

**Proposed High Wycombe South (Forrestfield North) Residential Precinct Local Structure Plan Amendment**

**Schedule of Submissions**

<b>Submitter</b>	<b>Submission</b>	<b>Officer Comments</b>
1.	<p><b>Objection</b></p> <p>1. We have lived in our home for 25 years and would like to keep on living in our home without any prolonged disturbances. We have had to put up with the increased volume of traffic, pollution, all major disruptions associated with the building of the train station. All residents would like to be left alone for some peace and quiet. We understand about progress but at what cost we have had prolonged stress throughout all of this.</p> <p>2. The new modelling is not made for all. We had to call to get some answers. The models on your website are very confusing. Put them up in all local shopping centres, also have one on ones with staff that would be available on Saturday when people are off from work. A lot of people cannot make it between 4.30 – 6.30 weekdays for a drop in. Make it people friendly. Keep us updated and informed in small doses and not be bombarded with models that no one understands do one small area at the one time.</p>	<p>1. Noted. The High Wycombe South (Forrestfield North) area was identified as a State Government Metronet initiative. One of the Metronet objectives is to accommodate more population around train stations to capitalise from the investment. This is a sustainable planning principle and consistent with the City's Strategic Priorities.</p> <p>2. The LSP format is based on statutory requirements set by State Government Regulations and informed by an updated Traffic Impact Assessment (TIA), with an overview of the TIA provided in Section 2.7.7 of the LSP Amendment Report Volume 1. The TIA included figures showing current traffic counts to compare with Daily Anticipated Traffic to 2031, to 2041, to 2050. This information was available at the City's Administration Centre, the City's Libraries, and on the City's website, with stakeholders encouraged to contact City staff for discussion including one-on-one meetings. A public information session was also hosted at the City's Administration Office on 24 November 2021.</p>
2.	<p><b>Support and Objection</b></p> <p>1. My name is XX XX. My wife XX and I are the owners of XX Brae Road, High Wycombe (Lot XX). We support the proposal to amend the local structure plan for High Wycombe South (Cell 8).</p> <p>2. We are not happy that the City intends to lock our property into Residential status given the proximity of Stage 1 Industrial Development.</p> <p>3. We support the move to have land affected by Stage 1 Industrial Development to be designated as a transition buffer instead of Residential land use. And for that land to be used for Light Industry activities that are compatible with residential land in the vicinity.</p>	<p>1. Noted.</p> <p>2. Noted. The current LSP adopted in July 2020 identifies Residential Medium/High Density (R60-R80) plus Environment Conservation and Local Open Space (LOS) for the submitter's property, within Cell 7 on the Development Plan. The LSP Amendment proposes to modify the Residential Density to Medium Density (R30-R60) and deletion of LOS allocation, within new Cell 8.</p> <p>3. The requested light industrial transition buffer in proximity to Sultana Road West is beyond the scope of this LSP Amendment process. A band of composite residential/light industry for properties along Sultana Road West with a direct interface to the existing Forrestfield/High Wycombe Stage 1 Industrial Area was removed from the advertised draft LSP. The change occurred due to several factors including but not limited to:</p> <ul style="list-style-type: none"> <li>a) Response to submissions received.</li> <li>b) Reconsidering the nature of transition land uses in liaison with DPLH.</li> <li>c) Alignment of the proposed use with State Planning Policy.</li> <li>d) The challenges with implementing composite residential and light industrial land uses.</li> </ul> <p>The use was replaced with Residential Medium/High Density in the current LSP approved in July 2020. Sultana Road West was, and is still, the most appropriate boundary between light industrial and residential land uses, with design treatments required at the development phase to ensure an appropriate interface. Provisions in Table 3, Items 5 and 21 respectively address Noise Issues and the Light Industrial Interface Management with the southern side of Sultana Road West, with modifications recommended to both items to ensure responses are based on an acoustic assessment and management measures at the time of development.</p>

	<p>4. Stage 1 has adversely affected our lifestyle and peace of mind. The issues include:</p> <ul style="list-style-type: none"> <li>- Destroyed the peace and quiet in contrast to the promises made by the City of Kalamunda;</li> <li>- Unacceptable noise. This includes banging of steel which is heard 100s of metres from its source;</li> <li>- Road congestion;</li> <li>- Early starts (3:30 ~ 4am) or late finishes (6~7pm) depending on which business and occasional weekend work;</li> <li>- Badly affected the sale price of the affected properties; and</li> <li>- Slashed the attractiveness to Developers and home buyers to purchase here.</li> </ul> <p>5. The City of Kalamunda forecasts that Cell 8 will be the second phase to sell in this precinct. This claim cannot be justified. It is much more likely that this land will not sell until near the end of the project as a direct result of the Stage 1 industrial development. This might be some 20 or so years according to the forecasts published by the City of Kalamunda on page 1998 of the Amended LSP for High Wycombe South. This is unacceptable and a death sentence for some of the older owners.</p> <p>6. REVIEWING THE AMENDED LSP FOR HIGH WYCOMBE SOUTH - We urge the City of Kalamunda to change the designation of my property from Residential to one that allows construction of businesses compatible with Residential land in the vicinity. We can then leave the area.</p>	<p>4. The City is continuing to investigate the issues raised concerning light industrial activities along Sultana Road West. The City is unable to respond to comments on selling price or attractiveness.</p> <p>5. The potential staging of future development is complex due to fragmented land ownership, however, having regard to the availability of pre-existing services and other market factors, initial development is anticipated in the western and south-western parts of the Residential Precinct, as discussed in Section 2.7.11 and Figure 44 in the LSP Report Volume 1.</p> <p>6. See Submitter 2, Comment 3 above.</p>
3.	<p><b>Objection</b></p> <p>1. I am not happy that the City intends to lock our property into Residential status given the proximity of Stage 1 Industrial Development.</p> <p>2. I support the move to have land affected by Stage 1 Industrial Development to be designated as a transition buffer instead of Residential land use. And for that land to be used for Light Industry activities that are compatible with residential land in the vicinity.</p>	<p>1. Noted. The current LSP adopted in July 2020 identifies Residential Medium/High Density (R60-R80) for the submitter's property, within Cell 7 on the Development Plan. The LSP Amendment proposes to modify the Residential Density to Medium Density (R30-R60), within new Cell 8.</p> <p>2. The requested light industrial transition buffer in proximity to Sultana Road West is beyond the scope of this LSP Amendment process. A band of composite residential/light industry for properties along Sultana Road West with a direct interface to the existing Forrestfield/High Wycombe Stage 1 Industrial Area was removed from the advertised draft LSP. The change occurred due to several factors including but not limited to:</p> <ul style="list-style-type: none"> <li>a) Response to submissions received.</li> <li>b) Reconsidering the nature of transition land uses in liaison with DPLH.</li> <li>c) Alignment of the proposed use with State Planning Policy.</li> <li>d) The challenges with implementing composite residential and light industrial land uses.</li> </ul> <p>The use was replaced with Residential Medium/High Density in the current LSP approved in July 2020. Sultana Road West was, and is still, the most appropriate boundary between light industrial and residential land uses, with design treatments required at the development phase to ensure an appropriate interface. Provisions in Table 3, Items 5 and 21 respectively address Noise Issues and the Light Industrial Interface Management with the southern side of Sultana Road West, with modifications recommended to both items to ensure responses are based on an acoustic assessment and management measures at the time of development.</p>

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4.	<p><b>Objection</b></p> <p>1. Most references to the intersection of Milner Rd and Sultana Rd West seem to have disappeared from this LSP amendment. Reports from KCTT (Sept 21 Final) page 47 and (Oct 21 rev F) page 24, both refer to this intersection as being configured as left-in, left-out, right-in. This intersection should remain as a full turning intersection. It should be expected that both residents and staff from industrial properties in Sultana Rd West will need to turn right towards Maida Vale Rd and High Wycombe.</p> <p>2. There are many references within the documents, to a Developer Contribution Plan (DCP). The build out timeline for High Wycombe South, described in reports attached to this amendment, is between 30 and 44 years according to different consultant's reports.</p> <p>State Planning Policy 3.6 (2021), the Guidelines for Infrastructure Contributions, states the following:  <i>"The application of mechanisms such as DCPs may not be suitable for all development settings, where the rate of development may result in difficulties to realise the intended infrastructure within the life of the DCP, and principles such as certainty and need and nexus are difficult to establish. Infill development and regional areas experiencing slow growth rates are examples where the use of such mechanisms need to be considered with a degree of caution. Infrastructure items included in a DCP should consider the lifespan of the DCP, with the expectation that the item of infrastructure can be genuinely delivered consistent with the timing and priorities established in the DCP. DCPs should not be considered the default instrument for funding of infrastructure and should be carefully considered prior to commencement, and other approaches for the coordinated delivery of infrastructure should be explored. The lifespan of a DCP should</i></p>	<p>1. Whilst the intersection of Sultana Road West with Milner Road is located on the boundary of the Residential Precinct LSP area, it is being assessed as part of the TOD ACSP. A left-in, right-in and left-out intersection is proposed for the southern side of the Milner and Sultana Road West intersection to limit north-bound industrial traffic on Milner Road. Alternative local road access will provide vehicles an option to access Milner Road, via the future TOD Connector road, and enable north-bound access on Milner Road.</p> <p>2. Noted. A report has been presented to the Council on 26 April 2022 outlining the status of the preparation of the High Wycombe South DCP. At this point in the analysis of the DCP, it appears that any future DCP is required to operate for a period of approx. 30 years from the date of gazettal of the local planning scheme amendment that introduces the DCP into LPS 3.</p> <p>The selected timeframe of 30 years has been carefully considered to correspond to the projected build out rates for future development in the TOD Precinct ACSP and Residential Precinct LSP. The DCP would facilitate infrastructure for future development triggered over the course of 30 years in line with needs and demand assessment, modelling, and forecasts. This will provide coordinated and equitable sharing of costs for the infrastructure required, consistent with the principles established in State Planning Policy 3.6 - Infrastructure Contributions. The 30 year time horizon aligns with existing fragmented development areas in the City (i.e. Cell 9 Wattle Grove).</p>

