483 KALAMUNDA	Non-Objection.	Noted.

162.	Zelme Silverlock 6/1 Secrett Lane KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is urgently required.	Noted.
163.	Lynden Campbell 1 Jack Rd WATTLE GROVE	Objection. a) The land use and development facilitated by the proposed amendment would set an undesirable precedence for the use and development of the locality and the foothills generally. b) Services and utilities are not part of the current infrastructure and are not necessary for the current zoning.	a) Noted. b) Noted.
164.	Valerie Carlisle 22 Watsonia Rd GOOSEBERRY HILL	Non-Objection.	Noted.
165.	Raymond Carlisle 22 Watsonia Rd GOOSEBERRY HILL	Non-Objection.	Noted.
166.	Jennifer Carlisle 22 Watsonia Rd GOOSEBERRY HILL	Non-Objection.	Noted.
167.	Neil R. Chant 81 Gavour Rd WATTLE GROVE 6107	Objection. a) Nothing has changed since the Minister's last decision on the proposal. Why does the proposal keep coming back when it is not consistent with surrounding land uses or adequately serviced?	a) The Shire has responded to a request by the land owner which included some additional justification and the Local Planning Strategy has been adopted by the WAPC. It shows the area as an Urban Investigation area for possible urban or bushland residential development.

168.	Phyllis Chant 81 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) I value the remnant bushland as habitat for endangered species.</p> <p>b) The proposed rezoning conflicts with the rural character of the surrounding and is inconsistent with orderly and proper planning.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
169.	Wolfgang Tesch 48 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) We enjoy the variety of flora and fauna which will be destroyed with the increasing urbanisation.</p> <p>b) The proposed rezoning conflicts sharply with the rural character of the surroundings and is inconsistent with orderly and proper planning – the maintaining of rural buffer zones such as Wattle Grove foothills into the future of younger generations.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
170.	Lieselotte Tesch 48 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) The proposal will ruin our rural lifestyle to which we are accustomed to.</p> <p>b) The proposed rezoning conflicts sharply with the rural character of the surroundings and would isolate the elderly in a rural area hemmed in by fast moving traffic with no access to support services.</p> <p>c) The amendment conflicts with the aim and promise of the Metropolitan Rural Policy 1995, which is to maintain open landscape and the character of rural areas.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>

171.	<p>Jodi Vletter 47 Gavour Rd WATTLE GROVE</p>	<p>Objection.</p> <p>a) I am concerned about the traffic issues generally. It is imperative that it simply does not be dealt with at the development stage, it should be addressed before the amendment goes any further.</p> <p>b) I am concerned about onsite sewerage disposal due to its proximity to natural waterways and risk of contamination.</p> <p>c) Council has done little to secure a suitable site for aged care elsewhere in the Shire.</p>	<p>a) If the amendment proceeds and a development application is lodged, it is likely that vehicular access will be off Welshpool Road, which is a regional road intended to take high traffic volumes.</p> <p>b) The proponent has prepared a LWMS since the amendment was advertised. This has been assessed by the relevant agencies who indicated that on site disposal appears to be possible subject to further study and approval.</p> <p>c) Noted. The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block difficult to find.</p>
172.	<p>Raeleen Francis 14 Jack Rd WATTLE GROVE</p>	<p>Objection.</p> <p>a) We purchased our house in 1993 because of the rural location. This is the only reason we have not moved.</p> <p>b) No shops, no sewerage and four lanes of traffic.</p>	<p>a) Noted.</p> <p>b) The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a</p>

		<p>c) We have a very special area in Wattle Grove – “gateway to the hills”. Please do not allow for it to be destroyed.</p>	<p>large cleared block is difficult to find. Refer to comments 172 a) and b) in respect to effluent disposal and traffic.</p> <p>c) Noted.</p>
173.	<p>Mr B E. Thomason 12 Hinkler Rd KALAMUNDA</p>	<p>Objection.</p> <p>a) Residents of Wattle Grove bought land as rural residential and are entitled to keep the area the way it is.</p> <p>b) The Kalamunda area needs aged care facilities for its older folk. Perhaps some Council reserve not too close to homes and can be rezoned for residential aged care.</p>	<p>a) Noted.</p> <p>b) The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p>
174.	<p>Martin Byrne 164 Crystal Brook Rd WATTLE GROVE</p>	<p>Objection.</p> <p>As stated many times, this is a rural zoning and should remain.</p>	<p>Noted.</p>
175.	<p>T Smallwood 7/30 Canning Rd KALAMUNDA</p>	<p>Non-Objection.</p>	<p>Noted.</p>
176.	<p>Nigel Dickinson 12 Longfellow Rd GOOSEBERRY Hill</p>	<p>Non-Objection.</p> <p>Outlines the need for an aged care facility is urgently required.</p>	<p>Noted.</p>

177.	Elizabeth Hocking 3/19 Boonooloo Rd KALAMUNDA	Non-Objection. Explains the need for an aged care facility is urgently required.	Noted.
178.	Karen Nitzkevich 6 Jack Rd WATTLE GROVE	Objection. a) I have lived in this area for more than 30 years and continue to live here for its natural environment. I don't want to leave and want the area to remain rural. b) Traffic safety concerns.	a) Noted. b) If the amendment proceeds and a development application is lodged, it is likely that vehicular access will be off Welshpool Road, which is a regional road intended to take high traffic volumes. A development proposal would be subject to a Traffic Impact Assessment.
179.	Tracy Powell-Casey 16 Connor Rd LESMURDIE	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
180.	Giselle Hancock 176 Grove Rd LESMURDIE	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
181.	Stephen Genovese 32 Judith Rd WATTLE GROVE	Objection. a) The amendment does not keep in line with the semi-rural surroundings.	a) Noted.

		<p>b) The amendment goes against the WA Planning Commission's previous advice to the Shire.</p> <p>c) There are clearly better and much more suited alternative sites available.</p> <p>d) The proposal will destroy the forest of Kalamunda. The rural zones should be protected for as long as possible.</p>	<p>b) Noted.</p> <p>c) Noted. The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p> <p>d) Noted.</p>
182.	Gail Vivian 19 Jillara Way LESMURDIE	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
183.	A Michesson 20 Barbary Rd HIGH WYCOMBE	Non-Objection.	Noted.
184.	J M Shackley 18 Barbary Rd HIGH WYCOMBE	Non-Objection.	Noted.
185.	C J Brown 22 Barbary Rd HIGH WYCOMBE	Non-Objection.	Noted.

186.	Keith Vivian 19 Villara Way LESMURDIE	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
187.	Greg Trenberth PO BOX 795 KALAMUNDA	Non-Objection.	Noted.
188.	Colin Weaire 21 Delta Ct DARLING DOWNS	Objection.	Noted.
189.	Todd Weaire 5 McGurk Ct BYFORD WA	Objection.	Noted.
190.	Verity Paxton 5 McGurk Ct BYFORD WA	Objection.	Noted.
191.	Jason Weaire 62 Paterson St MUNDIJONG	Objection.	Noted.
192.	Katherine Beaman 62 Paterson St MUNDIJONG	Objection.	Noted.
193.	Melissa Weaire 20 Etheral Rd BYFORD	Objection.	Noted.

194.	Connie Weaire 21 Delta Ct DARLING DOWNS	Objection.	Noted.
195.	Eileen Tonkin 38 Melon Cr LESMURDIE	Non-Objection. Explains the need for an aged care facility is urgently required	Noted.
196.	Name and address withheld.	Objection. a) This area is a fire risk area where the fire danger is extreme in summer and it would be difficult to evacuate. b) A poor precedent for the future and there is a lack of facilities.	a) A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved. b) Noted.
197.	Bryan Vagg 22 Fontano rd WATTLE GROVE	Objection. a) We moved to Wattle Grove 30 years ago. We are sick and tired of urban residential living. b) The proposal will destroy the current ambience.	a) Noted. b) Noted.
198.	Josephine Vagg 22 Fontano Rd WATTLE GROVE	Objection. a) We moved to Wattle Grove 30 years ago for the rural surrounds which we greatly enjoy. b) The proposal would destroy the buffer we enjoy between the foothills and the urban areas.	a) Noted. b) Noted.

		<p>c) The property lacks services and utilities.</p> <p>d) The elderly need access to vital support and retail services and safe transport.</p>	<p>c) Noted.</p> <p>d) Noted. The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p>
199.	Reece Vagg 22 Fontano rd WATTLE GROVE	Objection.	Noted.
200.	Antonetta Romeo 8 Noel Rd GOOSEBERRY HILL	<p>Objection.</p> <p>a) This is an increase in density of 6,500%.</p> <p>b) The Shire has only half-heartedly supported the many superior alternative sites available for the provision of aged care. Sites that have access to vital support services, retail services, public transport and would respect the dignity of the elderly and not make them dependent for mobility.</p>	<p>a) Noted.</p> <p>b) The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p>
201.	Victor Leitao 787 Welshpool Rd East WATTLE GROVE	<p>Objection.</p> <p>When I bought my property 16 years ago I was told that it would stay Special Rural.</p>	It is usual for Local Planning Schemes to be reviewed periodically and amended from time to time in response to changing circumstances and needs.
202.	Ruth Stearne 5/1 Secrett Lane KALAMUNDA 6076	<p>Non-Objection.</p> <p>Explains the need for an aged care facility is urgently required</p>	Noted.

203.	Norma Kelly 25 Judith Rd WATTLE GROVE 6107	<p>Objection.</p> <ul style="list-style-type: none"> a) We work as a small buffer zone between the dense area of population and as such needs to be maintained to provide habitat to fauna and flora. We are home to the shrinking population of white and red tailed cockatoos. b) There would need to be more facilities established, such as footpaths for wheelchairs, public transport. c) These properties are only on septics. d) I see the need for further established areas for such a use but this is not a suitable area. 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) Waste water disposal will have to be addressed if the amendment is approved. d) The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.
204.	WA Labor Zig Zag Branch	<p>Non-Objection.</p> <p>Outlines the need for an aged care facility is urgently required and that sewage issues have been addressed</p>	Noted.
205.	Jenny Tesch 50 Gavour Rd WATTLE GROVE 6107	<p>Objection.</p> <ul style="list-style-type: none"> a) It is an urban use in a rural zoning. b) We purchased our property to enjoy the rural lifestyle. 	<ul style="list-style-type: none"> a) Noted. b) Noted.

		c) It is a spot rezoning that lacks planning merit and should be rejected.	c) Noted.
206.	Peter McKenna 75 Gavour Rd WATTLE GROVE	Objection.	Noted.
207.	Margaret McKenna 75 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) Have lived in Wattle Grove for 20 years, 35 years in the Shire, and never been so disappointed in the decision made by the Shire.</p> <p>b) The WA Planning Commission expertise should not be ignored.</p> <p>c) Once subdivision is allowed to occur in this area it cannot be reclaimed.</p> <p>d) It is essential that the Shire respects the green hills area.</p> <p>e) If Wattle Grove is rezoned the flood gates will allow for other applications.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p> <p>d) Noted.</p> <p>e) Noted.</p>
208.	Name and address withheld.	Objection.	Noted.

209.	Janine Sellars 141 Crystal Brook WATTLE GROVE	<p>Objection.</p> <p>a) The proposal will completely change and damage the amenity of the area.</p> <p>b) I am concerned by the destruction of natural habitat, increased pollution and traffic, and the affect these will have on native species such as the southern brown bandicoot, the white and red tailed cockatoos.</p> <p>c) The proposal would create a worrying precedent in that it would open other blocks in the area for the possibility of high density developments.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
210.	John Baldock 120 Victoria Rd WATTLE GROVE 6107	<p>Non-Objection.</p> <p>Wishes to see finality to this contentious proposal</p>	Noted.
211.	Bradley Wood 120 Victoria Rd WATTLE GROVE 6107	Non-Objection.	Noted.
212.	Catherine Wood 120 Victoria Rd WATTLE GROVE 6107	Non-Objection.	Noted.
213.	Simon Ozanne 126 Victoria St WATTLE GROVE	<p>Non-Objection.</p> <p>Supports Spot rezoning</p>	Noted.

214.	Name and address withheld.	<p>Objection.</p> <p>a) Don't have too much of a problem if the development is only used for aged care, but would have concerns if used for other purposes instead.</p> <p>b) We have an incredible lifestyle so close to the city and it would be a shame to lose it.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
215.	Peter Kerrigan 54 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) The proposal is contrary to the wishes of the local community and recent government planning guidelines.</p> <p>b) The proposal will alter the rural character of the neighbourhood.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
216. o t e	Name and address withheld.	<p>Objection.</p> <p>a) I do not want our area to change.</p> <p>b) This is a very high fire risk area.</p> <p>c) There are no adequate sewerage facilities. That guarantee protection of the local stream.</p> <p>d) Creates a precedence for changing the rural nature of the area.</p>	<p>a) Noted.</p> <p>b) A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved.</p> <p>c) Waste water disposal would be addressed at the development stage.</p> <p>d) Noted.</p>

217.	Name and address withheld	Non-Objection. Outlines the need for an aged care facility is urgently required	Noted.
218.	John Della Bona 64 Crystal Brook Rd WATTLE GROVE 6107	Objection. a) Concerned about the impact the change in zoning will have on the rural character of the area. b) The Shire's Local Planning Strategy does not designate the area for future urban use.	a) Noted. b) The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area. The WAPC North-East sub regional structure plan will examine this in more detail.
219.	Barbara Trey PO BOX 317 GUILDFORD 6935	Objection. a) The zoning conflicts with the rural character of the area. b) It is an isolated area without amenities for the elderly. c) Will open the door for unrestricted development.	a) Noted. b) The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find. c) Noted.

220.	Stephen Lock 16 Johnson Pl WATTLE GROVE 6107	<p>Objection.</p> <p>a) The amendment would allow virtually any urban development on Lot 500 with Council approval. This will allow every resident in the Shire to request rezoning under the same false pretences.</p> <p>b) This proposal ignores the Metropolitan Region Scheme and advice to the Minister that it does not have planning merit.</p>	<p>a) Noted. If the amendment is approved it should be modified to be more prescriptive in the conditions.</p> <p>b) Noted. Since the Minister's refusal of the previous Amendment 18, the Local Planning Strategy identified the area as an investigation area for further urban or residential bushland development.</p>
221.	Margaret Owen 86 Daglish St WEMBLEY 6014	<p>Objection.</p> <p>I do not endorse clearing of bushland. I support the protection of habitat for three species of Black Cockatoo.</p>	Noted.
222.	Eddie Hung 52 Johnson Pl WATTLE GROVE 6107	<p>Objection.</p> <p>a) If anything goes wrong with the onsite wastewater treatment is there anyone in the government who can take responsibility?</p> <p>b) If age care is really in urgent need why is not the Shire updating residents on the status of the Wilkins Road project?</p>	<p>a) If the amendment is approved and a private waste water approved then licencing and approval requirements under environmental and health legislation will regulate the service providers operation of the facility.</p> <p>b) The amendments to both the MRS and Local Planning Scheme are still under consideration.</p>

<p>223.</p>	<p>Stephen Iredell 51 Johnson Pl WATTLE GROVE 6107</p>	<p>Objection.</p> <ul style="list-style-type: none"> a) Home among the trees will be no more. b) Flora and fauna will be lost. c) Any road entry onto Welshpool Road will be a traffic hazard. d) There will be a health risk with the proposed waste water treatment plant. 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) Access and egress will be considered at the development application stage should the amendment be successful a development application will be subject to a Traffic Impact Assessment. d) Refer to comment 222 a).
<p>224.</p>	<p>Norma Iredell 51 Johnson Pl WATTLE GROVE 6107</p>	<p>Objection.</p> <ul style="list-style-type: none"> a) No sewerage available. b) This is a green belt area. c) The location is at the bottom of the hill is a very dangerous location. d) This is a high risk fire area. e) High density housing does not fit the rural atmosphere. f) Aged care facilities should be nearer to their needs. 	<ul style="list-style-type: none"> a) Refer to comment 204 c). b) Noted. c) Refer to comment 223 c). d) A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved. e) Noted. f) The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.