	<p><i>be linked to completion of development or subdivision, and generally a maximum lifespan of 10 years applies. A lifespan longer than 10 years will be only considered in limited circumstances...."</i></p> <p>As the forecasts shown in the amendment suggest a development timeframe far in excess of any permitted DCP lifespan, obviously a DCP is not a suitable financing mechanism and another form of funding should be utilised.</p>	
5.	<p><b>Objection</b></p> <p>1. On behalf of the owners of XXX Brand Road, High Wycombe, we wish to make the following submission relating to the information provided at the public meeting held at the Council offices on 24 November 2021, in particular concerning the location of proposed fire access roads affecting our property.</p> <p>2. Plan 1: Structure Plan shows a fire access road inside the full length of our boundary with the old tip site. In contrast, the Sporting Precinct Concept Plan shows an "indicative road" inside the full length of the old tip boundary immediately adjacent to our property and alongside an indicative parking area for access to the Public Open Space.</p> <p>We strongly submit that the proposal shown on the Sporting Precinct Concept Plan should be confirmed as the fire access road and that the option shown by the dotted line on our property under Plan 1: Structure Plan be removed so as to avoid any doubt above what is to occur.</p> <p>3. We make the following points in support of our submission.</p> <ol style="list-style-type: none"> <li>The access road shown on our property would require the removal of trees whereas the tip site would not be similarly affected.</li> <li>The option shown under Plan 1 Structure Plan is unnecessary and would negatively impact the use and value of our property. This would add to the adverse position we are already in due to the identification of our property as a Primary School site. Eg <ul style="list-style-type: none"> <li>We no longer have control over how we may deal with our property</li> <li>We are in the hands of the only buyer available (Government) in terms of when the property will be acquired and at what cost. While there are options within those constraints they can be lengthy, complex and costly</li> <li>We have no access to the competitive market or the option of developing the property ourselves but bear the time and cost of maintaining it until the government decides that it is required and is prepared to pay fair market price</li> </ul> </li> <li>By contrast to the prejudice to us, the access road can easily and conveniently be located on the old tip site without negatively impacting the proposed Sporting Precinct Concept Plan</li> <li>In addition to what is said above regard should be had for the unfortunate history relating to the requirement that we transfer to Council, at the nominal cost of \$1 (one dollar), that part of the tip site located on Lot 14 Brand Road. Issues around this have been raised previously with Council and are on record. It would be patently wrong to add to the unfairness of the circumstances of that history by pursuing the option under Plan 1: Structure Plan when the option under the Sporting Precinct Concept Plan is available.</li> </ol>	<p>1. Noted.</p> <p>2. The current LSP and proposed LSP Amendment show an indicative local street within the future primary school site in proximity the north-eastern boundary. The exact location of the access street will be determined through more detailed phases of the planning process including the future subdivision and development of the Primary School site and future consideration of land uses on the former Brand Road Landfill site.</p> <p>3. Noted. See Submitter 5, Comment 2 above.</p> <p>4. Noted.</p>



	<p>5. To re-iterate, it is our strong submission that, for the reasons set out above, the proposal to locate a fire access road inside the boundary of Lot 15 Brand Road adjacent to the old tip site should be removed as part of Plan 1: Structure Plan and the option of the access road shown under the Sporting Precinct Concept Plan be confirmed.</p>	<p>5. Noted. See Submitter 5, Comment 2 above.</p>
6.	<p><b>Objection</b></p> <p>1. I refer to the Council's proposed amendment to the High Wycombe South Residential Precinct Local Structure Plan. As at 12 October 2021, my property has been reallocated on the structure plan dated 21 September 2021 as Parks &amp; Recreation/Drainage. The Council previously represented to me prior to this date that my property would be classified as Residential Density.</p> <p>2. I strongly oppose the proposed amendment to my property as a result of the proposed structure plan and kindly request that the Council reassess the classification to my property. I have been a resident at my property for 40 years and the current proposed classification of my property will have a detrimental impact on my property's value. It will also impact my ability to sell my property.</p> <p>3. Furthermore, when viewing the structure plan, my property is the only property in the area that is classified as Parks &amp; Recreation, all other surrounding properties have been classified as Residential High Density (R-60 – R-100).</p> <p>4. I look forward to receiving the Council's response to the matters set out above. If the Council fails to respond and/or fails to reassess the current proposed classification to my property, I will be seeking legal advice as to my rights and to the potential loss and damage that will be caused to my property's value as a result of the Council's structure plan.</p>	<p>1. The proposed LSP Amendment does not show any proposed land use classification changes to the approved LSP relating to the submitter's property. The current LSP approved in July 2020 designated Local Open Space for the subject property, with the Development Plan showing a drainage storage area, as preliminary modelling indicates a drainage basin is required in this general area (see Appendix 4 - 1% AEP Stormwater Plan dated 16.4.2020 by Strategen-JBS&amp;G).</p> <p>2. The Forrestfield North District Structure Plan (DSP) adopted in 2016 broadly identified the property within the future Activity Centre, however the DSP did not allocate public open space or drainage infrastructure. That is the function of the LSP through detailed analysis of environmental and infrastructure needs. When purchasing land, including through a DCP, the City engages an independent land valuer to determine the value of land. The value of land purchased by developers is influenced by market forces and negotiations outside of any involvement with the City.</p> <p>3. Many properties in the LSP area are designated for infrastructure needs such as roads and drainage, or for parks or environmental conservation. The Local Water Management Strategy plus geotechnical and stormwater analysis has identified the drainage function need for this property. An Urban Water Management Plan will then be required at the development stage.</p> <p>4. Noted.</p>
7.	<p><b>Support and Objections</b></p> <p>1. We act for the owners of Lots XX &amp; XX (Nos XX &amp; XX) Milner Rd, High Wycombe, which is contained within the above Local Structure Plan (LSP). Our clients have no objection to the general principle of progression of the LSP and consequent subdivision of their properties. They do, however, have concerns about two elements of the proposed amendments that are currently being advertised for comment.</p> <p>2. Our client's properties are shown on the attached marked up "Plan 1: Structure Plan" on which the proposed modifications are highlighted. As can be seen, Lots XX &amp; XX are affected by three modifications:</p> <ul style="list-style-type: none"> <li>a) Modification 2 - Raven St Extension (TOD Connector)</li> <li>b) Modification 4 - Change of Structure Plan boundary to reflect the Metronet Project Area</li> <li>c) Modification 5 - Modification to residential density</li> </ul> <p>Our clients have no objection to Modifications 4 or 5. Proposed Modification 2 is the focus of this submission.</p>	<p>1. Noted.</p> <p>2. Noted.</p>



3. Our clients are also concerned about changes to the development Cells (Cell Density Plans) as their two adjoining properties are now proposed to be located in two separate Cells. This is not included in the list of LSP Amendments.

4. Direct Road Impact - The proposed Neighbourhood Connector is proposed to be contained within a 24.4m road reserve running along the entire length of Lot XX. Given that this property is only 55.5m wide at its road frontage (narrowing slightly from there to the rear), the amount of land lost to this road is significant. It will total approximately 4,862m<sup>2</sup>, or 45%, of the properties total existing area of 1.0790ha. This loss of area doesn't take into account the additional land requirements for the intersection of Milner Rd and Raven St, which according to Fig 39 & section 2.7.7.3 of the LSP report, will be a roundabout. Our client acknowledges that he would have had to lose land to roads to enable subdivision to occur. Under the existing LSP, however, these road reserves would be access streets with a likely reservation width of 14.2 - 16m. Clearly this is a significant difference to what is now proposed.

5. Lot Access - Will lots adjoining the proposed Raven St extension be able to have direct vehicular access onto this road? If not they will need to be serviced by an access street which means another significant loss of land to roads effectively eliminating any possible residential subdivision on Lot XX. Again referring to the width of the lot at 55.5m, minus the 24.4m Raven St extension, minus a 14.2 - 16m wide access street, leaves 15.1 - 16.9m lot depth.

6. Amenity - The inclusion of a neighbourhood connector in place of residential access streets significantly diminishes the amenity of any lots fronting onto it. The traffic volumes will increase significantly, which will also potentially be amplified if it becomes part of a bus route. Given it is an important TOD connector this is more likely than not. We would also note that, whilst the neighbourhood connector is proposed to be located on Lot XX, it's on the southern boundary of that lot and adjoins Lot XX, also owned by our client, and will therefore have the same negative amenity impacts on that property.

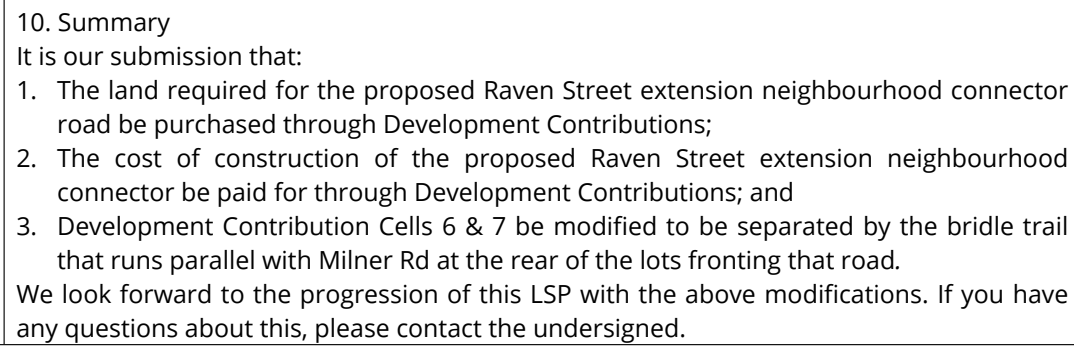
3. Noted. The ten most significant modifications were listed in the Notice of Proposed Amendments, with the amended LSP report referring to eight (8) rather than seven (7) development cells, as shown on the renamed and modified Development Plan.

4. Noted. The proposed extension of Raven Street between Milner Road and Brae Road will provide a link from Maida Vale Road, near the High Wycombe Train Station car park, to the TOD Connector linked to Brand Road, and then future Roe Highway overpass to Maida Vale South. Infrastructure and land purchase arrangements will be considered through the future Development Contribution Plan.