225.	Shannon Iredell 51 Johnson Place WATTLE GROVE 6107	<p>Objection.</p> <p>a) This is a green belt area, it is very important to remain.</p> <p>b) The area has a high fire risk which would be impossible to evacuate.</p>	<p>a) Noted.</p> <p>b) A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved.</p>
226.	Francesca Turner 109 Crystal Brook Rd WATTLE GROVE 6107	<p>Objection.</p> <p>a) The area is not designated for urban development under the Shire's Local Planning Strategy.</p> <p>b) The area is inappropriate for aged care facilities as should have ready access to necessary facilities and amenities.</p> <p>c) The use would set an undesirable precedence.</p> <p>d) The use conflicts sharply with the rural character of the surroundings.</p>	<p>a) The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation or Residential Bushland Area.</p> <p>b) The Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p> <p>c) Noted.</p> <p>d) Noted.</p>
227.	Shelley Begley 18 Jack Rd WATTLE GROVE 6107	<p>Objection.</p> <p>Would like to see the 'green belt' preserved.</p>	<p>Noted.</p>

228.	Yvonne Noble 79 Gavour Rd WATTLE GROVE 6107	<p>Objection.</p> <ul style="list-style-type: none"> a) The proposal is inconsistent with the purpose and intent of the Special Rural zoning. b) There is no development of this size in the metropolitan area which is not serviced by reticulated sewerage. c) Increased and loss of rural lifestyle. 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) Noted.
229.	Warren Dixon 18 Emanuel Ct WATTLE GROVE 6107	<p>Objection.</p> <ul style="list-style-type: none"> a) The Shire has been totally ignoring the majority of requests from residents and needs to end this quest, saving anymore losses of Council funds. b) I am also concerned that the Shire is using the proposal as an excuse to rezone the whole area to high density housing. 	<ul style="list-style-type: none"> a) Noted. b) The area has been identified in the Shire's Local Planning Strategy for more intensive development. The WAPC's North-East sub-regional structure plan will consider this in more detail.
230.	Tim Iredell 51 Johnson Place WATTLE GROVE	<p>Objection</p> <ul style="list-style-type: none"> a) Home among the trees will be no more. b) Wildlife and flora will be lost. c) Any road entry on Welshpool Road will be a traffic hazard. d) Health risk with proposed water treatment plant. 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) A traffic impact assessment would be required at development stage. d) Disposal of waste water will be assessed and determined by state government agencies.

231.	Annette Riberi 19 Jack rd WATTLE GROVE	Objection.	Noted.
232.	Mary Lee 87 Miller Avenue WINTHROP	Objection	Noted.
233.	Mindy Oxenburgh 14 Owen Rd DARLINGTON	Objection. Objects to the increase in density as it could damage the local natural environment	Noted.
234.	Peter Ridley 12 Grigg Pl HILTON	Objection. Objects to the increase in density as it could damage the local natural environment	Noted.
235.	Judy Moir 1 Hartley St. COOLBELLUP	Objection.	Noted.
236.	Gavin Ghia Matthes 10A Garden Mews KARDINYA 6163	Objection.	Noted.
237.	Anri Rykers 57 Sylvan Cr LEEMING 6149	Objection.	Noted.
238.	Alexander Rykers 57 Sylvan Cr LEEMING 6149	Objection. The increase in density could damage the local natural environment, increase traffic and change the local character of the area	Noted. It is expected that vehicular access would be via Welshpool Road which is intended to carry high volumes of traffic.
239.	Oliver Hung 52 Johnson Pl WATTLE GROVE	Objection. a) Cannot be connected to the existing sewerage system.	a) Refer comment 203 c).

		<p>b) The proposal is premature, including the potential and timing for service and detailed structure planning.</p> <p>c) The proposal would set an undesirable precedence.</p> <p>d) It is misleading to state in the proposal “supporting correspondence from the Department of Health”. The support of the Department is still conditional as details of the wastewater treatment and disposal system are still yet to be assessed.</p>	<p>b) Noted.</p> <p>c) Noted.</p> <p>d) Noted.</p>
240.	<p>Karen Hulls 215 Crystal Brook Rd. WATTLE GROVE 6107</p>	<p>Non-Objection. Outlines the need for an aged care facility is required</p>	<p>Noted.</p>
241.	<p>Sharon Genovese 32 Judith Rd WATTLE GROVE 6107</p>	<p>Objection.</p> <p>a) To leave issues relating to built form, site layout, servicing and traffic to the development stage is irresponsible of the Shire of Kalamunda.</p> <p>b) This land use and development facilitated by the proposed amendment would constitute an undesirable precedent for use and development of the locality and foothills generally. The site has no urban services and utilities, especially not having access to reticulated sewerage.</p> <p>c) The site is located in a special rural area and threatens to negatively impact on the flora</p>	<p>a) If the amendment is approved the built form and site layout will be dealt with at the development application stage.</p> <p>b) Noted.</p> <p>c) Noted.</p>

		<p>and fauna of the area. I live in this area because I appreciate many aspects of this special rural area - the space, trees, the wildlife (bandicoots, wrens, reptiles and birds), livestock and a happy drug free community. Urban dense is the extreme opposite with no space, crowding, problems with drugs and hoons, the heat island affect and eco-apartheid (no trees, no birds, no wildlife and no gardens). This proposed development is not in keeping with the rural surrounds and stands to impact negatively on the things many rural Wattle Grove residents appreciate.</p> <p>d) This rural area is a fire hazard area experiencing dangerous fire hazard days in the hottest days of summer coupled with extreme violent winds that rush along the foothills. In the 30 years of living in rural Wattle Grove I have experienced seven bushfires with water bomber spraying my house with fire retardant foam in the last close-call bushfire. I have worked in many aged care places and you would not be able to evacuate the elderly in time.</p> <p>e) If the elderly in Kalamunda want to age in place and there is such a shortage of high care facilities, then the Shire of Kalamunda should consider using a parcel of land such as Stirk Park which is centrally located, close to essential services. The current site is</p>	<p>d) A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved.</p> <p>e) Noted. The Shire is currently investigating other properties which could also be used for aged care development such as 100 Bougainvillea Avenue, Forrestfield, and 40 Wilkins Road, Kalamunda.</p>
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		<p>inappropriate for an aged care facility as it is isolated from activity centres, being located 1.7km from the nearest shopping centre in Forrestfield. The Shire's own Aged Accommodation Strategy recommends that aged persons accommodation be located around the town centres of Kalamunda and Forrestfield and other shopping and commercial hubs. The site is not within close proximity to any shopping centres or commercial hubs and therefore does not satisfy this recommendation.</p>	
242.	<p>M Rykers 20 Gavour Road WATTLE GROVE 6107</p>	<p>Objection.</p> <ul style="list-style-type: none"> a) Not in keeping with the rural amenity of the area. b) The negative impact on the native flora and fauna and the natural waterway running through the property. The use of chemicals and pesticides to develop and maintain gardens and recreational areas proposed in such a large development will have an impact on the immediate and surrounding area. c) The issue of sewage for a development of this size and the fact there is no reticulated sewage on this property, an onsite treatment or holding facility would be needed. 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) Waste water disposal will be considered at development stage.

		<p>d) There is no guarantee that the property will be developed as per the proposal</p> <p>e) There is no guarantee that the aging population of Kalamunda will be given preference to obtaining residency at this development</p> <p>f) The current town planning scheme does not allow for this type of development in Special Rural areas. This should apply to all land owners.</p>	<p>d) Noted. More specificity in the amendment provisions will address this.</p> <p>e) Noted. Not a planning consideration.</p> <p>f) Noted.</p>
243.	Christine Dyjak 92 Gavour Rd WATTLE GROVE 6107	Non-Objection. Outlines the need for an aged care facility is required	Noted.
244.	Mary Cuipjers 333B Lesmurdie Rd LESMURDIE 6076	Non-Objection. Believes the proposal's site is a good area for an aged care facility	Noted.
245.	Johan Heinrich Cuipjers 333B Lesmurdie Rd LESMURDIE 6076	Non-Objection. Believes the proposal's site is a good area for an aged care facility	Noted.
246.	Leonie Sewell 25 John St GOOSEBERRY HILL 6076	Non-Objection. Explains the need for an aged care facility is required	Noted.
247.	Peter Sewell 25 John St GOOSEBERRY HILL 6076	Non-Objection. Explains the need for an aged care facility is required	Noted.

248.	Brett Johnston 10 Burns Rd KALAMUNDA	Non-Objection.	Noted.
249.	Dina West 7 Kalamunda Rd KALAMUNDA	Non-Objection.	Noted.
250.	Michael West 36 Lenori Rd GOOSEBERRY HILL	Non-Objection.	Noted.
251.	Florence Cawley 1/10 Brooks Street KALAMUNDA 6076	Non-Objection.	Noted.
252.	P. D' Adhemar 17 Enid Rd KALAMUNDA 6076	Non-Objection. Explains the need for an aged care facility is required	Noted.
253.	J.C D' Adhemar 17 Enid Rd KALAMUNDA 6076	Non-Objection. Are there not other locations of equal advantage?	The Shire has considered a number of sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.
254.	Sheila Bennett 9/106 Williams St. GOOSEBERRY HILL	Non-Objection.	Noted.

255.	Elizabeth Grow 35 Gavour Rd WATTLE GROVE	Objection. The proposal should be relocated.	Shire has considered numerous sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block difficult to find.
256.	Malcom Grow 35 Gavour Rd WATTLE GROVE 6107	Objection. The increase in density could damage the local natural environment	Noted.
257.	Kiran Paul Singh 47 Johnson Pl WATTLE GROVE	Objection. The increase in density could damage the local natural environment, disrupt current sewage systems and change the local character of the area	Noted.
258.	Asha Singh 5 Mercury Street CARLISLE	Objection. The increase in density could damage the local natural environment, disrupt current sewage systems and change the local character of the area.	Noted.
259.	Jacobs Barnes 5 Mercury St CARLISLE	Objection. The increase in density could disrupt current sewage systems and change the local character of the area.	Noted.
260.	Meihavan Singh 47 Johnson Place WATTLE GROVE 6107	Objection. Increased density could damage the natural environment, lacks sewage and is inconsistent with state recommendations	Noted.

261.	Cherie Iredell-Singh 47 Johnson PI WATTLE GROVE 6107	Objection. We don't want a water treatment plant near our homes. The area is home to a wide range of flora and fauna.	Noted.
262.	Fadwah F. Abdallah 16 Johnston PI WATTLE GROVE 6107	Objection. Does not support the location, lack of facilities and issues of transportation	The Shire has considered a number of sites for aged care in the local authority and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.
263.	Margaret Lyons 48 Johnson PI WATTLE GROVE	Objection. Does not support the location, lack of facilities and issues of transportation	Noted.
264.	Les Lyons 48 Johnson PI WATTLE GROVE	Objection. Objects to increasing residential density, location is not appropriate, requires more research into waste disposal and believes that the rural area needs to be preserved	The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find. Effluent disposal would have to be addressed in a satisfactory way if the amendment is approved.
265.	Richard Tesch 50 Gavour Rd WATTLE GROVE 6107	Objection. The increase in density could damage the local character of the area and is considered inconsistent with local planning strategies	Noted. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area and the site having potential for aged care development.


266.	Nelly N. Mikhaiei 16 Johnson Place WATTLE GROVE	Objection. The proposal lies within a fire risk area, possible radiation issues, problems with sewage, inconsistent with state planning.	A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved. The matter of effluent disposal will be assessed at the development stage. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area.
267.	Michael Drake-Brockman PO BOX 237 FORRESTFIELD 6053	Objection. Increase density could damage the natural environment, lacks sewage and is inconsistent with state recommendations	Noted. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area.
268.	Jessica Drake-Brockman PO BOX 237 FORRESTFIELD 6053	Objection. Does not support the location, apparent lack of facilities and issues of transportation	Noted. The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.
269.	Judith Drake-Brockman PO BOX 237 FORRESTFIELD 6053	Objection. Does not support the location, apparent lack of facilities and issues of transportation	Noted.
270.	Brendon Sweet 101 Victoria Rd WATTLE GROVE	Objection. It could spoil the natural amenity of the area	Noted.
271.	Daphne Chang 52 Johnson Pl WATTLE GROVE	Objection. Does not support the proposal as it will cause an imbalance of the rural character of the area.	Noted.

272.	Joyce Hung 52 Johnson Pl WATTLE GROVE	Objection. The increase in density could damage the local natural environment, increase traffic and change the local character of the area	Noted.
273.	R Hesnan 13 Jack Rd WATTLE GROVE	Objection. The increase in density could damage the local natural environment	Noted.
274.	Taylor Marsh 130 Watkins St WHITE GUM VALLEY	Objection.	Noted.
275.	G D Acres 9 Santata St SHOALWATER WA	Objection.	Noted.
276.	Patricia J Acres 9 Santata St SHOALWATER WA	Objection.	Noted.
277.	Kacy Marsh 130 Watkins St WHITE GUM VALLEY	Objection.	Noted.
278.	Barton Clarke 38 Bibra Drive BIBRA LAKE	Objection.	Noted.
279.	Maxine Clarke 38 Bibra Drive BIBRA LAKE	Objection. The increase in density could damage the local natural environment	Noted.

280.	Irene Marsh 72 Rain Lover Ct DARLING DOWNS	Objection. The proposal could cause more development in the area and impact on the natural amenity	Noted.
281.	Alan Marsh 72 Rain Lover Ct DARLING DOWNS	Objection. The proposal could cause further high density development in the area.	Noted.
282.	Graham McLachlan 14 Haynes St KALAMUNDA	Non-Objection.	Noted.
283.	Robyn Whitehouse 24 John Farrant Dr GOOSEBERRY HILL	Non-Objection.	Noted.
284.	Craig Appleby 6 Gimlet Ct FORRESTFIELD	Non-Objection. Believes the Shire is lacking appropriate aged care facilities	Noted.
285.	B D Jager 2/106 Williams St GOOSEBERRY HILL	Non-Objection.	Noted.
286.	Leeanne Clenton 5 Ash Rd CARMEL	Non-Objection.	Noted.
287.	Roy Turner 14/106 Williams St GOOSEBERRY HILL	Non-Objection.	Noted.

288.	Lorna M. McLaren 19/106 Williams St. GOOSEBERRY HILL	Non-Objection.	Noted.
289.	Patricia Adler 223 Hawtin Rd MAIDA VALE	Non-Objection	Noted.
290.	Thelma Sadler 8/106 Williams St GOOSEBERRY HILL	Non-Objection.	Noted.
291.	Barbara Flint 15/106 Williams St GOOSEBERRY HILL	Non-Objection.	Noted.
292.	Jacque Williams 31/106 Williams St GOOSEBERRY HILL	Non-Objection. Believes the Shire is lacking appropriate aged care facilities	Noted.
293.	Wendy & Gus Bysterveld 11 Traylen Rd KALAMUNDA	Non-Objection.	Noted.
294.	Deborah Whalley 13 Nairn Rd BICKELY VALLEY	Non-Objection. Believes the Shire is lacking appropriate aged care facilities	Noted.
295.	Lynette Clayton PO BOX 476 KALAMUNDA 6926	Non-Objection. Believes the Shire is lacking appropriate aged care facilities	Noted.

296.	Louise Kelly 10 Valencia Rd CARMEL 6076	Non-Objection.	Noted.
297.	Susan Groom 2/106 Williams St GOOSEBERRY HILL	Non-Objection.	Noted.
298.	Angela Padula 51 Mitchell Rd WALLISTON 6076	Non-Objection. Agrees with the location	Noted.
299.	Renee Fazioli 54 Ryan Way LESMURDIE	Non-Objection.	Noted.
300.	Reta White 102 Victoria Rd WATTLE GROVE 6107	Objection. The proposal could cause damage to the natural environment in the area and impact on the natural amenity	Noted.
301.	Annette Biglin 37 Victoria Rd WATTLE GROVE 6107	Objection. The proposal could cause traffic congestion and safety issues in the area; and impact on the natural amenity	Noted. It is expected that vehicular access would be via Welshpool Road which is intended to carry high volumes of traffic.
302.	Bernard Mountz 37 Victoria Rd WATTLE GROVE 6107	Objection. The proposal may impact on the natural amenity	Noted.

303.	James Richards 2 Judith Rd WATTLE GROVE 6107	Objection. The proposed sewage system could cause pollution into Crystal Brook and waste management, should be reviewed	The necessary approvals will be required to be obtained from the applicable government agencies if the amendment is approved. The landowner would be responsible for its maintenance.
304.	Chris Brown 10 Watsonia Rd GOOSEBERRY HILL 6076	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.
305.		Objection	Noted
306.	Jane Genovese PO Box 32 BULLCREEK	<p>Objection</p> <p>a) I lived in the Wattle Grove locality for over 20 years. I have seen the Wattle Grove rural community strongly oppose essentially the same proposal four times, which has been rejected the first three times. The current proposal is virtually the same as amendment 18 previously rejected by the Minister.</p> <p>b) The WA Supreme Court recently rejected the proponent's decision to overturn the Minister's decision on amendment 18 based on sound planning grounds and properly took all relevant considerations into account. I urge Council to take into full consideration the Supreme Court decision.</p> <p>c) The Supreme Court justice not only found that the Minister did not make a mistake and</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>

		<p>that the lack of a reticulated sewer service was an important factor in the rejection.</p> <p>d) Only ten months after Amendment 18 was rejected by the Minister the applicant has sought to re-initiate the process with additional information in respect to on-site effluent disposal. It is highly questionable why Council allowed the proposal to go to public comment in light of the Minister's decision and the strong community opposition in Wattle Grove.</p> <p>e) The amendment failed to gain consent to advertise from the WAPC as required under the Town Planning Regulations.</p> <p>f) The proposal creates false expectations that the nursing home will be built. The plan provided to the public is noted as schematic and not forming part of the amendment. The potential for a nursing home not being built was raised by the Minister in the rejection of Amendment 18.</p> <p>g) Issues such as traffic and servicing are fundamental and should be addressed before the amendment is progressed. It is irresponsible to leave these matters until the development stage.</p> <p>h) Another false expectation is what organisation will run the facility. The cover</p>	<p>d) Noted, however this is a new application and Council is required to consider the application as presented and not necessarily based on previous outcomes.</p> <p>e) This is a matter that will be determined by the Minister.</p> <p>f) The proponent has stated that he has every intention of building a nursing home and such comments are erroneous. Specific provisions have been recommend that a maximum number of independent living units may be developed after which the nursing home must be developed.</p> <p>g) Noted.</p> <p>h) Noted. This is how the proposal was presented. Not considered a relevant planning matter.</p>
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		<p>page on the amendment shows an entry statement showing a sign stating “St Ives-Crystal Brook Estate”. St Ives has no association with the proposal. Council should remove the image and issue a statement that St Ives has no relationship with the proposal.</p> <p>i) The way the application has been determined is inconsistent with other rezoning proposals. For example a proposal for a nearby site for an Additional Use (Place of Worship) required traffic safety and impacts to be addressed at the amendment stage. This proposal would have a substantially greater amount of traffic but these matters are to be dealt with at the development stage.</p> <p>j) It is doubtful that the need for this type of accommodation has been justified. The Supreme Court decision stated that development of a nursing home was “possible” The Council has not provided any justification that there is a need for this facility in the Wattle Grove locality. The demand for these facilities would appear to be in other parts of the Shire (namely Kalamunda, Lesmurdie and Gooseberry Hill).</p> <p>k) The treatment of sewage is a critical issue as it was with the last amendment. Lot 500 cannot be connected to a reticulated sewer service and has no possibility of doing so.</p>	<p>i) Noted.</p> <p>j) Noted. The Aged Accommodation Strategy identified the need for the nursing home facilities in the Shire, however it did not presuppose that it should be in one locality versus another.</p> <p>k) Applications for the disposal of effluent on site would be determined by relevant state agencies.</p>
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		<p>The proponent has confirmed his intention to dispose of waste water on site. The EPA continues to raise concern with this intention. The EPA advised that a works approval would be necessary for an on-site waste water treatment plant may not necessarily be approved and that it recommended the amendment be postponed until approval for this had been given.</p> <p>l) The likely number of residents and staff in the facility would exceed the density allowed for by the Department of Health.</p> <p>m) The Council cannot content itself with the proponent's overly conservative estimates of the population to be served by a waste water treatment plant. The calculations used by the proponent's consultant are incorrect.</p> <p>n) The site is an inappropriate place for an aged care facility. The site is remote from retail facilities and public transport is not easily accessible. The use constitutes an urban land use and is not appropriate in a rural zoned area.</p> <p>o) It is critical that Council assign a proportionated weight to each submission based on its content (e.g. sound planning grounds and not simply expressing a need for aged person's accommodation).</p>	<p>l) This will be a matter of design and legislative requirements administered by the Department of Health.</p> <p>m) The report speaks to the capability of the site. Only when a specific design of the buildings are done, can a design of a WWTP be made, which will have to accord with legislative requirements.</p> <p>n) Noted. This matter is covered in the report prepared by the Independent Consultant as part of this report.</p> <p>o) Noted. Council will need to apportion weight to each submission on merit.</p>
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		<p>p) In the past the Shire has been dismissive of the objections raised by the Wattle Grove residents. This was also the opinion of WAPC staff who assessed amendment 18 stating that the rezoning for this use in a rural zone isolated from services was “highly questionable”. The Council should reflect on this statement and its own conduct on Amendment 18 before proceeding to endorse this amendment.</p> <p>q) I am concerned about the waste water solution proposed by the applicant’s consultant. The consultants have cited a lifestyle village in the City of Rockingham which operates with an on-site effluent disposal system. This system has been found to be deficient in its operation and the same consultant used for this amendment no longer administers the WWTP.</p>	<p>p) As above.</p> <p>q) Noted, however the details of this operation do not have a bearing on this site.</p>
307.	Sherry Hung 52 Johnson Pl WATTLE GROVE	<p>Objection.</p> <p>a) This is a spot rezoning.</p> <p>b) It is far away from shopping centres and other facilities.</p>	<p>a) Noted.</p> <p>b) The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p>

		<p>c) It cannot be connected to the sewerage system.</p> <p>d) Has the Shire exhausted all other lands and found now where else available?</p>	<p>c) Effluent disposal would have to be addressed in a satisfactory way if the amendment is approved.</p> <p>d) The Shire is currently investigating other properties which could also be used for aged care development such as 100 Bougainvillea Avenue, Forrestfield, and 40 Wilkins Road, Kalamunda.</p>
308.	Name and address withheld	<p>Objection. The proposal may impact on the natural amenity and increase traffic</p>	<p>Noted. It is expected that vehicular access would be via Welshpool Road which is intended to carry high volumes of traffic.</p>
309.	Name and address withheld	<p>Objection.</p> <p>a) When we moved to the area, we moved here for the rural lifestyle in the knowledge that it would remain a rural lifestyle for many years.</p> <p>b) The area attracts a huge amount of native endangered cockatoo activity. Every tree you cut down threatens the already endangered species even more.</p> <p>c) In 2004 we were reassured by the Shire that inappropriate development such as this would not be supported and not possible.</p> <p>d) We have seen many simple enquiries to subdivide land to around 2,000sqm in the</p>	<p>a) Noted. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Investigation Area for possible intensification.</p> <p>b) Noted.</p> <p>c) It is usual for Local Planning Schemes to be reviewed periodically and amended from time to time in response to changing circumstances and needs.</p> <p>d) Noted</p>

		<p>area, rejected on the basis that the Shire does not support subdivision that goes against the current town planning scheme or the metropolitan region scheme and that it would set an unsupportable precedent.</p> <p>e) If the Minister for Planning had wanted to approve such an amendment then he would have approved Amendment No. 18.</p> <p>f) Issues relating to traffic safety should be addressed at the amendment stage, similar to what has been done with other nearby amendments.</p> <p>g) I don't believe that a nursing facility could even be economically built there.</p> <p>h) The Shire claim that their support is based on the elderly of the Shire. But where is the cost analysis that suggests that the average elderly of the Shire could afford it.</p> <p>i) The area is potentially an extreme fire risk. It would be a death trap with limited access and egress, and elderly people with potentially limited mobility.</p> <p>j) There is little restriction as to what could be built as a result of this proposed amendment.</p>	<p>e) Noted. Some additional information has been provided by the proponent and the Shire's Local Planning Strategy has been approved identifying this area as an investigation area.</p> <p>f) Noted.</p> <p>g) Noted. Not a planning consideration.</p> <p>h) Noted. Not a planning consideration.</p> <p>i) A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved.</p> <p>j) Noted. More specificity in the amendment provisions will address this.</p>
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		<p>k) If the Shire desires a particular outcome it should put steps in place to ensure that the outcome is guaranteed.</p>	<p>k) As above.</p>
310.	<p>Ross Leighton 32 Gavour Road WATTLE GROVE 6107</p>	<p>a) I recently challenged the Minister for Planning's decision in regard to amendment 18. In the Supreme Court. I accept that the Minister can make his own decision, but our concern was that he took into account all the relevant information.</p> <p>b) We were concerned that as one reason he gave was that the Shire had not completed its Local Planning Strategy or that he gave consideration to exaggerated or irrelevant submissions made on behalf of the "pressure group" the "Wattle Grove Action Group".</p> <p>c) The court advised that it was only concerned with the legality of the issue and whether the Minister had followed due process, which it determined he had.</p> <p>d) Having examined the documents supplied by the Minister's office it was clear that no advice had been given regarding the proponent's background in aged care or submission to the Commonwealth Health Department for bed licences.</p> <p>e) Objectors continually asserted that I did not have a commitment to aged care and would</p>	<p>a) Noted, this is a matter for the Minister.</p> <p>b) As above</p> <p>c) Noted.</p> <p>d) Noted, this is a matter for the Minister.</p> <p>e) Noted.</p>

		<p>not build the nursing home. I have previously owned and operated five nursing homes which included the purchase of land, rezoning, development and management of these facilities. In 2003 I went through the process of registering as an "Approved Provider" under the Commonwealth Health Department. As this required development to substantially commence within 24 months, I withdrew the application when the initial application to Council was deferred/ rejected by Council.</p> <p>f) I have previously indicated to the Shire and the WAPC that the nursing facility would commence approximately one third of the way through the development process.</p> <p>g) As none of the above was found in documents supplied to the Court on behalf of the Minister, he may well have been persuaded that a Nursing Home was unlikely to be constructed. The objectors to this amendment have made untrue submissions and unreasonable claims about the plans and my intentions for the site.</p>	<p>f) Noted. A specific provision has been recommended that a maximum number of independent living units may be constructed before a nursing home is developed.</p> <p>g) Noted.</p>
311.	John Moon 51 Betti Rd KALAMUNDA	Non-Objection. Considers that the Shire is lacking new aged care facilities	Noted.

312.	Laka Togiapoe 226 Maida Vale Rd HIGH WYCOMBE	Non-Objection.	Noted.
313.	Tessa Du Toit 23 Josephine Crescent KALAMUNDA	Non-Objection.	Noted.
314.	Lorna Ashworth 17 Gilbert Rd LESMURDIE	Non-Objection.	Noted.
315.	Maureen Heal PO BOX 689 KALAMUNDA	Non-Objection.	Noted.
316.	Marlene Hills 20 Cabarita Rd KALAMUNDA	Non-Objection.	Noted.
317.	Brendan Heal 3 Anne Avenue WALLISTON	Non-Objection.	Noted.
318.	Delouise Nel 3 Anne Avenue WALLISTON	Non-Objection.	Noted.
319.	John Muir 127 Railway Rd GOOSEBERRY HILL	Non-Objection.	Noted.

320.	William Buchanan PO BOX 789 KALAMUNDA	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.
321.	Tamala Tate 32 Gibroy Way LESMURDIE	Non-Objection.	Noted.
322.	L. Thomson 10 Lascelles Pde GOOSEBERRY HILL	Non-Objection.	Noted.
323.	Raylene Collyer 12 Roach Rd KALAMUNDA	Non-Objection.	Noted.
324.	Shauna Dean 109 Fruit Tree Cres FORRESTFIELD	Non-Objection.	Noted.
325.	Namgay Wangmo 7/59 Railway Rd KALAMUNDA	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.
326.	Maureen Thomas 10/6 School St KALAMUNDA	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.
327.	Y Grosser-Hoffer 31 Benbullen Rd KALAMUNDA	Non-Objection.	Noted.