5. The future lot layouts within proposed Cells 6 and 7 will be subject to detailed design when formulating the Cell Density Plan, having regard to the Design Guidelines (currently being drafted), and relevant State Planning Policies such as Liveable Neighbourhoods, which encourages activation of Neighbourhood Connector streets and direct vehicular access dependent upon traffic volumes.

6. Noted. A Neighbourhood Connector is proposed through one of the subject lots, as similarly proposed along Stewart Road, Brae Road, and the TOD Connector the future Roe Highway overpass, and appropriate to address redevelopment of the Residential Precinct. Built form responses to traffic noise and amenity impacts will be best addressed at the subdivision and development stages having regard to any design guidelines and relevant policy requirements.

<p>7. Development Cells - Our client has already commenced preliminary work on preparing a Cell Density Plan, including correspondence with Council staff, who have involved the DPLH, and provided feedback to enable us to progress. The willingness of Council staff to engage with us is appreciated. Unfortunately, the proposed new neighbourhood connector on Lot 49 means the Cells have been altered placing Lot XX in Cell 6 and Lot XX in Cell 7. This means that for our clients to proceed with subdivision of their adjoining properties, they now have to prepare 2 Cell Density Plans, doubling their costs. In our previous discussions and correspondence with the City we had established agreement to the current Cell 6 being divided into Cells 6a &amp; 6b to reflect the significantly different environmental circumstances of that large Cell. We submit that this is still the case and the insertion of the new Raven St extension need not affect this.</p> <p>8. Proposed Outcome - It is our view, and that of our clients, that the Raven St/ TOD connector through Lot 49 would not be categorised as standard development infrastructure for the subdivision of that lot. It is proposed as an amendment to the existing LSP, with the justification being described in the advertised LSP Amendment Summary as follows:</p> <p><i>"A new neighbourhood connector link from Brae Road to Milner Road, that links to the existing alignment of Raven Street. This new connection reflects the findings of traffic modelling and allows for movement of vehicles and cyclists through the Residential Precinct to the TOD Precinct to the north and surrounding areas to the south. This new connection also alleviates pressure on the existing traffic network along Dundas and Maida Vale Roads."</i></p> <p>This clearly demonstrates that the need for this higher level road is driven by factors within and outside the LSP and by transport demands from a broad area.</p> <p>9. In relation to the development Cells, we respectfully request that Cells 6 &amp; 7 as shown on Plan 2 be modified such that the division between the two be along the alignment of the existing bridle trail at the rear of Lots 48 &amp; 49 (refer attached plan) as the land between Milner Rd and the bridle trail is predominantly cleared of native vegetation and the properties to the east are heavily vegetated (refer attached aerial photo).</p> <p>Tree retention is a key element of the Cell Density Plans and the difference between the areas west and east of the aforementioned bridle trail is stark, as is evidenced on Fig 13 of the advertised report (attached) where there are absolutely no vegetation communities mapped on the west side whilst the bulk of the east side is mapped with vegetation communities.</p>	<p>7. Without prejudice preliminary City and DPLH support provided to the applicant for split cells, subject however to addressing roads, stormwater, and servicing issues yet to be resolved. Also see Submitter 7, Comment 9 below.</p> <p>8. Noted.</p> <p>9. Redefining Cells 6 and 7 to the east and west respectively of the bridle trail has merit and is therefore recommended as a modification, with both Cells 6 and 7 (original or modified) contained within assumed Development Stage 1A.</p>
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element.

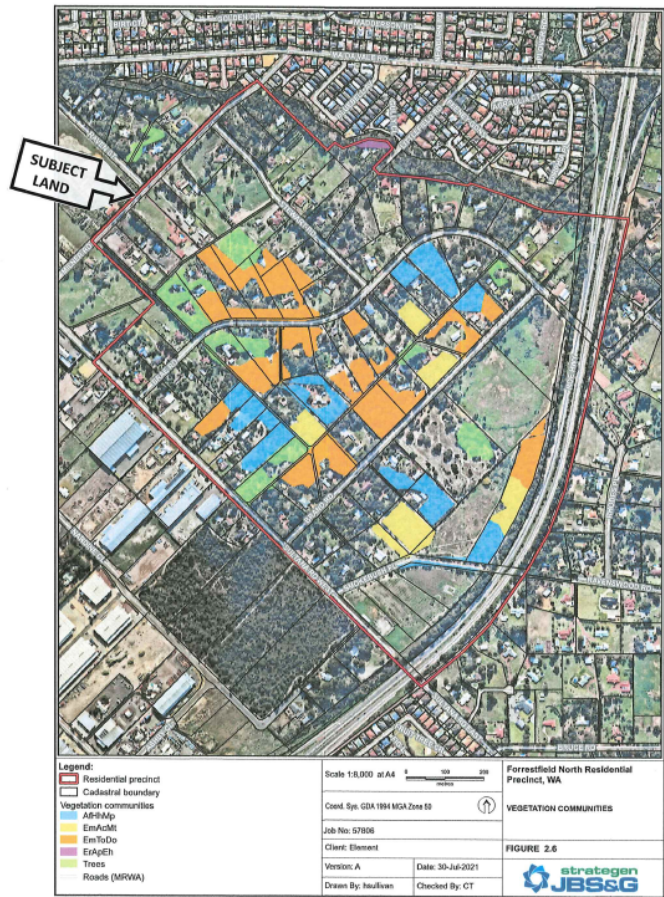

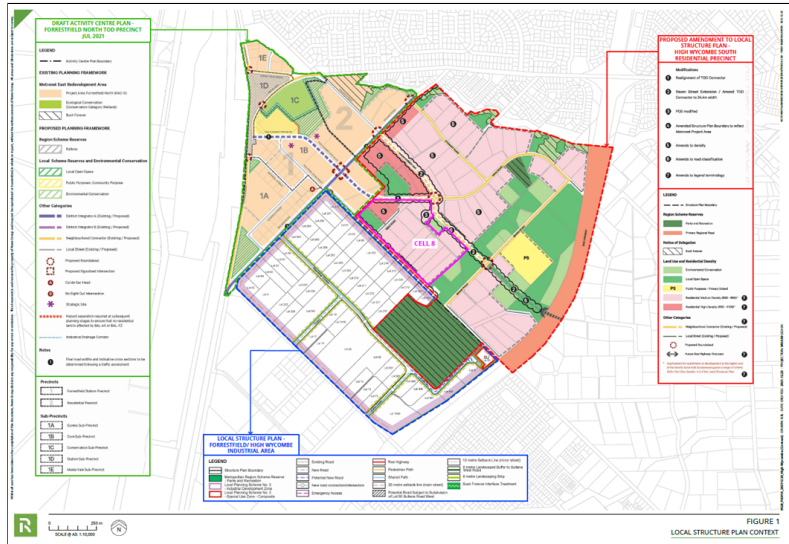


Figure 13. Vegetation Unit



		
8.	<p><b>Objection</b></p> <p>1. We write further to the proposed Amendment to the Forrestfield North Residential Precinct Local Structure Plan ('Structure Plan Amendment'), currently being advertised by the City of Kalamunda for public comment. Rowe Group acts on behalf of the owner of Lot XX (No. XXX) Sultana Road West, High Wycombe ('the subject site'), which forms part of Cell 8 of the Structure Plan Area.</p> <p>2. We note our Client is generally supportive of the development of the Forrestfield North/ South High Wycombe locality, as contemplated by the Structure Plan Amendment, and further, acknowledge and support the intent of the proposed Amendment as achieving a coordinated planning outcome between the Residential Precinct and adjacent High Wycombe South Transit Oriented Development Precinct. However, our Client has significant concerns relating to the lack of coordinated planning and general disregard to any land use transition between the Structure Plan Amendment area and the adjacent Forrestfield/High Wycombe Industrial Area Local Structure Plan area.</p>	<p>1. Noted.</p> <p>2. Noted.</p>



Refer Figure 1 – Local Structure Plan Context Plan.

In this regard, Rowe Group provides the following comments for your consideration.

3. Planning Context

Forrestdale North District Structure Plan - The Forrestdale North District Structure Plan ('DSP') was adopted by the Western Australian Planning Commission ('WAPC') on 29 September 2016, comprising an area of approximately 264 hectares. The DSP identified four (4) precincts within the DSP area, each requiring their own Local Structure Plan Areas:

1. Forrestdale Station Transit Oriented Development ('TOD') Precinct;
2. Forrestdale North Activity Centre Precinct;
3. Forrestdale North Residential Precinct; and
4. Forrestdale/High Wycombe Light Industrial Area.

3. Noted. The Forrestdale North District Structure Plan (DSP) was prepared to guide future urban development arising from the Forrestdale-Airport Link project and (now named) High Wycombe Station. The DSP required further investigations to articulate the vision and objectives during the detailed planning phase for the TOD – Precinct 1, Activity Centre – Precinct 2 and Residential – Precinct 3. In preparing draft Local Structure Plans, Precinct 2 Activity Centre was split and amalgamated into Precincts 1 and 3. Whilst the TOD LSP was delayed due to significant inputs from the State Government, the City progressed the Residential Precinct LSP, which was endorsed by Council in December 2018, then approved by the WAPC in July 2020.



Refer Figure 2 – District Structure Plan.