328.	Beverley Jenkins 13 Peet Rd KALAMUNDA	Non-Objection.	Noted.
329.	B Roy 24 Ind St LESMURDIE	Non-Objection.	Noted.
330.	Sylvia Paini 26 Ind St LESMURDIE	Non-Objection.	Noted.
331.	Ian Mart 21 Ind St LESMURDIE	Non-Objection.	Noted.
332.	Stephanie & Terry Ryan 23 Ind St KALAMUNDA	Non-Objection.	Noted.
333.	M Paskulich PO Box 155 KALAMUNDA 6926	Non-Objection.	Noted.
334.	Name not provided 11 Freeduff Dr WATTLE GROVE 6107	Non-Objection.	Noted.
335.	C Harvey 24 Casuarina Rd MAIDA VALE	Non-Objection. Considers that the Shire is lacking new aged care facilities.	Noted.

336.	Linda Murray 32 Malumba Cres LESMURDIE	Non-Objection.	Noted.
337.	Norma Barret 46 Heidelberg Rd BICKLEY 6076	Non-Objection.	Noted.
338.	M Thornton 15 Marion Way GOOSEBERRY HILL	Non-Objection.	Noted.
339.	R Perrett 61 Gilchrist Rd LESMURDIE	Non-Objection.	Noted.
340.	Zofia Paluszak 99 Lesmurdie Rd LESMURDIE	Non-Objection.	Noted.
341.	Susan Bryan 13 Jecks St MAIDA VALE	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.
342.	Chris Ashworth 17 Gilbert Rd LESMURDIE 6076	Non-Objection.	Noted.
343.	Juan Saunders 21 Cabanita Rd KALAMUNDA	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.

344.	Sheilagh Thomas 61 Gilchrist Rd LESMURDIE	Non-Objection.	Noted.
345.	GR & DA Losper PO BOX 876 KALAMUNDA	Non-Objection.	Noted.
346.	Ray & Veronica Kitt 4/30 Canning Rd KALAMUNDA	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.
347.	Fraser Johnson 2 Gavour Rd WATTLE GROVE	Objection. a) The proposal is out of character for the area. b) There are more suitable sites for such a use.	a) Noted. b) The Shire has considered a number of and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.
348.	Mr & Mrs Hornsby 25 Barwon St LESMURDIE	Non-Objection.	Noted.
349.	Roberta Emmott 2/17 Heath Rd KALAMUNDA	Non-Objection.	Noted.
350.	Brian Emmott 2/17 Heath Rd KALAMUNDA	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.

351.	Fiona Clarke 3 Alexander Close LESMURDIE	Non-Objection.	Noted.
352.	William Clarke 3 Alexander Close LESMURDIE	Non-Objection.	Noted.
353.	Daniel Rangitoheriri 85 Jubilee Street BECKENHAM	Objection.	Noted.
354.	Name and address withheld	Objection. a) Want Wattle Grove to remain rural. b) Do not want any high density development in the area.	a) Noted. b) Noted.
355.	Mary Ann Calvert- Haywood 14 Prospect Cres KALAMUNDA	Objection. a) No facilities. b) A beautiful rural setting.	a) The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find. b) Noted.
356.	Name and address withheld	Objection. a) Want Wattle Grove to remain rural. b) Do not want any high density development in the area.	a) Noted. b) Noted.

357.	Nancy Jambanis 16 Bankend Crt DUNCRAIG 6023	Objection. Wishes to preserve the rural amenity, does not condone high density development in the area.	Noted.
358.	Frank Genovese 6 Rubin St MENORA	Objection. I do not want any high density development in the area.	Noted.
359.	Emeric Fonseca 10 Jack Rd WATTLE GROVE	Objection. a) The basics of town planning are being ignored as there appears to be no effective planning mechanisms in place to protect against high density suburbia. b) The proposal is for high density housing disguised with sympathy tag of residential aged care. c) Rural buffer zones are a necessity.	a) Noted. b) Noted. c) Noted.
360.	Adam Mullett 6/59 Tenth Ave INGLEWOOD	Objection. The proposed plan has recently been rejected for various reasons, they should be respected.	Noted. Some additional information has been provided by the proponent and the Shire's Local Planning Strategy has been approved identifying this area as an investigation area.
361.	Peter Langlands 63 Helena St Guildford	Objection. Proposal is inconsistent with the area and is not in line with 'proper and orderly' planning	Noted.
362.	Daniel Langlands 63 Helena St Guildford	Objection.	Noted.

363.	Dean Laslett 348 Hardey Rd Cloverdale	Objection. Proposal could increase traffic, leading to a loss in natural amenity. Lack of infrastructure, site area could be used for another purpose	Noted. More specificity in the amendment provisions will address any potential alternate uses.
364.	Tanya McKail 74 Arthur Rd WATTLE GROVE	Objection. Proposed site area lacks public infrastructure	Noted.
365.	Name and address withheld	Objection.	Noted.
366.	Robert Patterson 810 Welshpool Rd East WATTLE GROVE	Objection.	Noted.
367.	Murray Smith 71 Gavour Rd WATTLE GROVE	Objection.	Noted.
368.	C. Swain 33 Trafalgar Rd LESMURDIE 6076	Non-Objection. Believes the Shire is lacking new aged care facilities	Noted.
369.	Helen Anderson 12 James St BASSENDEAN	Objection. Wattle Grove and foothills to remain rural. The environment is important to everybody.	Noted. The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area. Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the

			potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport.
370.	Katherine Ardizzone 29 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) While I understand the need for housing for the aged in the Shire, it is a fact that this little pocket of rural land offers too much to lose by putting in density housing.</p> <p>b) It is vital that the remaining areas of rural land be maintained for the well-being of future generations.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
371.	Natalia Langlands 63 Helena St GUILDFORD	<p>Objection.</p> <p>a) The proposal conflicts sharply with the rural nature of Wattle Grove.</p> <p>b) There is limited public transport, no shops, no facilities, for an older population.</p> <p>c) Lack of reticulated sewerage.</p>	<p>a) Noted.</p> <p>b) The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p> <p>c) The matter of disposal of waste water would be addressed at development stage.</p>
372.	Rita Perry 110 Crystal Brook Rd WATTLE GROVE 6107	<p>Objection.</p> <p>a) Lack of infrastructure. The nearest shopping centre is 1km away.</p>	<p>a) The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An</p>

		<p>b) There is no scheme regarding water treatment. If the treatment facility fails this would result in Crystal Brook and the ecosystem becoming polluted.</p> <p>c) Increased traffic and human activity will ruin the peace I found here.</p>	<p>ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p> <p>b) The necessary approvals would be required to be obtained from the applicable government agencies prior to installing and wastewater system on site. The landowner will be responsible for its maintenance.</p> <p>c) Noted.</p>
373.	H Mazza 811 Welshpool Rd East WATTLE GROVE	<p>Objection. No guarantee that the ground water will not be adversely affected. What steps will be taken to rectify any issues.</p>	Noted. Refer to comment 372 b).
374.	B & C Dornan 28 Easterbrook Place WATTLE GROVE	<p>Objection.</p> <p>a) We intend to live in this serene environment until we can no longer care for ourselves or the property.</p> <p>b) We purchased this property on the basis that it was zoned Special Rural. The foothills should remain special rural.</p>	<p>a) Noted.</p> <p>b) The Shire's Local Planning Strategy which was adopted by the Commission identified the area as being an Urban Investigation Area.</p> <p>Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its</p>

		<p>c) Such a use requires public transport, nearby doctors and other health services.</p>	<p>proximity to the urban front and employment opportunities around Perth Airport. It is also within relatively close proximity to the Forrestfield District Centre.</p> <p>c) The Shire has considered a number of sites for and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p>
375.	<p>Susan Rule 2 Gavour Rd WATTLE GROVE 6107</p>	<p>Objection.</p> <p>a) The proposal conflicts sharply with the rural character of the area and is inconsistent with orderly and proper planning.</p> <p>b) Cannot be serviced by reticulated sewerage.</p>	<p>a) Noted.</p> <p>b) If the amendment proceeds, it will be necessary for disposal of waste water to be approved by relevant state agencies.</p>
376.	<p>Reta White 102 Victoria Rd WATTLE GROVE</p>	<p>Objection.</p> <p>a) People have brought into this area because of choice of lifestyle.</p> <p>b) This area is part of the green belt.</p> <p>c) Many rare and endangered species of flora and fauna exist in this area.</p>	<p>a) Noted.</p> <p>b) The area is not a designated green belt area under any planning document or legislation.</p> <p>c) Noted.</p>

377.	Peter Kerrigan 54 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) The proposal in contrary to the wishes of the community.</p> <p>b) The proposal will alter the rural character of the neighbourhood.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
378.	Graham Ryan 16 Judith Rd WATTLE GROVE	<p>Objection.</p> <p>Proposal is not consistent with the surrounding area, would impact on the current lifestyle and location is inappropriate</p>	Noted.
379.	Lydia Jeffreys 71 Broadway Rd BICKLEY	<p>Non-Objection.</p> <p>Considers that the Shire is lacking new aged care facilities.</p>	Noted.
380.	Thanaporn Davies 59 Crystal Brook Rd WATTLE GROVE 6107	<p>Objection.</p> <p>It is not suitable to build where there are no facilities to support the plan.</p>	The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block difficult to find.
381.	Julie Di Florio 67 Gavour Rd WATTLE GROVE	<p>Objection.</p> <p>a) It has been found before an unsuitable place to put people many of whom will be elderly and without their own transport.</p> <p>b) Public transport is limited to Perth and Kalamunda town centre.</p>	<p>a) The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p> <p>b) Noted.</p>

		c) There is no sense of community in these proposed drawings	c) Noted.
382.	Stephen Taylor 151 Crystal Brook Rd WATTLE GROVE	<p>Objection.</p> <p>a) No facilities close by, such as shopping centres, transport and doctor surgeries.</p> <p>b) No deep sewerage.</p> <p>c) The proposal ignores the WA Planning Commission.</p>	<p>a) The Shire has considered a number of sites and there are very few opportunities that would allow for integrated aged care. An ideal site in an urban area, adjacent to a town centre on a large cleared block is difficult to find.</p> <p>b) Disposal of waste water will need to be approved by relevant state agencies at the development stage.</p> <p>c) Noted.</p>
383.	Carolyn Taylor 151 Crystal Brook Rd WATTLE GROVE	<p>Objection.</p> <p>a) Fire risk – the evacuation of such a large number of people would be difficult.</p> <p>b) The proposal ignores the WA Planning Commission's Metropolitan Region Scheme.</p> <p>c) Council has ignored alternative sites.</p>	<p>a) A bushfire management plan would be required to be submitted as part of the development application if the amendment is approved.</p> <p>b) Noted.</p> <p>c) The Shire is currently investigating other properties which could also be used for aged care development such as 100 Bougainvillea Avenue, Forrestfield, and 40 Wilkins Road, Kalamunda.</p>

		d) The sewerage aspect on the environment for the large number of dwellings.	d) Disposal of waste water will need to be approved by relevant state agencies at the development stage.
384.	Stuart Watkins 29 Victoria Rd WATTLE GROVE	Objection.	Noted.
385.	Marie Ryan 16 Judith Rd WATTLE GROVE	Objection. a) The area is a good one with regard to safety, neighbours, landscape, wildlife and peacefulness. The investment in having our home here is huge. b) It is unacceptable for the Shire to change our chosen lifestyle and undermine our financial and family investment in the area.	a) Noted. b) It is usual for Local Planning Schemes to be reviewed periodically and amended from time to time in response to changing circumstances and needs.
386.	Robyn Searle 160 Carmel Rd CARMEL	Objection.	Noted.
387.	Nature Reserve Preservation Group Inc. PO Box 656 KALAMUNDA WA 6926	Whilst Acknowledging the increasing need for aged care facilities within the Shire, we consider the current proposal to be both inappropriate and unacceptable initially, for the following reasons: a) It runs counter to the current metropolitan region planning scheme zonings. b) It seeks to amend the carefully prepared Kalamunda Town Planning Scheme 3, which encourages the retention of areas of natural	a) Noted. b) Noted, however the area in which the site is located is identified for potential urban uses in the Local Planning Strategy.

		<p>vegetation and low-density zoning, in order to preserve the nature of the hills and foothills within the Shire</p> <p>c) The proposed amendment fails to acknowledge the importance placed on those zonings where open space, remnant natural vegetation and low-density developments support the aims of the Kalamunda District Conservation Strategy (1998).</p> <p>d) The proposal conflicts with the Kalamunda Wildlife Corridor Strategy (1998), which complements the Strategic Plan for Perth's Greenways (1998), commissioned by Ministry for Planning, in association with THE Commonwealth Department of Transport and regional Development. The strategy stresses the importance of linkage between areas of natural bushland, lists Crystal Brook (joining Yule Brook and later, the Canning River) as one of the Shire's "...main watercourse..." and warns that "...habitat fragmentations the most serious threat to biological diversity." We have serious concerns for the future welfare of this watercourse.</p> <p>e) The Local Biodiversity Strategy (2008) – section 4.1 'Subdivision and Development Approval' lists this as one of "...the main</p>	<p>c) Noted. The majority of the site has already been cleared for equestrian purposes.</p> <p>d) Noted. It is recommended that if the amendment proceeds, land adjacent to Crystal Brook shall be ceded as a foreshore reserve to the Crown.</p> <p>e) Noted.</p>
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		<p>threats to biodiversity in the Shire of Kalamunda..."</p> <p>f) Anecdotal evidence from local residents highlights the fact that large numbers of both red and white-tailed black cockatoos and southern brown bandicoots use this locality, emphasising its value as a corridor</p> <p>g) The 'Special Use (Residential Aged Care)' zoning, in no way guarantees the construction of the medium, high and dementia care facilities depicted on the concept plan</p> <p>h) We note that even the Shire's far-reaching Aged Accommodation Strategy does not foresee the establishment of such a facility at this location preferring instead,</p> <ul style="list-style-type: none"> • "...aged persons housing around town centres of Kalamunda and Forrestfield and other shopping and commercial hubs," [Objective 1 – Housing Choice (ii)] • "...smaller lot sizes and aged persons unit sites in all new subdivisions in close proximity to convenience shops and other services." • "Achieve the required level of high and low residential care places in the APPROPRIATE locations to meet current future demands." [Objective 2 – Residential Care-Strategies.] 	<p>f) Noted.</p> <p>g) Noted. Specific provisions have been recommended requiring a maximum number of Independent Living Units to be developed after which the nursing facility would have to be developed.</p> <p>h) Noted. The site, whilst not ideal, has been identified for this potential purpose in the Aged Accommodation Strategy and the Local Planning Strategy.</p>
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		<p>i) It appears the intention of this proposal is to weary the reader into submission. Correspondence is quoted (relevant or not), repeated (cf. Letters from Paul Vogel to Minister Day of April 13 2012 and the Richard Theobald letter of October 8 2012) and lengthy references to water recycling, HACCP Flow Charts, figures of “Representation of target, alert and violation limits for CCPs” and application forms for recycled water schemes included, for no other reason than to overwhelm Councillors and Shire Officers. In this respect, it is a masterpiece of targeted redundancy</p> <p>Given the Rejection by Council in 2004 and 2007, of rezoning proposals for Lot 500, it seems logical that this rezoning proposal also be rejected.</p>	<p>i) Noted.</p>
<p>388.</p>	<p>Name and address withheld</p>	<p>I wish to register my strenuous opposition to the proposed rezoning based on the following objections:</p> <p>1) All the letters received in support of the application will fail to provide a single compelling reason to justify development of the subject site. They will at best only underline the need for a nursing home. This highlights the Shire’s failure to suitably address the issue preferring to rely on the “promise” of a developer.</p>	<p>1) Noted. Specific provisions are recommended that will require a maximum amount of independent living units may be constructed before a nursing home may be developed.</p>