<p>4. The subject land is located on the border of Precinct 2 – Forrestfield North Activity Centre Precinct and Precinct 3 – Forrestfield North Residential Precinct. We note the intent for Precinct 2 as providing a land use transition between the residential development contemplated and Precinct 4 – Forrestfield/ High Wycombe Light Industrial Area in the form of a mix of commercial type land uses (refer Clause 5.2.2.1 of the DSP, referring to the Vision of the ‘Activity Centre’ land use precinct):</p> <p><i>“This area is intended to take the form of a new main street based activity centre strategically located to buffer industrial uses in the light industrial area from future residential uses, primarily serviced from Sultana Road West.”</i></p> <p>Notwithstanding this, and the precincts identified by the DSP, the subject land, and other properties north of the subject land, are identified for ‘Residential’ under the Forrestfield North Residential Precinct Local Structure Plan with no reference to a land use transition. Detailed planning for the DSP area has resulted in the realignment of the TOD Connector approximately 300-metres north of Sultana Road West.</p>	<p>4. The original draft RP LSP included a band of Composite Light Industry along Sultana Road West (generally between Brae Road and Brand Road) to form a ‘transition buffer’ to the fronting Forrestfield/High Wycombe Industrial Development zone.</p> <p>This band of composite land uses was removed from the advertised draft LSP due to several factors including but not limited to:</p> <ul style="list-style-type: none"><li>a) Response to submissions received.</li><li>b) Reconsidering the nature of transition land uses in liaison with DPLH.</li><li>c) Alignment of the proposed use with State Planning Policy.</li><li>d) The challenges with implementing composite residential and light industrial land uses.</li></ul> <p>The composite land uses were replaced with Residential Medium/High Density (R60-R80), in the approved LSP.</p> <p>The TOD connector boulevard is generally aligned 300 metres north-east of Sultana Road West, feeding into the future Roe Highway overpass to Maida Vale South.</p> <p>The LSP Amendment proposes to change the residential densities for this area to Medium Density (R30 to R60), and does not propose reintroduction of composite residential/light industry uses along Sultana Road West. Any such proposal is beyond the scope of the LSP Amendment, and City staff will correspond separately with the submitter regarding any requirements for future LSP amendments.</p> <p>Notwithstanding, should a proponent wish to prepare a Structure Plan Amendment for such a proposal, the Structure Plan amendment will be required to address matters as required by the Planning and Development (Local Planning Schemes) Regulations 2015. On preliminary review this may include, but is not limited to:</p> <ul style="list-style-type: none"><li>a) Revised technical reporting to align with any proposed modifications:<ul style="list-style-type: none"><li>i. traffic</li><li>ii. water management</li><li>iii. noise</li><li>iv. environmental conservation</li><li>v. community infrastructure</li><li>vi. public open space</li><li>vii. Servicing utilities</li><li>viii. bushfire risk</li><li>ix. built form design</li><li>x. infrastructure coordination (Development Contribution Plan)</li></ul></li><li>b) Appropriate consideration of existing needs analysis and justification for new land uses forming part of the transition proposal.</li><li>c) Appropriate consideration of impacts on existing or proposed activity centres.</li><li>d) Detailed justification for new or revised transition arrangements located within the Residential Precinct, and how it will result in a superior land use and built form planning outcome to the envisaged transition on Sultana Road West.</li><li>e) Practical implementation of the revised land use transition.</li></ul>
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<p>5. Forrestfield/High Wycombe Industrial Area Stage 1 Local Structure Plan - The Forrestfield/High Wycombe Industrial Area Stage 1 Local Structure Plan ('Industrial LSP') was prepared following the finalisation of the DSP, and originally endorsed by the WAPC on 12 November 2013. The Industrial LSP comprises an area of 69 hectares; identifying 49 hectares of 'Industrial Development', a 1 hectare 'Special Use' site, a 'Parks and Recreation' (Bush Forever) reserve and the associated movement and drainage networks. The Industrial Structure Plan area was identified in response to its strategic location in proximity to a number of key transport infrastructure, with the key objective of the Industrial Structure Plan area being the facilitation of logistics, distribution, and transport depot land uses.</p> <p>6. In this regard, land use permissibility for the Industrial Structure Plan Area is defined by the Industrial Development zone, as set out in the Zoning Table of the City of Kalamunda Local Planning Scheme No. 3 ('LPS 3'). It is acknowledged the Industrial Development zone limits the type and permissibility of land uses, representing a 'less intensive' zone than the Light and General Industrial zones. Notwithstanding this, it is our position that greater planning control needs to be awarded over the Cell 8 precinct of the Structure Plan Amendment Area, to better address the amenity impacts attributed to transport and logistics focussed businesses utilising Sultana Road West (and the broader Industrial Structure Plan area).</p> <p>7. This approach is consistent with the position set out within the Draft State Planning Policy 4.1 – Industrial Interface ('SPP 4.1'), which sets out the following principle at Clause 5.2.1:</p> <p><i>"c) Strategic and General Industry zones should not have a direct interface with sensitive zones in local planning schemes. An interface of compatible land use zones and/or reserves should be identified in local planning schemes (such as Light Industry and Commercial zones and Public Open Space reserves) to ensure a compatible interface is achieved. "</i></p> <p>It is our position that the direct interface (being residential and industrial frontages to Sultana Road West), as contemplated by the Structure Plans, is an inappropriate land use interface and does not meet the objectives of SPP 4.1. Refer Photo Plates 2 – 5 demonstrating the scale of existing industrial development.</p>	<p>Notwithstanding the officer comments above, upon receipt and review of any proposed Structure Plan Amendment, the City reserves its right to request further information as necessary to inform the planning assessment.</p> <p>5. The Forrestfield/High Wycombe Industrial Area Stage 1 Local Structure Plan (Industrial LSP) was adopted in November 2013, and preceded preparation of the DSP, with the DSP commissioned by the City of Kalamunda in 2014 and approved by the WAPC in July 2016. The Industrial LSP was informed by the Kewdale Hazelmere Integrated Masterplan (KHIM) and the Economic and Employment Land Strategy (EELS). The Industrial LSP was subsequently amended and approved by the WAPC in February 2020. The DSP Report clearly acknowledged the existing Industrial LSP area and the changing planning framework whereby further industrial development outside of the LSP area was not to proceed, with urban development the key objective</p> <p>6. Noted. The land use permissibility and Forrestfield/High Wycombe Industrial Area Design Guidelines aim to control industrial land uses and built form to have minimal offsite amenity impacts. Provisions are included in Table 3 – Conditions of Subdivision and Development (Item No. 21) to address the Light Industrial Interface Management with the southern side of Sultana Road West, with minor modifications recommended to ensure development outcomes are based on quantified need at the time of development such as noise monitoring.</p> <p>7. This matter is beyond the scope of the proposed LSP Amendment. Interfaces between residential and light industrial land uses is not uncommon across Perth and manageable through appropriate provisions of the local planning scheme, local planning policies and design guidelines. The Industrial LSP area shown on the District Structure Plan is zoned Industrial Development under the City of Kalamunda Local Planning Scheme No. 3, and does not meet the General Industry zone or Strategic Industrial zone definitions in draft SPP 4.1. Clause 5.2.1(c) of draft SPP 4.1 is therefore not relevant. See Submitter 8, Comment 6 above.</p>
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Photo Location Key



Photo Plate 1



Photo Plate 2



Photo Plate 3



Photo Plate 4



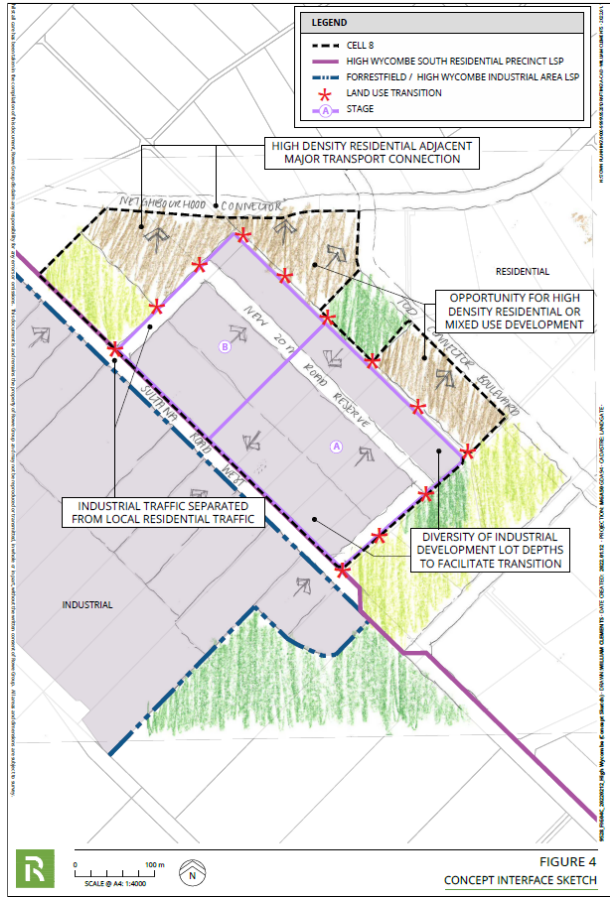
Photo Plate 5

8. Proposed Amendment to Forreestfield North Residential Precinct Local Structure Plan - The Forreestfield North Residential Precinct Local Structure Plan was approved by the WAPC

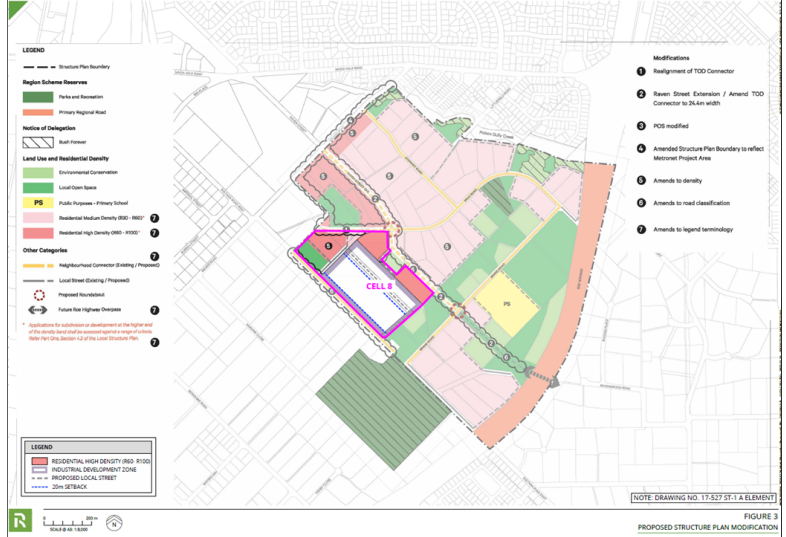
8. Noted. See Submitter 8, Comments 4 to 7 above.

<p>on 27 July 2020, identifying an area of approximately 123 hectares for 'Residential' development, 'Conservation', 'Public Open Space', as well as the associated areas for drainage reserves and movement network. The purpose of the Amendment is to facilitate the coordinated development of high and medium density residential land uses around the new Forrestfield Train Station.</p> <p>Amendment No. 1 to the Structure Plan is prepared having regard to a number of broader contextual issues identified during the preparation of the adjoining Transit Oriented Development Precinct Local Structure Plan ('TOD LSP'). In this regard, amendments to the Structure Plan are proposed to ensure coordinated land use planning between these two precincts is achieved. Our Client is supportive of the proposed modifications and the basis to which they are being sought but has fundamental concerns that the principles of orderly and proper planning are not being applied to address the industrial interface of land fronting Sultana Road West, and effectively disregards the land use/zoning principles identified as being required by the District Structure Plan.</p> <p>9. Proposed Modifications to the Structure Plan - It is our Client's firm position that the development of the Sultana Road West area, as contemplated by the two Structure Plans, is inappropriate; and further, that Industrial and Residential should not have a direct interface or shared movement networks. We acknowledge the strategic intent underpinning the land use designation over the broader DSP area, an area which comprises a number of competing land use opportunities. It is simply our position that greater consideration should be observed to ensure the proposed land uses throughout can occur and coexist without adversely impacting each other.</p> <p>10. Taking into consideration our Client's position, as set out above, Rowe Group (on behalf of our Client) requests that the following modifications are made to the proposed Amendment to the Structure Plan, in relation to the Cell 8 Precinct:</p> <ul style="list-style-type: none"><li>- Extension of an 'Industrial Development' zoning over the majority of the Cell 8 area (producing two street blocks with lot depths of 70-metres, and one street block with a depth of 50-metres). The detailed design and diversity of lot products offered by the Cell 8 precinct will provide both an appropriate transition down from the larger scale operations west of Sultana Road West, but also promote a diversity of lot mix product which is not currently offered within the Industrial Structure Plan Area. It is anticipated the development of this area would occur in stages, as identified on the attached Concept Plan.</li><li>- Modification to the proposed movement network to ensure complete separation of industrial and residential traffic movements, minimising the conflict of traffic movements between the two uses and the associated adverse impacts.</li><li>- Increase of the density proposed in Cell 8 to 'Residential High Density' of a street block (60-metre depth) south of the proposed TOD Connector Boulevard, ensuring the broader residential area can achieve the required residential yield in a well located and highly connected location.</li></ul>	<p>9. Noted. See Submitter 8, Comments 4 to 7 above.</p> <p>10. See Submitter 8, Comments 4 to 7 above.</p>
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11. The modifications proposed by this Submission are reflected in Figure 3 – Proposed Structure Plan Modification.



12. Further to this, it is requested that the following provisions are included within Part 1 of the Structure Plan:  
**4.2: Industrial Development Zone**

11. Noted. See Submitter 8, Comments 4 to 7 above.

12. See Submitter 8, Comments 4 to 7 above.

	<p><i>a) Industrial subdivision is to meet the requirements of the Scheme and WAPC Development Control Policy 4.1 – Industrial Subdivision, unless otherwise specified.</i></p> <p><i>b) A minimum lot size of 1,000m<sup>2</sup> applies to any subdivision of land identified as Industrial Development zone.</i></p> <p><i>c) Buildings shall be setback a minimum of 10-metres from the street, unless otherwise identified on the Structure Plan.</i></p> <p>The above provisions are consistent with the requirements for the Industrial Development Zone set out in the Forrestfield/ High Wycombe Industrial Area Stage 1 Local Structure Plan.</p>	<p>It is noted the Forrestfield/High Wycombe Industrial Area – Stage 1 LSP requires approximately one (1) hectare lot size (i.e. 10,000m<sup>2</sup>), except for Lot 50 Sultana Road West allowing for 3,000m<sup>2</sup> lot size subject to criteria.</p>
	<p>13. Summary - We confirm that our Client is generally supportive of the layout and land uses contemplated by the proposed Amendment to the Forrestfield North Residential Precinct Local Structure Plan, subject to the inclusion of a “transition zone” within the Cell 8 precinct. We reiterate our concerns that the existing, operating land uses south of Sultana Road West, and their associated adverse impacts (in particular, heavy traffic movements and noise) are not considered or addressed by the proposed Amendment to the Structure Plan. If landowners were to progress a residential outcome over the site, as contemplated, undesirable built form measures (i.e. acoustic barriers, slip roads, and/or additional open space) would be required to be provided to protect the amenity of adjacent residential development. We are of the view that a considered approach to land use zoning (such as the extension of the ‘Industrial Development’ zoning and considered movement network) represents a better built form and amenity outcome for the overall locality.</p> <p>On this basis, we request that the proposed Amendment to the Forrestfield North Residential Precinct Local Structure Plan be modified to include an appropriate transition treatment as depicted by Figure 3. Given the extent of our Client’s concerns, we would appreciate the opportunity to meet and discuss the proposed Amendment with the City’s Planning Department. In this regard, could you please contact the undersigned on XXX XXXX to organise a convenient date and time. We trust the information contained within this submission assists your deliberations of the proposed Amendment to the Structure Plan and look forward to hearing from you shortly.</p>	<p>13. Noted. City staff have met with the submitter as request regarding this matter. See Submitter 8, Comments 4 to 7 and 12 above.</p>
9.	<p><b>Objection</b></p> <p>1. Firstly, thank you for permission to present a late submission. This is the first three (3) emails going today. There are a total of 26 submissions if my count is right. Rowe Group have not read them. Timing didn't work out with work rosters, etc. However I wanted to record my views on the Amendment about why there should be a transition buffer. Many, if not all, of the issues, fall away if the Rowe Group and the City come to a mutually agreed outcome. I sincerely hope we can. There may be errors of fact. This is unintentional. Any assumptions or conclusions are mine. The matter is about as serious as a property issue can get for people of my age on this strip of land. This is what motivated me to appoint a Town Planner. The others are not contributing.</p> <p><i>* Key Headings/Points from the submitted attachments detailed below</i></p> <p>2. CALL A MEETING WITH LANDOWNERS AFFECTED BY STAGE 1 INDUSTRIAL DEVELOPMENT</p> <p>- The Rowe Group have presented a plan to the City for an area with frontage on the central part of the north side of Sultana Road West and a request to discuss this Amendment with the City. I need to make submissions to the Amended LSP for High Wycombe South Precinct</p>	<p>1. Noted.</p> <p>The proposal put forward by Rowe Group, plus other submitters, for a light industrial or composite industrial buffer transition area is beyond the scope of the proposed LSP Amendment.</p> <p>The City is required to consider the issues raised through submissions received, and prepare a report for the Council’s consideration. This report will include the City’s comments in respect of the</p>

by 23 January 2022 so the submissions are made without knowing the outcome. Many, and perhaps all of the submissions, fall away, if there is a mutually agreed path forward.

If there is no mutually agreed outcome, can the City please set up a meeting with the affected landowners in High Wycombe South Precinct for four (4) weeks later. Purpose of the Meeting - The City to

- begin the consultation process with the affected landowners
- explain the Plan
- recognise the urgency
- how technical aspects were determined
- provide for expert advice if landowners need to challenge aspects
- set out the proposed Timeline to commence and complete the protection for landowners

for the *"Interface Treatments"* for the properties along the north side of the central part of Sultana Road West ("SRW"). None of the financial burden of the plan is to be incurred by any landowners in the HWS Precinct. Zero \$ in the DCP for HWS. There is no moral or legal justification to do otherwise.

3. A BAND OF LAND ALONG THE CENTRAL PART OF THE SOUTHERN BOUNDARY OF THE LSP IS PROPOSED TO BE DEVELOPED FOR LIGHT INDUSTRIAL PURPOSES - Draft LSP 2018 Section 1.3.3.11". *a band of land along the central part of the southern boundary of the LSP area is proposed to be developed for light industrial purposes to provide a suitable land use buffer and built form interface to future residential uses to the north."*

*This land use planning solution is intended to ameliorate the impact of the more intensive industrial and logistics area to the south-west of Sultana West Road on the Residential Precinct.*

My Comment - Restore Section 1.3.3.11 to the Local Structure Plan for High Wycombe South precinct and, implement.

This is also the proposal by the Rowe Group.

And it is what the KHIM map shows and the District Structure Plan 2016 approved by WAPC.

It is the answer to the issues.

It describes the reason and acknowledges the actions required *"..to ameliorate the impact of the more intensive industrial and logistics area to the south-west of Sultana Road West."*

Can we do it now.

4. 8 METRE TRANSITION BUFFER IS CONSIDERED SUFFICIENT FOR LANDOWNERS TO THE NORTH OF SULTANA ROAD WEST - I challenge the engineering assessments and compliance with State Planning Policies and EPA Guidelines given certain statements included in the Council Motion passed on 27 August 2012.

The relevance is the impact on residential land use to the north of Sultana Road West.

- How was the original 15m buffer determined to be adequate?
- What assessment was done to reduce the buffer from 15 metres to 8 metres and noted that this was sufficient to give adequate transition for landowners to the North of Sultana Road West

I believe that businesses built at 122 and 116 Sultana Road West had already provided proof that 8 metres was inadequate. I made one enquiry in February 2017 that I have a record of, asking about noise from metal fabrication at 122 Sultana Road West. So the metal fabrication business must have been started in 2016. This is 4 years before the LSP for

submissions received, any proposed modifications, and a recommendation on whether the structure plan amendments will be approved with or without modifications.

In this regard the process will not include a stage whereby the City reaches a mutually agreed outcome with one or more submitters. But rather the role of the Council and subsequently the WAPC will be to consider the report, including on balance any planning arguments and principles raised through submissions. The Council will be responsible for endorsing a recommendation to the WAPC, and ultimately the WAPC will make a decision on the matter.

Submitters will be advised when the matter is due to be presented to a Public Agenda Briefing and Council Meeting and there will be opportunities to present and ask questions at these meetings.