		<p>2) The planning system cannot be based on the trusting word of a developer which in this case is we are told is needed; a nursing home?</p> <p>3) The proposal sharply conflicts with the rural character of the surroundings.</p> <p>4) The proposal is inconsistent with orderly and proper planning.</p> <p>5) The advertising document clearly states that the site is "accessed" by Welshpool Road. This is completely false and misleading.</p> <p>6) The proposed location is completely inappropriate as it would create a dense group housing ghetto in a field in a rural area hemmed in by fast moving traffic. This shows a lack of respect for the dignity of the elderly.</p> <p>7) The proposal intends a ludicrous increase in housing density of 6500%</p> <p>8) The proposed location is inappropriate as it is too far away from health and medical services.</p> <p>9) The proposal intends to fit in an equivalent number of properties into about 10 hectares</p>	<p>2) Noted.</p> <p>3) Noted.</p> <p>4) Noted.</p> <p>5) The site has frontage to Welshpool Road and it is open to the land owner to seek constructed access for vehicles.</p> <p>6) Noted.</p> <p>7) Noted.</p> <p>8) Noted.</p> <p>9) Noted.</p>
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		<p>as currently exist in the 700 hectares surrounding.</p> <p>10) The proposed location is inappropriate as it is too far from retail facilities.</p> <p>11) The proposed location is inappropriate as it disconnects the elderly from the community. This shows a lack of respect for the dignity of the elderly.</p> <p>12) It completely disagrees with the WAPC current Metropolitan Region Scheme.</p> <p>13) The location is inappropriate as robs the elderly of independence because of an inability to safely move off the site with mobility vehicles. This shows a lack of respect for the dignity of the elderly.</p> <p>14) It disagrees with the WAPC document Spatial Framework 2031.</p> <p>15) The Shire ignored the WAPC original advice which was NOT to pursue the proposal. This was done so without any declared, valid justification.</p>	<p>10) Noted, it is agreed that closer access to retail facilities would be preferable.</p> <p>11) Noted, however the elderly would still be in a community albeit rural in context.</p> <p>12) This will be a matter for the WAPC and Minister for Planning.</p> <p>13) Noted.</p> <p>14) Noted.</p> <p>15) The amendment process requires the Local Authority to adopt or not adopt an amendment it is then forwarded to the WAPC to make a recommendation to the Minister for Planning.</p>
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		<p>16) Proposal ignores “Network City” which recommends increasing density in existing urban areas to address increasing populations but recommends maintaining buffer zones such as the Wattle Grove foothills.</p> <p>17) The proposal is inappropriate as it robs the aging population of their independence unless they are car drivers. This shows a lack of respect for the dignity of the elderly.</p> <p>18) It was previously stated at a Council meeting that the WAPC had recommended approval of amendment 18. It was recommended to be refused by the Statutory Planning Committee, however the WAPC went against the SPC recommendation.</p> <p>19) This will be the thin edge of the wedge; another large landowner in the area has clearly stated that he will do the same thing if the precedent is set.</p> <p>20) In the submission, the applicant has stated that occupants of such a facility would prefer not to be integrated with the broader community and that there would be more “costs” than “benefits” in doing so. This implies that the residents can look forward to being marginalised. What the “costs” and “benefits” are have not been explained.</p>	<p>16) Noted, however this is more relevant to residential densities rather than a proposed land use contemplated by this amendment.</p> <p>17) Noted. However it would be presumed that even if this were in an urban zone, residents would still in the main be dependent on vehicles as are other residents in the locality.</p> <p>18) Noted.</p> <p>19) Noted. Any further proposals would be considered on merit.</p> <p>20) Noted.</p>
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		<p>21) It goes against the express and explicit wishes of the community as evidenced by the Shire's own Land Vision Workshops.</p> <p>22) The document repeatedly describes the address as Lot 500 (32) Welshpool and Gavour Roads, Wattle Grove. No such address exists and this is misleading. It is an attempt to make it look more likely to be able to gain vehicular access to Gavour Road.</p> <p>23) The Shire's Aged Accommodation Strategy has 22 actions and 4 recommendations to be undertaken by the Shire. Many in collaboration with the immediate and broader community, none of which have happened.</p> <p>24) Document is misleading and deceiving, inferring that the development may include a nursing home. It is not made clear that this is a rezoning only and a nursing facility is not necessarily going to be provided.</p> <p>25) The Shire's Aged Accommodation Strategy notes there is a surplus of over 55's accommodation, so the only thing guaranteed by the amendment would not even address a need.</p>	<p>21) Noted.</p> <p>22) Noted. The property address is Lot 500 (32) Gavour Road. The site also has frontage to Gavour Road. This is not considered to be misleading, but actually better identifies the site.</p> <p>23) Noted. The subject is a site specific rezoning and not the outcomes of another document.</p> <p>24) Noted. Many Special Use zones list potential land uses. The document clearly relates to a rezoning and not development.</p> <p>25) Comment implies there is certainty of what will and won't be developed. It is not clear how the submitter has reached this conclusion.</p>
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		<p>26) The Shire states that a large site is needed for aged care, yet the City of Swan purchased 2.77 hectares for an aged care facility. The WAPC Liveable Neighbourhoods specifies that retirement complexes should be located close to town and neighbourhood centres and be multi storey to achieve densities.</p> <p>27) Amendment document includes statement <i>“Issues related to built form, site layout, servicing and traffic will be addressed at the development application stage”</i>. Statement <i>“other matters”</i> will potentially discount comments on the rest of the document. Are the WAPC also limited to comment on only the amendment table?</p> <p>28) If we are only actually allowed to comment on the amendment table, this will deter interested parties from making sound and valid observations and therefore make this whole process invalid.</p> <p>29) The amendment incorrectly states that the Gavour Road intersects with Welshpool Road.</p> <p>30) Western Power’s future plans involve the construction of at least one extra 330Kv pylon in the easement on the site. The proposed irrigated area for effluent will be within the easement and this may impede</p>	<p>26) Noted.</p> <p>27) Amendments are not development consent tools. If approved it will allow for development to be considered.</p> <p>28) Submitters are welcome to comment on any aspect of the amendment proposal.</p> <p>29) Noted.</p> <p>30) Noted.</p>
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		<p>access for vehicles needing to service the lines.</p> <p>31) Because the proposal would need every free square metre of land for treated effluent, the stormwater would end up in Crystal Brook which is not permissible and would have dire implications for flora and fauna. Confirmation should be provided that stormwater and effluent will not affect the aquifer and waterways.</p> <p>32) The original geo-technical report states that the site has low permeability with limited drainage capacity, which is contrary to the second geo-technical survey.</p> <p>33) The Water Corporation advice is unambiguous, the proposal will not have access to reticulated sewage.</p> <p>34) The area is home to the White and Red Tailed Cockatoo and a wide variety of flora and fauna, all of which will suffer with increasing urbanisation.</p> <p>35) The street address described by the Aquasol report in the amendment of Lot 500 (SN 32) Gavour Road does not exist.</p> <p>36) The Shire's Planning Department states that they have rejected other sites that they would have assessed on the basis that they</p>	<p>31) Any proposal in relation to disposal of waste water on site will be assessed by relevant state agencies.</p> <p>32) Noted. The proposal has subsequently been subject to a Local Water Management Strategy.</p> <p>33) Noted, hence the documentation and advice from various agencies in relation to on-site waste water disposal.</p> <p>34) Noted.</p> <p>35) Noted. The site is correctly identified in the report as 32 Gavour Road.</p> <p>36) Noted. It is unclear as to which sites are being referred to as "rejected" as this and Wilkins Road, Kalamunda are the only two</p>
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		<p>don't have access to reticulated sewer. Why were they able to establish these fictional alternatives didn't have reticulated sewerage and not this site? What other due diligence has been neglected in this assessment?</p> <p>37) Particular Councillors voting on the amendment should be rendered invalid as they haven't declared their obvious interest that may influence or be seen to influence their impartiality.</p> <p>38) The Shire has not produced any evidence that they have assessed any alternative sites as they undertook in '04 and '07. This confected lack of alternatives forms a plank in of the tenuous planning justifications for this flawed proposal. There have been upwards of 15 superior alternative sites identified by competent town planning consultants.</p> <p>39) Sadly in light of a couple of deaths on Gavour Road East adjacent to the area, the prospect of potentially thousands of extra vehicle movements a week, driven by the elderly with possible diminishing faculty and judgement, must be examined. The applicant and Shire believe that a proposed church just 160m from the site is too dangerous. So, it follows that this issue should be resolved at the amendment stage.</p>	<p>sites proposed to be zoned for aged persons' accommodation.</p> <p>37) This is a matter for individual Councillors.</p> <p>38) A number of potential sites were identified in the Shire's Aged Accommodation Strategy. These sites need to be available for rezoning and the Strategy did not presuppose that these sites had to be developed before the subject site was able to be contemplated</p> <p>39) Agreed. If the amendment proceeds a Traffic Impact Assessment would need to be undertaken and the recommendations implemented.</p>
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		<p>40) The proposal is too dangerous for elderly residents to use public transport as it would require the elderly to cross over 4 lanes of 80kmph traffic. If a slip lane is created this will increase the number of lanes required to be crossed.</p> <p>41) Although the community is already clearly disenfranchised by a dysfunctional Shire, this proposal would effectively double the population of the area with 50% of the voters occupying one single property with will give a disproportionate voice to further pervert the democratic course of this area.</p> <p>42) The Shire's Aged Accommodation Strategy lists the "locational" criteria as follows as the most important in priority order:</p> <ul style="list-style-type: none"> • Affordability • Proximity to health and medical services • Proximity to retail services • Proximity to public transport • Accessibility (provision for disabilities) • Proximity to family and friends • Proximity to recreation and social facilities and programs • Proximity to bushland and open space. 	<p>40) Noted.</p> <p>41) Noted. Not a relevant planning matter.</p> <p>42) Noted. It is not clear how the submitter can comment on matters such as affordability and proximity to family and friends.</p>
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		<p>Clearly the proposed location only scores on the least important priority and fails miserably on all other criteria.</p> <p>43) 88% of the Shire's South Ward (before the gerrymandering of the wards) explicitly wanted to maintain the rural nature of the area. Being and urban use, this proposal would not maintain the rural nature of the area.</p> <p>44) There would be generally increased traffic and loss of rural lifestyle values.</p> <p>45) According to the Grant Thornton Aged Care Survey of 2008 there is an ongoing loss of at least \$600 per bed or in this case potentially \$72,000 annual loss in provision of nursing care. Yet this is not a mandated outcome by the Shire so it is entirely at the whim of the developer.</p> <p>46) This area is a fire risk area where the danger is extreme in summer. It would be difficult to evacuate a dense urban gated community quickly due to be hemmed in by fast moving traffic.</p> <p>47) Perhaps the only way to make a nursing facility viable is on a leasehold type development. There is no guarantee that there will be a provision of nursing home</p>	<p>43) Noted, however broader long term strategic planning objectives have to be considered.</p> <p>44) Noted.</p> <p>45) Not a relevant planning consideration.</p> <p>46) Agreed. If approved a development proposal would need to include a fire management plan. It is anticipated that any development would have an evacuation plan.</p> <p>47) Noted.</p>
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		<p>with this amendment. This is what Wilkins Road offers the Shire.</p> <p>48) After ratepayers achieved what the planning department could not by locating 15 alternative sites they have now changed the goal posts by going from needing one facility to three facilities. The Shire is focusing on one substandard proposal that may not guarantee a nursing home rather than responsibly planning ahead and having a number of alternatives.</p> <p>49) It is obvious that those living in the Wattle Grove area have generally been against the proposal. The letter sent to affected residents instructed comments to ignore everything due to the comment "<i>...issues relating to built form, site layout, servicing, traffic and other matters will be addressed at the development application stage...</i>" However potential commenter's not living in the area have not been similarly restricted in the catch all statement. This is discriminatory and constraint on free comment and those affected render the entire process invalid.</p> <p>50) Supporting the proposal would set an enormously controversial precedent by the WAPC and Minister and his successors would have to live with for decades and give a green light to ignore sound planning principles. This would unleash an ad hoc</p>	<p>48) Comment presupposes that all other sites would have to be zoned and/or developed before subject site should be considered. Comment does not outline willingness of owners of the sites for zoning to occur for subject purpose.</p> <p>49) Noted. The vast majority of submissions came outside of the locality where landowners were notified in writing. Signs were erected on site, notices were placed in newspapers and the proposal was advertised on the Shire web page.</p> <p>50) This is a matter for the WAPC and Minister.</p>
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		<p>scatter gun approach of spot rezoning cheap rural land.</p> <p>51) In its letter of 7 March 2014 the EPA strongly recommends that that a decision be postponed until a works approval has been granted for a waste water treatment plant and an urban water management document is approved by the Department of Water.</p> <p>52) The area was designated as a “mitigation” area for the loss of trees during the expansion of the airport for red tailed and white tailed black cockatoos and any development over one hectare should be referred to the Federal Minister for the Environment. Has this been done?</p> <p>53) The supporting document shows the rerouting of Crystal Brook which is not permissible with an established water way.</p> <p>54) Where is the cost benefit analysis of the development showing that the development would be affordable for the Shire ratepayers as this is being overtly supported for the ratepayers?</p> <p>55) Nursing facility bed licences are federally controlled based on need and ability. A resident at one facility could be taken ill and transported to another facility depending on</p>	<p>51) A works approval could only be considered once a detailed development was lodged for a WWTP. A development consent could not be considered until the land was appropriately zoned.</p> <p>52) The proposal is for a rezoning, not development. If a development is proposed that requires referral under the relevant acts it will be undertaken.</p> <p>53) Rerouting of Crystal Brook would not be supported.</p> <p>54) Not a planning consideration. This would be a market driven exercise.</p> <p>55) Noted.</p>
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		<p>availability. How is this for the elderly of the Shire?</p> <p>56) In much the same way as an “external interested party” complained the WAPC officer dealing with Amendment 18 had lost objectivity due to interaction with a local interested party and the complaint was investigated and found to be baseless, yet nevertheless the officer was replaced by another at the WAPC. The Wattle Grove Action Group contend that Shire officers have developed an unhelpful relationship with the applicant/proponent and have lost objectivity. This is evidenced by the fact that the applicant had access to information on the consultation process for Amendment 18 prior to assessment by Shire officers.</p> <p>As with the WAPC, the Wattle Grove Action Group requests that a thorough internal investigation be undertaken and the results published that those officers involved with Amendment 18 are demonstrably removed from Amendment 57 in the interests of transparency and any hint of bias.</p> <p>57) After nearly a year to collate and count submissions for Amendment 18 the Shire failed to check and report an accurate number of submissions. If they fail to manage something as simple as counting submission how can they be trusted to</p>	<p>56) This matter is addressed in the main body of this report.</p> <p>57) Noted.</p>
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		<p>administer something as contentious and complex as Amendment 57?</p> <p>58) Previously the report on Amendment 18 failed to examine the extensive grounds for objections raised by the public comment and provide reasoning as to why these should be dismissed or addressed (noted in the Department of Planning report to the WAPC). Is the Shire now committed to correctly examine and reporting these?</p> <p>59) As the Shire manifestly failed to properly address the conditions imposed by the Minister in granting his permission to advertise Amendment 18 and in light of Amendment 57 apparently being the same, will the Shire still be ensuring the conditions imposed by the Minister for Amendment 18 are met prior to adopting Amendment 57.</p> <p>60) The Shire's support of Amendment 57 contradicts the Foothills Structure Plan by its failure to retain rural wedges and provide a clear demarcation between urban and non-urban wedges.</p> <p>61) With such a contentious proposal, how does the Shire justify the "irresponsible" (Department of Planning comment on Amendment 18) lack of control the scheme provisions intended to control the</p>	<p>58) Comments on submissions are included where considered appropriate.</p> <p>59) Amendment 57 is being treated as a new proposal and the previous requirements of Amendment 18 are not being applied.</p> <p>60) It is noted that the Foothills Structure Plan was published 23 years ago and further strategic planning has been undertaken since this time. The Local Planning Strategy states that the Foothills Structure Plan has largely been superseded more up to date planning documents.</p> <p>61) Noted, additional Scheme provisions are recommended in respect to development control.</p>
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		<p>development should the amendment be passed as proposed?</p> <p>62) Does the Shire have a written commitment to the necessary funding by service agencies prior their support for urbanisation of Wattle Grove?</p> <p>63) Does the establishment of development for aged persons dwellings some distance from urban nodes generate the need for specific facilities and services which in turn creates limited opportunity for integration with surrounding development in the long term and is subsequently less likely to provide accessible and affordable accommodation for the aged? (Report by the DoP to Minister for Planning on Amendment 18).</p> <p>64) There should be a demonstrated commitment to urbanisation and detailed structure planning prior to the rezoning of rural land for urban uses. Amendment 57 is premature and contrary to this acknowledged need.</p> <p>65) When the Minister rejected Amendment 18 one reason given was <i>“the inability of the site to be connected to the reticulated sewerage system”</i> as a <i>“major factor”</i> in rejecting the amendment. Therefore it logically follows that the Minister does not want such as use connected to an alternative to a reticulated</p>	<p>62) This is a matter for state agencies.</p> <p>63) It is acknowledged that the site is relatively remote from some facilities, however this should not necessarily be construed as isolation. The nexus with affordability is not clear.</p> <p>64) Noted. The Shire’s Local Planning Strategy has been adopted by the WAPC showing the subject lot and surrounding area as urban investigation</p> <p>65) This is a matter for the Minister.</p>
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		<p>sewerage system or else he would have approved Amendment 18 as it stood. Ten months later the Shire assumes the Minister wants exactly what he had the opportunity to previously approve. The Shire is frivolously wasting the Minister's time.</p> <p>66) The amendment conflicts with the WAPC document Liveable Neighbourhoods Policy (2007) which specifies that residential developments should not be provided in gated street formats as that proposed by this amendment.</p> <p>67) Why has the Shire manifestly failed to provide evidence of the required comprehensive planning undertaken for the wider locality which has been the subject of consultation and review?</p> <p>68) Amendment 57 is inconsistent with orderly and proper planning of the Wattle Grove locality and the Shire of Kalamunda by reason of its ad hoc and incremental approach to planning and development (Secretary WAPC 14 July 2009 in respect to Lot 500).</p> <p>69) The Kalamunda Council's engagement with the community over Lot 500 Gavour Road have been manifestly dismissive of the residents' concerns and objections without</p>	<p>66) Noted, however it is not clear how the contemplated development would be different to other similar uses such as retirement villages or lifestyle villages in which a number of dwellings are located on a single site.</p> <p>67) See comment 64) above.</p> <p>68) Noted. These are comments on Amendment 18 and pre-date the adoption by the WAPC of the Local Planning Strategy.</p> <p>69) Noted. This is commentary on Amendment 18 and not relevant to the subject application.</p>
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		<p>proper justification (DoP report to the Minister 27 February 2012).</p> <p>70) With such a contentious proposal how does the Shire justify scheme provisions so open and flexible that the form of the development allowed would be excessive and wide ranging?</p> <p>71) Do the Shire of Kalamunda officers just believe everything an applicant says in support of an application or do they test the validity of written claims before making controversial and important recommendations to Council?</p> <p>72) Does the Shire of Kalamunda consider rural land to be a finite resource that must be conserved and managed for the future?</p> <p>73) Amendment 57 fails to demonstrate compliance with the WAPC planning framework including relevant policies and endorsed strategies.</p> <p>74) Amendment 57 does not represent a logical expansion of the urban area and would result in land use conflict.</p>	<p>70) See comment 61) above.</p> <p>71) Independent advice is sought from government agencies through the referral process. The application has also been assessed by an independent town planner.</p> <p>72) It is acknowledged there is development pressures on small rural lots on the periphery of urban areas. Strategic planning, such as the Hills Rural study acknowledge some rural land as a finite resource.</p> <p>73) Noted. This matter will also be determined by the WAPC when it reviews the proposal.</p> <p>74) See comment 64) above.</p>
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		<p>75) There has not been a demonstration that site is capable of being provide with essential services and the expansion of the servicing infrastructure was logical and economically efficient with regard to the staging and financing of infrastructure. Therefore urbanisation is premature in the locality.</p> <p>76) Should it be assumed that the Urban Investigation Area be rezoned for Urban Development?</p> <p>77) Should it be assumed that areas <i>“having potential for future consideration as an urban investigation area”</i> will be zoned as Urban Investigation Areas?</p> <p>78) The Outer Metropolitan Perth and Peel Sub-Regional Strategy identifies some 200ha of undeveloped land with the Shire and a further 200ha of areas already under urban investigation. With this amount of developable land available the justification for rezoning a small rural holding isolated from essential services is ridiculous.</p> <p>79) The plans to execute ad-hoc urbanisation in the foothills is in direct conflict with the Foothills Structure Plan which establishes the objective to retain rural wedges to accommodate rural -residential pursuits.</p>	<p>75) If the development occurred in isolation, the ability to provide infrastructure is a matter for the applicant. If the broader area is considered for urban use, then infrastructure would be considered in that context.</p> <p>76) Zonings would be determined at a later date.</p> <p>77) See comment 76) above.</p> <p>78) Noted. The amendment can only be considered in the context of where it is proposed rather than in an alternative location.</p> <p>79) Noted. See comment 60) above.</p>
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		<p>80) The Shire is proposing ad hoc urbanisation of land identified as “landscape protection”. The proposed use would not protect the landscape.</p> <p>81) The proposal is inconsistent with many of the recommendations of the Shire’s adopted Aged Accommodation strategy.</p> <p>82) The Aged Accommodation Strategy specifically refers to a need for a local planning policy for locational criteria and a consistent framework for consideration of residential aged care and this policy is not prepared this policy.</p> <p>83) Instead of a local planning policy for the locational criteria for residential aged care the Shire relies on the Local Planning Strategy to address the matter. However the LPS only identifies 6 sites when planning consultants have identified 15 superior sites. Therefore the Shire is negligent in the use of the justification such as “no alternative”.</p> <p>84) Special Council meeting of 26 August 2013 regarding amendment 57 states that <i>“an urban area, adjacent to a town centre on a large lot is not a reality in the district”</i> Wilkins Road is in an area (previously) zoned rural on a large lot on the Canning Road Shopping precinct surrounded by various health</p>	<p>80) Noted. See comment 60) above.</p> <p>81) Noted, however the Strategy also identified the subject site as providing the best opportunity for delivering aged accommodation.</p> <p>82) Noted. It is agreed that this policy has not been developed.</p> <p>83) See comment 48) above.</p> <p>84) The Shire has initiated an amendment for the Wilkins Road site for aged accommodation purposes. The amendment for Wilkins Road was initiated prior to this submission.</p>
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		<p>practitioners. Why do the Shire officers keep missing the superior alternatives and only have an eye for the inferior Lot 500.</p> <p>85) Although the Shire has claimed to scoured the site for alternatives and found none competent planners identified in excess of 15 and actually sat a developer down in front of the Shire in 2009 to develop one in particular. This was in 2009 and yet the Shire has actively avoided progressing Wilkins Road and instead exhibits hysterical urgency in progressing Wilkins Road claiming “no alternative”.</p> <p>86) Shire claims to have assessed potential alternatives then a 161 bed proposal in High Wycombe miraculously materialises.</p> <p>87) The Shire has failed to understand the use of the word “locality” when attempting to justify the proposed urban use in Wattle Grove. According to their own information the Wattle Grove locality has the least need for a retirement village and Kalamunda town has the most need.</p> <p>88) Even with the Shire’s most recent planning document identifying only 6 of the 15 sites obviously available for aged care the Shire</p>	<p>85) See comments 48) and 84) above.</p> <p>86) Noted. Site in question would be Calophylla Way, High Wycombe identified as a nursing home under the “Karingal Green” Structure Plan. Development approval has been granted for a nursing home on a number of occasions, however development has yet to occur.</p> <p>87) Noted.</p> <p>88) Noted. Submitter has not clarified the statement that 15 sites are “obviously available”.</p>
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		<p>still provides any rationalisation for the ranking of the paltry 5 sites that they recognise.</p> <p>89) Special Use provisions are inadequate when Shire is providing absolutely no information as to the possible that should occur.</p> <p>90) What information in the supporting document is to be considered when information pertaining to built form, site layout and servicing is ignored.</p> <p>91) The Department of Planning described the provisions in amendment 18 as being "irresponsible" yet they remain the same in the subject proposal.</p> <p>92) Special Council meeting report on Amendment states <i>"Whilst the lack of structure planning is not ideal. Such a development would be unlikely to impact significantly upon the future development of the area should the long term planning identify the region for residential development"</i>. The officer report does not consider the impact should long term planning not identify the region for residential development in which case such development would have impacted dramatically.</p>	<p>89) Amendment documents outline the development contemplated in the introduction. Additional development provisions have been recommended.</p> <p>90) Supporting documentation provides information on land capability.</p> <p>91) Additional provisions to those advertised have been recommended.</p> <p>92) Noted.</p>
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		<p>93) The cost of the nursing home could be in the region of \$25-30m, yet the Shire are prepared to naively trust the developer that is under no obligation to spend that money. No other local government relies on the promise of a developer to achieve a planning outcome.</p> <p>94) Health Department approval for on-site sewerage disposal does not consider a nursing facility. Unit sizes may reduce the number of persons ultimately allowed on site and therefore the viability of a nursing home.</p> <p>95) The proposed amendment is insular and would contribute nothing to the community.</p> <p>96) Why does this document for the first time include the paragraph <i>"If this matter requires a decision of Council meeting then the planning related comments you provide will be include in the relevant Council will be publically available. Your name and address will not remain confidential..."</i> Is this to deter free public expression of personal opinions due to a perceived threat of litigation? This will obviously have discouraged parties from making sound and valid observations and inhibited the democratic process and</p>	<p>93) Submission implies that planning consents should only be granted where the Shire considers a proponent has the financial capacity to proceed with a development.</p> <p>94) The Department of Health was provided with the amendment documentation.</p> <p>95) The proposal would contribute employment opportunities and an opportunity for members of the community to live there and thus form part of the community.</p> <p>96) The submission fails to include the complete paragraph which ends with <i>Your name and address will not remain confidential unless specifically requested.</i></p> <p>The standard statement simply allows people to make a confidential submission should they wish for whatever reason they choose.</p>
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		<p>therefore should render the entire consultation invalid.</p> <p>97) Special Council meeting of 28 August 2013 states that if adopted the documents would be changed to clarify statements made by the proponents, yet it also states that issues related to built form, site layout , servicing and other matters will be addressed at the development stage. Surely it is incumbent on the Shire to supply the community it can comment on rather than after adoption after which point we clearly cannot have a say.</p> <p>98) The use proposed by this amendment conflicts sharply with the aim and fundamental premise of the Metropolitan Rural Policy.</p> <p>99) WAPC policy Liveable Neighbourhoods specifies that residential developments should not be in gated street formats such as this. This would further “ghetto-ise” the elderly leaving them stuck in a field under power lines with their own sewage hemmed in by fast moving traffic.</p> <p>100) WAPC policy Liveable Neighbourhoods specifies that retirement complexes should be located close to town and neighbourhood centres and to incorporate multi-story density components to achieve sufficient yields on relatively small sites.</p>	<p>97) The amendment seeks to provide a framework in which the contemplated use can be considered. It is not the format in which development level documentation is provided.</p> <p>98) Noted. Submitter has not elaborated on this statement.</p> <p>99) See comment 66) above.</p> <p>100) Noted</p>
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		<p>101) The Shire has failed to fulfil the Minister’s conditions imposed when granting consent to amendment 18, so why would the Shire feel it is time to once again urbanise the site without having undertaken the appropriate reporting required by the state and Minister in providing a suitable context.</p> <p>102) Special Council meeting 26 August 2013 states that “the context in which the original decision was made by the Minister has changed by virtue of the approval of the Local Planning Strategy...” The Minister of Planning was fully informed of the Local Planning Strategy at the time of the decision on amendment 18 and therefore this assertion is false. This has since been tested in the Supreme Court and confirmed as a false assertion.</p> <p>103) From a strategic planning perspective the proposed amendment is premature.</p> <p>104) Comprehensive planning, including the potential timing of services and detailed structure planning has not progressed to a stage that demonstrates the proposed land use is appropriate in the locality.</p> <p>105) The proposal is ad hoc and inconsistent with the rural character and amenity of the locality.</p>	<p>101) This relates to amendment 18, this is a new amendment.</p> <p>102) Noted. This is a matter for the Minister.</p> <p>103) Noted</p> <p>104) Noted. This matter is addressed in the independent planning assessment.</p> <p>105) Noted.</p>
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		<p>106) The proposal is as-hoc and inconsistent with the rural character and amenity of the area.</p> <p>107) At the Council meeting of 26 August 2013 a Councillor questioned a Wattle Grove resident asking “how come there are no people lining up at the door to build one” (an aged care facility). The answer is obvious: zone suitable land let the market provide you with people to build such a facility when it becomes practical and profitable.</p> <p>108) The land use and development facilitated by the proposal would constitute an undesirable precedent for use and development of the locality and foothills area generally</p> <p>109) The Shire’s own Local Planning Strategy recognises that prior to zoning land for and urban “gated” retirement village, there needs to be a demonstrated commitment to urbanisation and detailed structure planning. This has not occurred yet they still harass the Wattle Grove community only ten months after it was rejected.</p> <p>110) Special Council meeting of 26 August 2013 stated that the opportunity may be lost if urbanisation occurred the land would more likely be valuable as residential development land. This is illogical as the land will not become more valuable until it is zoned urban</p>	<p>106) Noted.</p> <p>107) Noted.</p> <p>108) Noted. All amendment proposals are taken on individual merit.</p> <p>109) Noted.</p> <p>110) Noted. It would potentially be possible, should the land be zoned for urban purposes, for the subject site to be specifically identified for the intended purpose on a structure plan.</p>
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		<p>and the services are available. The site is remote from services and the Shire has plenty of time to fulfil its basic planning functions.</p> <p>111) I am lead to believe that in further cynical abuse of the needs of the elderly the Shire has no intention of presenting the amendment to the Minister for approval. Perhaps the Shire intends to sit on the amendment without submitting it then take the applause from their cheerleaders and claim to have done the right thing and hope for a change in Minister before the valid life of the “approved” amendment expires.</p> <p>112) The Local Planning Strategy document ranks the limited aged care opportunities, albeit a long way short of the actual opportunities in the Shire. The Shire fails to provide rationale on how these rankings are arrived at. The proponent is using this ranking as justification for the amendment. The site is not served by a reticulated sewer service and the Shire is aware of this. This is neither responsible, competent nor acceptable.</p> <p>113) On site sewerage treatment, especially on such a large scale is not without its problems perhaps that is why the Minister when presented with the opportunity to approve an urban use (Amendment 18) declined the opportunity.</p>	<p>111) Legislation requires that once the amendment is finally considered by Council, it is forwarded within a prescribed period to the Minister for determination. The amendment has no “approval” prior to this or expiration time.</p> <p>112) It is accepted that the site is remote from sewer, hence the substantial amount of documentation and commentary from various stage agencies in respect to the potential for on-site disposal of waste water.</p> <p>113) Noted. Refer to comment 112) above.</p>
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<p>389.</p>	<p>Rowe Group 3/369 Newcastle Street NORTHBRIDGE WA 6003</p>	<p>Objection.</p> <p>a) Clause 5.17.1 of LPS3 provides that the intent of Special Use Zones is to allow the Shire to <i>"make special provisions for a specific use or a combination of uses on particular land when the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective"</i>.</p> <p>The clause provides that the Shire <i>"shall only"</i> (emphasis added) <i>"make such special provision by the creation of a special use zone when it considers that the special provisions:</i></p> <p><i>i. Will satisfy a specific need(s) in the locality where the subject land is situated;</i></p> <p><i>ii. Would enhance the amenity and the interest of the orderly and property planning of the locality; and</i></p> <p><i>iii. Would be specifically appropriate or desirable"</i>.</p> <p>The above regime in relation to amending LPS3 to provide for a Special Use Zone, requires three (3) preconditions to be met before an amendment can be valid. None of these pre-conditions have been met and</p>	<p>a) The Shire has sought legal advice on this matter and it is apparent that the amendment is not invalid. These matters have been addressed in the Council report.</p>
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		<p>therefore the proposed Amendment is invalid.</p> <p>b) Lot 500 (No. 32) Gavour Road, Wattle Grove (herein referred to as the "Amendment Site") is identified within the Shire's Local Planning Strategy (Strategy) as being located within the future "Residential Bushland" Zone. The purpose of the "Residential Bushland" Zone is explained as providing for <i>"low density residential development on larger lot sizes to preserve substantial amounts of natural vegetation"</i>.</p> <p>The Strategy describes "low density" in the context of the Residential Bushland Zone as R2.5 and comprising lot sizes in the order of 4,000sqm.</p> <p>The amendment Report describes future development on the Amendment Site as achieving a density coding of R12.5 and comprising minimum lot areas of 700sqm. In this regard, proposed Amendment No. 57 is clearly inconsistent with the purpose and intent of the Residential Bushland Zone.</p> <p>The Strategy also identifies the area of Wattle Grove east of Welshpool Road (ie. Wattle Grove East) as an "Urban Investigation Area". Investigation Areas are defined in the Strategy as areas that present development and growth</p>	<p>b) The Shire's Local Planning Strategy identifies the property as either falling within an Urban Investigation Area or the Foothills Investigation Area. The exact location of the boundaries for both these investigation areas are yet to be determined.</p> <p>The WA Planning Commission's Outer Metropolitan Perth and Peel – Sub-Regional Strategy identifies the rural part of Wattle Grove as an area that has potential future consideration as an urban investigation area due to its proximity to the urban front and employment around Perth airport.</p> <p>The Commission is investigating this further as part of its Sub-Regional Structure Planning for the North-East corridor. Detailed investigation into the suitability of Wattle Grove were not undertaken prior to the initiation of this amendment.</p>