3. See responses to Submitter 8, Comments 4 to 7 and 12 and response to Submitter 9, Comment 2 above.

4. The 8m wide landscaping strip requirements for industrial development along the south-western side of Sultana Road West, as per the Forrestfield/High Wycombe Industrial Area Design Guidelines, is not a transition buffer. A 20m front setback is required for industrial development along Sultana Road West.

Consideration of the landscaping requirements relating to the Forrestfield / High Wycombe Stage 1 Industrial Area is beyond the scope of this Local Structure Plan Amendment.

Forrestfield North Precinct was finalised in July 2020. Bonnie Rock Engineering and Transbeam Industries would have started about the same time.

Please refer to the extract from the Council Minutes. Special Council Meeting Agenda – 27 August 2012 Shire of Kalamunda P8

6.1 Forrestfield/High Wycombe Industrial Area Design Guidelines

Item 26 In respect to comments raised regarding landscaping, it is recommended that the proposed 8m landscaping requirement to all roads with the exception of Sultana Road West be amended to 6m. Council has previously adopted this requirement in endorsing the Structure Plan for Stage 1. The proposed 6m is considered sufficient to ensure a high quality, attractive and sustainable landscape area.

It is also recommended that the 15m landscape treatment to Sultana Road West be reduced to 8m as this is considered sufficient to ensure an appropriate landscape buffer to landowners to the north of the road.

Pages 11 and 12

*Mr Dominic Furfaro addressed the meeting, he had three questions.*

*Question 1. Is the eight metre setback for landscaping requirement from the lot boundary or road verge?*

*Manager Development Services confirmed this is from the lot boundary.*

*Question 2. Why is there such a large area requiring landscaping?*

*Manager Development Services noted that this was to give adequate transition for landowners to the North of Sultana Road West and also to ensure good landscaping outcomes to compliment the built design guidelines for the development.*

5. WRONG DECISION TO LOCK THESE FIVE (5) PROPERTIES INTO RESIDENTIAL - I believe the City is wrong - and for many reasons - to lock my property, and the four (4) adjacent properties, into Residential status given the proximity and impact of Stage 1 Industrial Development compounded by the personal circumstances. I support the analysis and recommendations of the Rowe Group to establish a transition buffer across the residential land nearest to Stage 1 Industrial Development. And land uses in the transition buffer to be compatible with residential land in the vicinity. D, A or X uses under the Local Planning Scheme must be excluded.

6. CLAIMS BY THE CITY ABOUT SELLING SEQUENCE NEED TO BE SUBSTANTIATED - The City of Kalamunda forecasts that Cell 8 will be the second phase to sell in this precinct. Refer page 2040. I ask the City to provide the reasons for making this claim, or else change the ranking in Amended LSP and the map shown below.

My view is that the use of the words “*indicative staging*” is seriously insufficient, and might even be viewed as misleading and hiding reality, given there are now so many negative factors attributed directly to Stage 1 impacts.

The Government is aware of, and recognises, the skewed elderly age bracket in this community and that 10, 20 or 30 years means we will die here before a developer will want our properties.

The Premier, Minister for Planning and Transport and the Chairman WAPC aware of this issue. My view is that this claim about staging cannot be justified or substantiated. It is much more likely that this land will not sell until near the end of the project as a direct result of the Stage 1 industrial development.

5. Noted. See responses to Submitter 8, Comments 4 to 7 and 12, and Submitter 9, Comment 2 above.

6. The Submitters comments regarding staging are noted. The potential staging of future development is complex due to fragmented land ownership, however as outlined in the LSP, while indicative staging has been provided in Part 2 of the LSP report, Part 1 recognises that it will be dependent upon a number of factors, including market demand, servicing and infrastructure considerations.



This might be some 20 or so years away, according to the forecasts published by the City of Kalamunda on page 1998 of the Amended LSP for Hight Wycombe South. This is unacceptable.

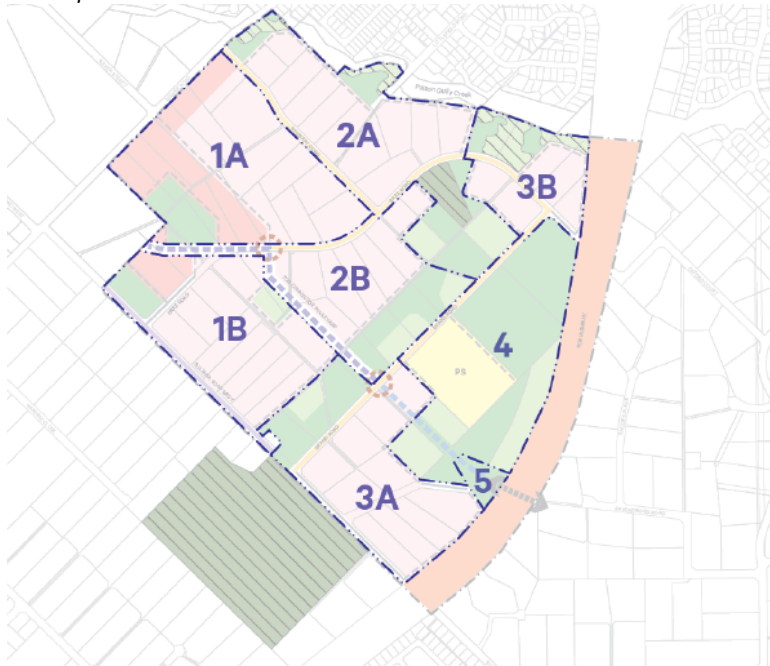
The City knows this is a death sentence for the elderly owners in the five (5) worst affected blocks on Sultana Road West.

I urge the City of Kalamunda to change the land use designated for these properties to that recommended by the Rowe Group. We can all then leave this area.

Page 2040

*The indicative staging is shown diagrammatically in Figure 44, with a further explanation provided below:*

- Stage 1A is located adjacent to the TOD Precinct in the western section of the precinct adjacent to Milner Road and encompasses Cell 06 and the Town Park. This stage will see the delivery of medium and high density residential product with high density proposed to front the Town Park and Milner Road. 2
- Stage 1B is located south of the TOD connector and north of Sultana Road West generally encompassing Cell 07 Cell 08 with a mixture of medium and high density forms of residential development.



7. STAGE 1 INDUSTRIAL DEVELOPMENT – ISSUES - The issues include but no limited to in my view:

- the City has badly affected the attractiveness of my property to potential Developers for residential land use
- The City has converted the area on the north side of Sultana Road West into defacto industrial land
- the strip of land is unfit for residential living – not just in my view but measured against standards set by the State Government
- the City uses my land to subsidise the business operations on the other side of the street knowing this is against my will. The DCP for Stage 1 should pay for the buffer.

7. Noted. The City is continuing to investigate the issues raised concerning light industrial activities along Sultana Road West.

- the City authorises businesses to use my land as a transition buff
- landowners rights were poorly attended to in the mediation phase that led to the LSP dated July 2020. The separation distance on the north side of Sultana Road West shrunk from 200 metres in 2004 / 2016 endorsed by Governments to zero in 2020.
- the City has destroyed the peace and quiet of living in this street in contrast to the written promises made by our Councillors, the City of Kalamunda and the State Government over the past 17 years. And this threatens to continue for another 20 years, or until the respective landowners die.
- discriminates between my house and houses in the precinct, for example in Stewart Road, where there has been no impact on the lives of people living there.
- unacceptable noise. This includes banging of steel which is heard 100s of metres from its source but also extends to flow of traffic and site vehicles and reversing beepers.
- After hours alarms or sirens going for hours at a time after the businesses close for the day or weekend. The COK is yet to provide or publish a process to intervene.
- road congestion / narrow road which does not meet traffic standards for industry
- early starts (3.30 ~ 4am) and late finishes (6 ~7pm) depending on which business
- occasional weekend work or after-hours deliveries on weekends.
- attracted hoon traffic in the evenings and weekends
- various complaints by me and others to the City thus far
- IT JUST LOOKS WRONG



Photo 1: View north-east on Sultana Road West

8. NOT JUST ABOUT ASCENT STEEL - I need to make it clear that my objections are not just about Ascent Steel. I congratulate people who can establish and run businesses, employ people, etc. They bought land and built their plant.

THE BIG PICTURE - An industrial zone is evolving on our doorstep. The City was given the challenging task by the State Government to roll out the two (2) conflicting zones – residential and industrial. There are procedures and Policies to facilitate that. They define transition buffers, not a sudden shock with conflicting assets built opposite each other – on either sides of a road.

All I ask is that these sensible strategies be complied with and blended with what we have to work with. Us five (5) properties just happen to be in the hotspot. Sultana Road West has been nominated for years as the focal point and area of concern, and plenty of commitments about intensive planning investigations, etc will take place. 2004 it started. There is a mixture of industrial noises and activities which impact the residential frontline along Sultana Road West. So don't have tunnel vision. The issue is broader than that. Ascent Steel is one business. One (1) of eleven (11) in the end along Sultana Road West. There also businesses away from Sultana Road West that have a role.

8. Noted. The City is continuing to investigate the issues raised concerning light industrial activities along Sultana Road West.

See responses to Submitter 8, Comments 4 to 7 and 12, and Submitter 9, Comment 2 above.