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		<p>opportunities but that require further investigation in relation to matters such as bushfire risk, transport/movement networks, infrastructure/servicing, environmental and landscape impacts, and urban water management.</p> <p>The Shire of Kalamunda has not commenced investigations into the suitability of urban development in Wattle Grove East. That is to say, the Shire has not commenced any review or consideration of matters such as bushfire risk, transport/movement networks, infrastructure/servicing, environmental and landscape impacts, and urban water management, as is specifically required under the Strategy <i>"prior to the rezoning and subdivision process preceding"</i>.</p> <p>c) The Shire of Kalamunda advises that the Shire has not committed any funds or resources to the urbanisation of Wattle Grove East. There is also no commitment from the state government to urbanise Wattle Grove East as is evidenced by the Western Australian Planning Commission's (WAPC) Outer Metropolitan Perth and Peel Sub-Regional Strategy 2010. The Sub-Regional Strategy does not identify the area of Wattle Grove East as a future urban expansion area.</p>	<p>c) The Shire's Local Planning Strategy, which was adopted by the Commission, identifies this portion of Wattle Grove as being an urban investigation area or foothills investigation area.</p> <p>The Commission is investigating this further as part of its North-East Sub-Regional Structure Plan. To that extent, the amendment is premature to the strategic planning process.</p>
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		<p>It is clear that neither the Shire nor the WAPC are committed to urbanising the area of Wattle Grove East. On this basis, the advancement of Amendment No. 57 remains premature and the Minister has no option but to refuse the Amendment</p> <p>d) Simply identifying the area as an "Investigation Area" does not fulfil the requirements of comprehensive planning. This is evidenced by statements contained in the Strategy recognising the need for detailed planning and analysis of Investigation Areas prior to the rezoning and subdivision proceeding. The Shire confirms that it has not commenced investigations into the suitability of urban development in Wattle Grove East nor has it allocated any funds or resources to the project.</p> <p>Consequently, there is still much uncertainty as to whether this part of Wattle Grove will be urbanised and the Shire cannot provide any indication of a timeframe for when the area will be adequately serviced. In this sense, supporting Amendment No. 57 would be inconsistent with the Strategy and therefore inconsistent with principles of orderly and proper planning.</p> <p>Approving proposed Amendment No. 57 in the absence of comprehensive planning and</p>	<p>d) It is agreed that there is a considerable amount of work required to demonstrate whether this area is suitable for urbanisation. The WA Planning Commission's North-East sub-regional structure plan will provide this guidance.</p>
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		<p>a prior commitment to urbanisation fails to address the reasons given by the Hon. Minister for Planning in not approving (former) Amendment No. 18.</p> <p>e) The Amendment report contains, at Attachment 13, a letter from the Department of Health to the Department of Planning regarding the Amendment Site's suitability for on-site effluent. The letter explains that, in accordance with clause 5.2.4 of the Government Sewerage Policy, the following criteria is to be addressed in relation to development involving Aged Persons' Accommodation:</p> <p><i>i. "The proponent has demonstrated to the satisfaction of the local government, a community need for such development in a particular location, and that location is suitable for such accommodation; and</i></p> <p><i>ii. The local government is satisfied that no better alternative site is available in a particular locality for such development which could reasonably be connected to reticulated sewerage."</i></p> <p>The letter then states that the Department of Health is not prepared to support the proposed Amendment until such time as the Shire is willing to support the development without connection to sewer.</p>	<p>e) The Department of Health in more recent correspondence has indicated that the proponent's draft Local Water Management Strategy (LWMS) indicates that on site effluent disposal can be achieved subject to a number of conditions (Refer Government Agency submission table).</p> <p>The Local Planning Strategy and other studies have identified a community need for aged care facilities in the Shire.</p> <p>The Shire has investigated a number of sites and identified six with potential for aged care accommodation, including the subject site.</p>
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		<p>The Amendment report does not explain whether the proponent has complied with the above criteria.</p> <p>f) The proponent's statement at clause 5.0 of the Amendment report that <i>"the proposal is entirely consistent with the Government's operative Sewerage Policy (1996)"</i> is not actually demonstrated in the sense that neither the proponent or the Shire have explained whether the proposed development will be able to meet the R12.5 density requirements specified by the Department of Health</p> <p>Suggests that the form of development facilitated by proposed Amendment No. 57 has been assessed by the Department of Health in terms of its density and that the Department is concerned that the development will exceed a density of R12.5. Given the Hon. Minister for Planning was particularly concerned that the former Amendment was incapable of being adequately serviced, we request this information be provided prior to Amendment No. 57 being further progressed.</p> <p>g) The advice provided by the EPA raised serious concerns about the hydrological connection between the treated effluent</p>	<p>f) It is agreed that the proposal may not entirely meet the intent of the Government Sewerage Policy.</p> <p>g) The Department of Water has indicated in its assessment of the proponent's final draft LWMS is acceptable for the purposes of</p>
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		<p>disposal/irrigation area and the Swan/Canning river system and strongly recommended that a decision on the Amendment be postponed until a works approval application for a Wastewater Treatment Plant is assessed by the Department of Environment Regulation (DER).</p> <p>Works Approval for a prescribed premise is therefore required under section 54 of the <i>Environmental Protection Act 1986</i> (EP Act) and a Licence is required under section 57. The DER advise that neither a works approval application or a licence application have been submitted by the proponent or the Shire.</p> <p>h) The DoW advise that neither a District Water Management Strategy or Local Water Management Strategy have been submitted for the Amendment Site. The proponent's failure to provide these documents as requested by the DoW in 2009 is contrary to the WAPC's Planning Bulletin No. 92 (2008) and Better Urban Water Management Document (2008). The proponent has not provided any justification.</p> <p>i) The form of development facilitated by proposed Amendment No. 57 is of an urban nature that does not fit within the rural setting. This contention is supported by the</p>	<p>proceeding to the next stage of the planning process (Refer government agency submissions). The final draft LWMS provides a greater degree of certainty that a Works Approval will be granted, but it is acknowledged that if the site is rezoned and a Works Approval and licence are not forthcoming, then the site would not be serviceable for sewage disposal in practical terms.</p> <p>h) As above.</p> <p>i) It is noted that uses proposed may not normally be regarded as those being consistent with the MRS Rural zone.</p>
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		<p>fact that the zoning table in LPS3 provides that "Aged/Dependant Dwellings" and "Aged Residential Care" are "P" (permitted) and "A" (discretionary) uses in the Residential and Mixed Use Zones but are 'X' (not permitted) uses in any of the rural zones. This is consistent with other local planning schemes, including the Shire of Mundaring Town Planning Scheme No. 4, the City of Gosnells Town Planning Scheme No. 6, and the City of Armadale Town Planning Scheme No. 4.</p> <p>j) The WAPC's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy (a component of Directions 2031) identifies potential areas for urban expansion and/or urban investigation.. The locality of Wattle Grove south of Welshpool Road (ie. Wattle Grove East) is not identified within any of these five (5) urban expansion categories. The fact that Wattle Grove East is not identified as a future urban expansion area in the Sub-Regional Strategy demonstrates that the state government has no desire to urbanise Wattle Grove East.</p> <p>k) The Shire did not seek the consent of the WAPC prior to advertising proposed Amendment No. 57 despite the fact that proposed Amendment No. 57 remains inconsistent with the Planning and Development Act; regulations made under</p>	<p>j) Clause 9.4.2. of the Commission's Outer Metropolitan Perth and Peel Sub-Regional Planning Strategy identifies Wattle Grove as having the potential for future consideration as an urban investigation area due to its proximity to the urban front and employment opportunities around Perth Airport. The Commission's North-East sub-regional structure plan currently under preparation will examine this matter.</p> <p>k) Based on legal advice obtained from the Shire's solicitors that the consent of the Commission to advertise the amendment was not necessary.</p>
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		<p>that Act; the applicable region scheme; and state planning policies. In our view, the Shire has failed to satisfy its obligations under Regulation 25(1) of the TP Regulations and consequently, a fundamental step in the town planning process has been missed.</p> <p>l) Proposed Amendment No. 57 does not present an orderly or sustainable development outcome because the Amendment Site is not adequately serviced by essential infrastructure; is not identified in any strategic planning documents as being suitable for urban development without considerable investigation; and is isolated from essential community services and facilities such as shops, medical centres and public transport.</p> <p>m) The Amendment Site is not currently serviced by reticulated sewer and the Water Corporation advises that it has no plans to extend its sewer infrastructure to this locality in the foreseeable future. The proponent has advised that an on-site wastewater treatment plant will be required to service the Amendment Site.</p> <p>n) The Amendment Site is currently zoned Special Rural under LPS3 and forms part of the Wattle Grove Subdivision Guide Plan. If supported, proposed Amendment No. 57 will result in fragmentation of the Amendment</p>	<p>l) Noted.</p> <p>m) Noted.</p> <p>n) Noted.</p>
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		<p>Site from the surrounding rural area and compromise implementation of the Subdivision Guide Plan. In this regard, proposed Amendment No. 57 does not protect agricultural land resources by minimising the ad hoc fragmentation of land.</p> <p>o) The Amendment Site is located forward of the development front and is not identified within any strategic planning document as an area suitable for urban development. The advancement of proposed Amendment No. 57 forward of the development front, within an area not capable of sustaining the form of development it facilitates does not represent a logical and efficient pattern of settlement.</p> <p>p) The proposed Amendment is inconsistent with the Liveable Neighbourhoods Policy requirements because it does not maintain good linkages with surrounding urban areas, and is not located close to any existing town or neighbourhood centres.</p> <p>q) The introduction of between 340 and 560 new residents via 220 detached dwellings and an aged care facility comprising some 120 beds, is inconsistent with the pattern of surrounding development and incompatible with surrounding land uses. The proposed land use will be completely out of context with the surrounding rural environment and</p>	<p>o) Noted.</p> <p>p) Agreed.</p> <p>q) The scale of the proposed development will be compatible with surrounding land uses. It is unclear as to the extent development would take.</p>
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		<p>will conflict with the rural lifestyle of surrounding residents.</p> <p>r) The proponent of proposed Amendment No. 57 states that the proposal <i>"is consistent with the principles of orderly and proper planning in that it respects the semi rural environmental within which it is proposed to be located, by ensuring a comprehensive, landscaped buffer is developed around the periphery of the site, thereby minimising any potential loss of visual amenity from adjoining properties"</i>.</p> <p>We do not agree. In our view, the proposed Amendment is inconsistent with the principles of orderly and proper planning on the basis that it:</p> <ul style="list-style-type: none"> • is inconsistent with the aims of LPS3; • does not respect the site's rural zoning under the MRS; • is isolated from essential facilities and services; • is inconsistent with the Shire's Local Planning Strategy and Aged Accommodation Strategy; and • does not form part of an identified future urban area. <p>s) The Aged Accommodation Strategy specifically refers to the need for a local planning policy which establishes locational</p>	<p>r) Agreed.</p> <p>s) Noted. The Shire's Local Housing Strategy outlines the criteria to be taken into consideration when determining aged care</p>
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		<p>and design criteria and a consistent framework for planning and considering proposals for residential care. We understand a local planning policy has not yet been prepared in response to this recommendation.</p> <p>The Shire's Aged Accommodation Strategy also recommends that aged persons accommodation be located around the town centres of Kalamunda and Forrestfield and other shopping and commercial hubs. The Amendment Site is not located in proximity to any town centres or shopping areas and accordingly does not satisfy this recommendation.</p> <p>The Aged Accommodation Strategy also notes that Wattle Grove currently has one of the lowest percentages of population over the age of 55 years and that demand for aged residential care will be most necessary in the localities of Kalamunda, Forrestfield, Lesmurdie, High Wycombe, Gooseberry Hill and Maida Vale – not Wattle Grove.</p> <p>t) The proposed scheme provisions, that is, the formal text that will be incorporated into Schedule 4 of LPS3 if the amendment is approved, are inadequate in that they fail to address important considerations such as access, protection of visual amenity,</p>	<p>developments. The location of the site is not optimal. If an integrated aged care facility was developed on Lot 500, it would likely serve a much wider catchment than Wattle Grove.</p> <p>t) Such matters are not usually included in the provisions stipulated under Schedule 4 of the Scheme as they are taken into consideration at the development application stage. However, it is agreed that more detailed provisions are required.</p>
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		<p>interface with Welshpool Road, noise, and built form.</p> <p>u) Given the proposed Amendment has effectively been advanced on the basis that it will provide high end residential care, the omission of Scheme controls in this regard is surprising. In fact the proposed Scheme provisions are so open and flexible that the form of development permitted is wide ranging.</p> <p>The proponent states at clause 8.0 of the Amendment Report that they have <i>"provided a commitment that the Nursing Home component of the facility will be developed after approximately a third of the independent living units (and associated infrastructure) has been development"</i>. If this commitment has been provided, the proponent will have no objection to the amendment text being modified to include a provision stating that the Nursery Homes/Aged Residential Care Facility shall be constructed on the site, on or before an agreed date.</p> <p>The Amendment provisions, as drafted, provide no protection or certainty for surrounding residents that the form of development will be sufficiently and appropriately controlled.</p>	<p>u) Agreed. If the amendment proceeds to approval, a provision needs to be included addressing this issue.</p>
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		<p>v) The Shire's Aged Accommodation Strategy identifies that by 2011 there will be an oversupply of low care places in the foothills area of Kalamunda and a deficiency of high care places. The Aged Accommodation Strategy concludes that the real demand in this area is for nursing home places (ie. high care) in the foothills area, not low care as is predominantly proposed for the Amendment Site.</p> <p>w) Residents returning to the Amendment Site from Perth will be dropped at the bus stop on the northern side of Welshpool Road, meaning they are required to travel back across Welshpool Road in order to return home. This is an incredibly unsafe practice and demonstrates that the Amendment Site is not well serviced by public transport.</p> <p>x) Our Office undertook an assessment to identify land parcels within the Shire which are appropriately zoned; located close to community facilities and services; close to shops; close to public transport; close to recreational facilities; on flat topography; of appropriate land area; offers safe and convenient access; and is compatible with surrounding land uses. Through this assessment in excess of fifteen (15) additional alternative sites, many of which are owned by the State Government, the Department of Planning or the Shire of Kalamunda.</p>	<p>v) Noted. The proposal is however for an integrated aged care facility.</p> <p>w) Agreed that this is an issue and if the amendment proceeds to finalisation, this would need to be dealt with at development approval stage.</p> <p>x) Noted. The Shire is currently investigating other properties which could also be used for aged care development such as 100 Bougainvillea Avenue, Forrestfield, and 40 Wilkins Road, Kalamunda. Greater involvement of the state government in the provision of sites for integrated aged care facilities is supported.</p>
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		<p>y) Simply supporting an Amendment on the basis that 'no apparent alternative exists' is an unsustainable and highly improper approach to land use planning.</p> <p>The findings of our assessment do not support the proponent's statement that the Shire of Mundaring's LPS4 contains "<i>various provisions enabling housing for "Aged and Dependent Persons" (or similar) as discretionary uses on Rural or Special Rural (or similar) zoned land</i>". Rather, the opposite appears to be the case in the sense that the uses classes "Aged or Dependant Persons Dwellings", "Nursing Home" and "Aged Person's Village" are prohibited uses in all of the rural zones.</p> <p>The proponent's subsequent observation that the discretionary classification of such uses in the rural zones indicates that the "WAPC has formed the view that these uses are appropriate on land zoned rural under the MRS", is misguided and incorrect.</p> <p>z) The proponent of Amendment No. 57 contends that each of the reasons provided by the Hon. Minister to resolving not to grant final approve of (former) Amendment No. 18 have been comprehensively addressed and are therefore no longer relevant. This is not correct.</p>	<p>y) Noted.</p> <p>z) Since the original decision by the Minister was made on amendment 18, the approval of the Local Planning Strategy has occurred and the proponent has provided additional information. It is agreed that these have not comprehensively addressed the Minister's reasons for refusal.</p>
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Attachment 3