<p>9. IMPACT OF INDUSTRIAL DEVELOPMENT IN STAGE 1 ON HWS RESIDENTIAL - The DCP for Stage 1 must bear all the financial burden of the impact that Stage 1 has on the High Wycombe South residential precinct. There is no moral or legal justification to do otherwise. Residential was here first - some 35 years before construction began in Stage 1. There are at least three (3) alternatives.</p> <ul style="list-style-type: none"> <li>• the “polluters” pay (via the DCP for Stage 1) or</li> <li>• the City of Kalamunda ratepayers pays or</li> <li>• the affected areas in the HWS precinct become a transition buffer and classified as light industrial land use and Developers buy the land and pay the DCP.</li> </ul> <p>Clarification - Any land released from the HWS residential precinct to be used in a transition buffer, and bought by a Developer, will contribute to the Stage 1 DCP. Those areas will contribute to, and not be a financial burden, the DCP for Stage 1.</p> <p>10. DCP FOR STAGE 1 PAYS FOR EVERY IMPACT IT HAS ON HWS PRECINCT - The Amended LSP needs to specify that the DCP for Stage 1 will pay for every impact caused by, or related to, the activities in Stage 1. There is no moral or legal justification to do otherwise. The DCP for Stage 1 (which is open for public comment until 15 February 2022) for example needs to specify that it provides for</p> <ul style="list-style-type: none"> <li>• 100% of the costs for the protective actions which form the “Interface Treatments” with HWS.</li> <li>• the remaining 50% of costs for road widening of SRW is not at the cost of the DCP for HWS. This means the DCP for Stage 1 pays 100% of the cost of road widening from Milner Road to Brand Road. The DCP for Stage 1 already provides for 50% or \$1,043,000. This amount will double to \$2,086,000.</li> <li>• purchase of any land associated provide a buffer for HWS at the market value of industrial land in Stage 1 at that time. The current published market value is \$275 / m2.</li> <li>• anything else which becomes known and directly related to HWS and due to Stage 1 impacts.</li> </ul> <p>I will make a submission to the DCP for Stage 1. I qualify as one of the affected landowners whose land is on the other side of the road to Stage 1, and who have to be consulted before the DCP can take effect.</p> <p>11. DCP FOR STAGE 1 DOES NOT HAVE EFFECT UNTIL ADEQUATE CONSULTATION WITH THE WIDER COMMUNITY - OCM 27 August 2012 P20 Item 18 says the DCP for Stage 1 will fund .." and afford residents on the northern side of Sultana Road West an appropriate buffer to their properties." <i>The Policy stipulates that DCPs do not have effect until they are incorporated into a local planning scheme and require that: "There is adequate consultation with the owners affected by the development contribution plan and with the wider community, as part of the local planning scheme amendment process."</i> My view is this clearly sets out taking ownership and the responsibility for the DCP for Stage 1 to pay for any land that stays within the HWS residential precinct and which is then used as part of the said Interface Treatments. I am unaware of the City consulting with the landowners on the north side of Sultana Road West about costs associated with the impact of Stage 1 industrial development.</p>	<p>9. It is unclear what impact is being referred to in this comment. The Forrestfield / High Wycombe Stage 1 Industrial Area is subject to separate Local Structure Plan and Local Planning Scheme No 3 provisions, and is beyond the scope of this Local Structure Plan Amendment.</p> <p>10. Sultana Road West is considered to be the most appropriate boundary between light industrial and residential land uses, with design treatments required at the development phase to ensure an appropriate interface. LSP Provisions in Table 3, Items 5 and 21 respectively address Noise Issues and the Light Industrial Interface Management with the southern side of Sultana Road West, with modifications recommended to both items to ensure responses are based on an acoustic assessment and management measures at the time of development.</p> <p>The Forrestfield / High Wycombe Stage 1 Industrial Area is subject to separate Local Structure Plan and Local Planning Scheme No 3 provisions, and is beyond the scope of this Local Structure Plan Amendment.</p> <p>11. There is not a statutory requirement for the Annual Review of the Forrestfield / High Wycombe Stage 1 DCP report (Review) to be advertised. However, in the interests of good governance and administration of the DCP, it has been the City's practise to advertise the Review to all landowners directly affected by the Development Contribution Area; all landowners within the precinct. The Review was also published on the City's website.</p> <p>It is noted the consultation requirements cited in this submission are relevant to the establishment of Development Contribution Plans through a Local Planning Scheme Amendment, not an annual review.</p> <p>The Forrestfield / High Wycombe Stage 1 Industrial Area is subject to separate Local Structure Plan and Local Planning Scheme No 3 provisions, and is beyond the scope of this Local Structure Plan Amendment.</p>
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<p>Important Note - If the Rowe Group submission is successful, any land used as a transition buffer and which was purchased by a Developer will contribute to the Stage 1 DCP, and not be financial burden on the DCP for Stage 1.</p> <p>12. EMERGENCE OF D FOR DISCRETIONARY LAND USE IN LIGHT INDUSTRY IN STAGE 1 - The need or wisdom to introduce category “D” into Light Industry for Stage 1 should be explored. D stands for Discretionary Use.</p> <p><i>P 22 The modification to include Light Industry as a ‘D’ in the use class table is intended to allow greater flexibility in the range of land use activities that could be considered under the Industrial Development zone.</i></p> <p><i>Typically, this will include industries that may have a fabrication component to their operation, but importantly will not have an amenity impact in terms of noise or odour.</i></p> <p><i>P 20 Clause 4.3.2 of the Scheme stipulates that the symbols used in the cross reference in the Zoning Table have the following meanings:</i></p> <p><i>“P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme;</i></p> <p><i>‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;</i></p> <p><i>‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4. ‘X’ means a use that is not permitted by the Scheme.”</i></p> <p>Maddington Kenwick Strategic Employment Area (MKSEA) - One explanation for so many D classifications, might be that the Kalamunda Shire Council (KSC) had a role in the City of Gosnells’ major planning project known as the Maddington Kenwick Strategic Employment Area. The KHIM didn’t mention this development in the City of Gosnells. Yet within 6 months of the KHIM being published the City of Gosnells and landowners actively began promoting it.</p> <p>The KSC seemed to me to split its priorities between promoting a rail line from Midland through High Wycombe and developing the industrial area here. The MKSEA has become a major industrial development project that is close by, and competes strongly with Stage 1 for industrial businesses to buy and build there. The KSC involvement was critical as the land in Welshpool East controlled the entrance to the MKSEA. KSC land also represented about 13% of the area of the MKSEA according to the COK website. Did the change to include D classifications in KSC SCM on 27 August 2012 reflect a perceived threat to land sales in Stage 1 from the competitor - the MKSEA. Both projects were running neck and neck with WAPC planning procedures.</p> <p>The KSC may have needed to widen the net by introducing metal fabrication into land uses in the Light Industry zone. This was a change from the Council Motions voted on in April and June 2012. Now in 2022, 10 years later, Stage 1 still has a considerable area of vacant land. Yet it has at least 5 metal fabrication sites with perhaps more to come. The MKSEA is powering on. One could picture a lot more empty space in the Stage 1 if the Development Approvals for metal fabrication businesses had not been permitted.</p> <p>The KSC knew it was essential to comply with the Minister’s instructions so it included the key comment in the Council Motion dated 27 August 2012.</p> <p>The Motion was quick to include the comment <i>.” but importantly will not have an amenity impact in terms of noise or odour.”</i></p>	<p>12. The consideration of industrial land use permissibility and comparisons with other industrial areas is beyond the scope of this Local Structure Plan Amendment.</p>
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My explanation about MKSEA may have nothing to do with the decision to *“allow greater flexibility in the range of land use activities that could be considered under the Industrial Development zone.”*

Whether it did, or didn't, it is another factor to justify a transition buffer north of Sultana Road West. A 200 metre buffer was always earmarked by Governments even when there was only the original category “P” businesses established for Light Industry in Stage 1.

13. COUNCIL MOTIONS ENSHRINED THE CONDITIONS FOR APPROVAL TO PROCEED WITH STAGE 1 - Council voted unanimously on Motions in 2012 which enshrined the Conditions and Definitions set down by the Minister for Planning in November 2011. There has been a lot of correspondence previously. My view is that the City must comply with these Motions given that it proceeded with industrial development in Stage 1 on that basis, and there is a legal obligation to do this.

14. ACTION ON BUFFER FOR LAND ON THE NORTH SIDE OF SULTANA ROAD WEST - When will the City provide details of the plan for buffering for existing residential land use across the road from Stage 1?

Can the City please advise why it delays the matter of establishing a buffer.

The obligation to provide an appropriate buffer is documented.

It must have also been a consideration in the mediation conference in 2019 / 2020.

My view is there is no moral or legal right to ignore the situation caused by the industrial development in Stage 1 a single day longer.

The details provided to the landowners should include, but not limited to

- agreement on the criteria – Minister’s instructions November 2011, State Planning Policies, EPA
- timeline for construction / acquisition of land
- financial information
- guarantees from the City of Kalamunda it will buy our land at the ruling market price for industrial land in Stage 1 if its plan fails or is not endorsed by the State Government.

The City must involve the affected landowners directly in the joint consultation process with the State Government Departments.

The City must involve the affected landowners directly in the joint consultation process with the State Government Departments.

Alternatively, the discussions with the Rowe Group may deliver an answer.

15. FINANCIAL PROVISIONS IN STAGE 1 FOR LANDOWNERS ON SULTANA ROAD WEST - What financial provisions are in the DCP for Stage 1 for the properties along the north side of Sultana Road West to provide for contingencies which include, but not limited to

- afford adequate protection to the affected landowners
- widen Sultana Road West to meet the needs of industry
- acquire all or part of the land at the ruling market price of industrial land in Stage 1

The KSC / COK has always acknowledged, and accepted, that this land would be impacted by industrial development. Numerous documents substantiate this.

There was going to be an interim period even if Stage 3 had been established.

The KHIM and District Structure Plan 2016 for the FNP also recognised a significant area of land would be affected when Light Industry was built on the land bounded by Sultana Road West, Milner Road, Berkshire Road and Roe Highway.

A buffer of 200 metres was endorsed by KHIM and the WAPC.

13. Noted.

14. The issues raised are beyond the scope of the proposed LSP Amendment. Provisions are included in Table 3 – Conditions of Subdivision and Development (Items No 5 and 21) to address the Light Industrial Interface Management with the southern side of Sultana Road West, with minor modifications recommended to ensure development outcomes are based on quantified needs at the time of development such as noise monitoring and attenuation.

15. Refer to Submitter 9, Comment 10 above.

The Forrestfield / High Wycombe Stage 1 DCP does not incorporate land on the north-east of Sultana Road West, and therefore does not levy cost contributions for infrastructure.