Proposed Amendment to Local Planning Scheme No. 3 – Lot 500 (32) Gavour Road, Wattle Grove

Submission Table -Government Agencies

Submission		Details	Comments
390.	Water Corporation	<p>a) Upgrading of one of the currently small mains in the area to conform with parts of the ultimate Scheme may be required to serve the development to the standard that is required</p> <p>b) A 100mm water main exists in Welshpool road but would have to be extended if it were to serve the lot. A 100mm main also exists in Gavour Road that can serve the Lot. Cost of upgrading the reticulation size mains is the developer's responsibility.</p> <p>c) The Corporation's Forrestfield Wastewater Scheme shows a long term future 600mm Main sewer along Welshpool road fronting the lot. This area is currently not sewered.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
391.	Department of Water	<p>a) A local water management Scheme (LWMS) should be prepared to support the local Planning Scheme Amendment</p> <p>b) As the site is currently zoned Rural, the DoW also anticipates a District Water Management Strategy (DWMS) will be required to support the Metropolitan Region Scheme Amendment,</p>	<p>Noted. Subsequent to this, submission, the proponent commissioned the preparation of a draft LWMS (November 2014) prepared by consultants Strategen and circulated it to relevant agencies for comment. A final draft LWMS (February 2015) was prepared taking into account the comments received. The Department of Water advised Strategen on 9 March 2015 that the final draft LWMS is acceptable for the purposes of proceeding to the next stages of planning and</p>

		<p>Hence a Combined DWMS/LWMS document should be prepared.</p> <p>c) A number of Technical reports have previously been prepared, however the information should be collated into one management report. The DoW require sufficient time (generally 8-10 weeks) to assess the Water management report</p>	<p>development approval process and that the Shire is the responsible for the resolution of outstanding Swan River Trust issues.</p>
392.	Department of Health	<p>a) It is considered that the proposed development can comply with the provisions of the <i>Government Sewage Policy – Perth Metropolitan Region</i> as an unsewered development given the information on the proposed wastewater treatment and disposal system, and the Council's resolution to support the Amendment to facilitate the development on a site that is not accessible to sewer.</p> <p>b) The Department provides the following comments:</p> <p>a. Water Supply and Wastewater Disposal All developments are required to connect to scheme water and reticulated sewage as required by the <i>Government Sewage Policy – Perth Metropolitan region</i></p> <p>b. Mixed Density – Public Health impacts</p>	<p>a), b) & c) noted. The Health Department responded in regard to the proponent's draft LWMS (November 2014) in December 2014. It considered that as proposed in the draft LWMS, on-site disposal of waste water generated by the development could be achievable subject to a number of conditions. These conditions included that the number of staff and residents did not exceed 410, the water recycling proposed on land used for lawn bowls, tennis and general recreational facilities would need to be acceptable in terms of a formal approval from the Health Department, and details of the proposal would need to be acceptable via a formal application for approval to the Health Department to install the wastewater system. The letter noted that the Department, however, is not prepared to support the unsewered development of the land until the Shire of Kalamunda supported such development. A formal comment has not been received on the final draft LWMS (February 2015).</p>

		<p>The Shire should use this opportunity to minimise potential negative impacts of the mixed density developments such as noise, odour, light and other lifestyle activities. Public health impacts draw attention to those issues and they should be appropriately and adequately addressed at this stage</p> <p>c) The Shire of Kalamunda could consider the incorporation of additional sound proofing / insulation, double glazing on windows, or design aspects related to location of air conditioning units and other appropriate building/construction measures.</p>	
393.	Main Roads WA	<p>Vehicle access to the site should be restricted to its current access to the local road (Gavour Rd) and no access to and from Welshpool Rd East for the following reasons:</p> <p>a. To ensure compliance with the WAPC Development Control Policy 5.1: Regional Road (Vehicle Access)</p> <p>b. The section of Welshpool Rd East abutting this site is on a declining gradient with an 80kph posted speed limit and is inappropriate for locating any new crossovers for road safety reasons; and</p>	<p>Noted.</p> <p>This could be addressed at Detailed Area Plan/development application stage if the amendment proceeds to approval.</p>

		<p>c. Access to and from a local Road (Gavour Rd) will Direct traffic more appropriately along crystal brook Rd to Welshpool Rd East via a safer intersection</p>	
394.	Environmental Protection Authority	<p>The EPA strongly recommends that a decision on this scheme amendment be postponed until:</p> <ul style="list-style-type: none"> i. A works approval application for the Waste Water Treatment Plant (WWTP) ii. An urban water management document has been approved by the Department of Water in accordance with the planning bulletin 92: <i>Urban Water Management</i> (WAPC, 2008) and <i>Better Urban Water Management</i> (WAPC, 2008) 	<p>Noted. The final draft LWMS (February 2015) provides a greater degree of likelihood that a works approval under the Environmental Protection Regulations 1987 could be granted, although it is not a certainty and if not granted, then the site could be zoned but not serviceable for effluent disposal. If the amendment is to proceed to approval, then it should be modified to require an urban water management plan to be approved by the Council on the advice of the Swan River Trust and Department of Water prior to approval of any development.</p>
395.	Swan River Trust	<p>The information provided has come some way to demonstrating that it may be possible for the site to support the proposed land use and onsite wastewater disposal. The land slopes away from Crystal Brook, limiting surface water flows from the site to the brook. Groundwater is more than 20 metres from the surface, and the soil seems to have some ability to attenuate Phosphorus.</p> <p>However there are several matters that should be addressed before it can be determined that the land has the capacity to support on-site effluent disposal without impacting the river system:</p>	<p>Noted. Subsequent to this advice, the Swan River Trust provided detailed comments on the proponent's draft LWMS (November 2014) on 30 January 2015. The Trust gave technical comments regarding the wastewater treatment volume and the effluent disposal area suggesting modifications to the strategy document. An expansion of the proposed 50 metre wide buffer to Crystal Brook by 10 metres was recommended. The Trust recommended that the draft LWMS document make it clear as to the future investigations and reports that would be required by the developer at various stages of the project prior to implementation of the development. The Trust also recommends that prior to any development approval,</p>

		<ol style="list-style-type: none"> 1. Geotechnical capability report was not measured correctly, the trust does not consider visual inspection to be an appropriate level of soil analysis for a proposal of this scale 2. The Trust is committed to reducing both total nitrogen and total phosphorus inputs. The proposal should therefore be address both nitrogen and prosperous attenuation to ensure impacts on the river system is minimised. 3. At his stage the proposal has not provided sufficient information regarding nitrogen attenuation 4. There are discrepancies between information provided on the area required for waste water disposal. The Trust considers that insufficient rationalisation has been presented for the lower figure to be applied. 5. The schematic site layout shows a number of uses proposed over the same area. It is not clear whether these uses are suitable in areas required for disposal of treated effluent. The proposed vehicle storage may inhibit plant growth, required to enable microbial denitrification. 	<p>an Urban Water Management Plan be prepared and approved by the Shire on advice of the Trust and Department of Water. If the amendment is to proceed to approval, then it should be modified to require an urban water management plan to be approved by the Council on the advice of the Swan River Trust and Department of Water prior to approval of any development.</p> <p>The Trust subsequently provided additional advice that the LWMS has demonstrated that the site conditions are potentially conducive to onsite water treatment. No objection to the Scheme amendment subject to a number of matters being addressed in a development application.</p>
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		<p>6. The Trust Recommends buffer widths of 200m (for soils with a Phosphorus Retention Index of >5). If the PRI of the site is confirmed and additional information is provided regarding de-nitrification on the site, the proponents may be able to provide sufficient rationalisation for the reduced 50 metre buffer to Crystal Brook. The setback of the irrigation area from the river should be measured from the edge of the Riparian vegetation, not the crystal brook channel</p> <p>7. The capacity of privately managed on-site effluent disposal systems to function efficiently and treat water to the extent identified by the system specifications is dependent on routine maintenance of the systems. Unless clear responsibilities are defined for auditing. Inspection and enforcement of compliance with the maintenance schedule and operating standards so the system performs to specifications, it is likely to become a risk to the river system over time.</p>	
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9.0 MEETING CLOSED TO THE PUBLIC

9.1 Nil.

10.0 CLOSURE

10.1 There being no further business, the Presiding Member declared the meeting closed at 8.35pm

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____
Presiding Member

Dated this _____ day of _____ 2015