<p>16. CHALLENGE WORDING FOR LIGHT INDUSTRIAL INTERFACE MANAGEMENT - P 1996 and 1937</p> <p><i>Light Industrial Interface Management</i></p> <p>The words “at the subdivision stage” must be deleted and other words inserted which reflect the urgency of the matter.</p> <p>An acoustic wall has been described by the Department of Environment as inappropriate. The subdivision stage could be 20 years away because Stage 1 industrial development makes my property and other properties along the central part on the north side of Sultana Road West, unattractive to residential Developers.</p> <p>The statement about the sequence for Staging is challenged elsewhere by me.</p> <p>P 1996 and 1937</p> <p><i>Light Industrial Interface Management</i></p> <p><i>21.1 At the subdivision stage, the residential interface with the Forrestfield / High Wycombe Light Industrial Area on the western side of Sultana Road West is to be treated by one or a combination of the following treatments to ensure adequate separation between the uses and to ensure an acceptable level of amenity is maintained:</i></p> <ul style="list-style-type: none"><li>• <i>an acoustic wall;</i></li><li>• <i>a landscape buffer strip; and/or</i></li><li>• <i>a local road running parallel to Sultana Road West to provide adequate separation.</i></li></ul> <p>17. CHALLENGE THE STATEMENT ABOUT NOTIFICATION ON TITLES - My view is</p> <ul style="list-style-type: none"><li>• that this Clause should not be included in the final draft without investigation and people like me, and others in the vicinity, then receiving a satisfactory explanation.</li><li>• inserting notifications on a Title is a serious step not to be taken lightly nor without appropriate authorisations.</li></ul> <p>State Planning policies with new subdivisions are in place to avoid <i>higher than normal noise levels</i> caused by nearby industrial businesses. P 1937 draft Amended LSP <i>Light Industrial Interface Management Item 21 21.2 A notification is to be placed on the titles of the first row of residential lots which interface with the light industrial area on the western north side of Sultana Road West warning of the potential for higher than normal noise levels.</i></p> <p>The sentence says a lot.</p> <ul style="list-style-type: none"><li>• Does the City need approval from the EPA to insert something about noise on a property Title?</li><li>• If so, does the City have the consent of the EPA.</li><li>• Which other Government Departments need to give consent to placing a notification on a Title? And does the City their consent?</li><li>• Does the property owner have to be consulted and give their consent?</li></ul> <p>Why would there be “higher than normal noise levels”.</p> <p>The separation distance might be inadequate and hence noise persists.</p> <p>The separation distance should comply with published EPA Guidelines. There will be no <i>higher than normal noise levels</i> if EPA Guidelines are met.</p> <p>ONLY THE FIRST ROW</p> <p>How does the City determine that only the <i>first row of residential lots</i> will be affected?</p> <p>The noise now penetrates more than 200 metres to the back of my block.</p> <p>Has the City has investigated noise issues emanating from Stage 1. The City would know where the first row of residential housing needs to be.</p> <p>Where will the first row of residential housing be situated?</p> <p>How was it’s location determined?</p>	<p>16. Noted. A modification is proposed to this provision to read as follows:</p> <p><i>“At the subdivision and/or development stage, the residential interface with the Forrestfield / High Wycombe Light Industrial Area on the western side of Sultana Road West will be subject to the outcomes of the noise assessment and management plan, and implementation via a range of treatments including but not limited to acoustic wall, a landscape buffer strip, local road and/or built form outcomes such as lot orientation, front fences and setbacks.”</i></p> <p>17. Noted. The issues raised are beyond the scope of the LSP Amendment. Notifications on title about factors affecting land use are very common and can be imposed at the discretion of various government agencies and providers including local government, the WAPC, DBCA, DWER, Perth Airport, etc. See Submitter 8, Comment 14 above.</p> <p>A modification is proposed to Volume 1, Table 3 Conditions of Subdivision and Development, Item No. 5 ‘Other Noise Sources’ by adding a new requirement:</p> <p><i>“5.2 An acoustic assessment and management plan are to be undertaken and implemented to the satisfaction of the local government at the subdivision and/or development stage to investigate and respond to noise impacts for lots in proximity to Sultana Road West.”</i></p> <p>An acoustic assessment and management plan will inform the ultimate requirement for notifications at the subdivision phase.</p>
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## COMPLIANCE WITH COUNCIL MOTIONS

My view is that *higher than normal noise levels* potentially breaches

- the Conditions set down by the Minister for Planning for the approval to proceed with the development of Stage 1 in 2012. No noise, no adverse impact.
- Council Motions 23 April 2012 and 25 June 2012 mentioned elsewhere.
- Council Motion 27 August 2012 – Discretionary land use. Office Comment Item 32 P 22 *Typically* [Discretionary], *this will include industries that may have a fabrication component to their operation, but importantly will not have an amenity impact in terms of noise or odour.*
- *“...Duly executes the Amendment documents and forwards them and submissions received to the Minister for Planning requesting final approval be granted.”*
- Local Planning Scheme – *no noise from Stage 1.*

The sentence is also vague. Does it include *higher than normal noise levels* when people are outdoors or only when in the house.

18. IMPACTS FROM STAGE 1 – ADEQUATE CONSULTATION DURING DCP REVIEWS - Please provide documents that constitute adequate consultation with landowners on the north side of Sultana Road West - with each of the DCP reviews in

- Dec 2012
- Dec 2013
- June 2015
- December 2016
- December 2018
- July 2020 and
- December 2021

We are landowners who are considered “affected by the Stage 1 industrial development.” The DCP for Stage 1 is committed to affording an appropriate buffer for landowners along the north side of Sultana Road West. The DCP for Stage 1 must bear all the financial burden of the impact that Stage 1 has on the High Wycombe South residential precinct. There is no moral or legal justification to do otherwise. Residential was here first - some 35 years before construction began in Stage 1. There are at least three (3) alternatives.

- the “polluters” pay (via the DCP for Stage 1) or
- the City of Kalamunda ratepayers pays or
- the affected areas in the HWS precinct become a transition buffer and classified as light industrial land use and Developers buy the land and pay the DCP.

Clarification - Any land released from the HWS residential precinct to be used in a transition buffer, and bought by a Developer, will contribute to the Stage 1 DCP.

Those areas will contribute to, and not be a financial burden, the DCP for Stage 1.

19. PROFESSIONAL AND INDEPENDENT ASSESSMENT - My view is that

1. a professional and independent assessment is justified if the City persists with the plans published in Amended LSP with respect to residential land use in the vicinity of the Industrial Development in Stage 1.

2. there is sufficient and clear evidence that already the physical presence of Stage 1, and its continued spread, is inappropriate for the plans set out in the Amended LSP. The City should already have protective actions underway for the affected landowners. The discussions with the Rowe Group could lead to a resolution. Compliance with:

- Council Motions
- the Minister’s Conditions and Definitions with respect to properties affected by Stage 1 development and

18. These historical matters regarding the Forrestfield / High Wycombe Stage 1 DCP are beyond the scope of the LSP Amendment.

19. Noted.

• State Planning Policies and EPA Guidelines

are aspects I am uncomfortable about and believe a legal opinion would clarify things significantly.

The answer to my questions to the OCM on 12 October 2021 were unsatisfactory for the reason that it lack[ed] a professional and independent assessment.

20. GROUND ZERO – CONDITIONS AND DEFINITIONS OF THE MINISTER FOR PLANNING - I don't think anyone contends the City of Kalamunda does not have to comply with explicit Conditions or Definitions set down by the Minister for Planning. The Conditions and Definitions for approval to proceed with the development of Stage 1 in the Forrestfield High Wycombe Industrial Area were set down by the Minister for Planning, Mr John Day, in November 2011.

21. FORRESTFIELD/HIGH WYCOMBE INDUSTRIAL AREA STAGE 1 – LOCAL STRUCTURE PLAN December 2019 Section 9.2 – *"It is proposed that an interim interface arrangement be established along the Sultana Road West frontage of the subject land through the application of design guidelines, with an expanded landscaping strip requirement in order to ameliorate any potential negative impacts associated with industrial activity on the rural residential properties on the other side of the road. It is expected that this requirement may be modified in the future as planning for the industrial development of Stages 2 and 3 of the Forrestfield/High Wycombe Industrial Area progresses."*

It was expected the plan to ameliorate any potential negative impacts associated with industrial activity on the rural residential properties on the other side of the road may be modified.

My comment: Nothing has happened thus far. A decision needs to be made urgently after consultation with landowners in the vicinity.

22. FORRESTFIELD NORTH RESIDENTIAL PRECINCT LOCAL STRUCTURE PLAN OCTOBER 2018 - Action: Section 1.3.3.7 and Section 1.3.3.11 to be re-inserted into the High Wycombe South Precinct Structure Plan.

1.3.3.7 Western Australian Planning Commission State Planning Policy 4.1

– State Industrial Buffer Policy

The purpose of the WAPC's *State Planning Policy 4.1 – State Industrial Buffer Policy*

(SPP 4.1) is to provide a consistent Statewide approach for the protection and long-term security of industrial zones, transport terminals (including ports) other utilities and special uses.

The policy is to provide for the safety and amenity of surrounding land uses while having regard to the rights of landowners who may be affected by residual emissions and risk.

A band of land along the central part of the southern boundary of the LSP area is proposed to be developed for light industrial purposes with a single house allowance.

This area is intended to provide a suitable land use buffer and built form interface to future residential uses to the north.

This land use planning solution will ameliorate the impact of the more intensive industrial and logistics area to the south-west of Sultana West Road on the Residential Precinct. Specific development provisions in Part One of the LSP stipulate specific siting requirements for the residential component of the development and it is proposed that all potential industrial or commercial uses are assigned a discretionary use permissibility under LPS3 to ensure that any potential uses that could cause adverse amenity impacts on the remainder of the precinct are avoided.

20. Noted.

21. Land use, built form, and landscaping controls and landscaping have been established for light industrial development along Sultana Road West.

22. Noted. This matter is beyond the scope of the proposed LSP Amendment. Interfaces between residential and light industrial land uses is very common across Perth and manageable through appropriate provisions of the local planning scheme, local planning policies and design guidelines. Importantly, the Industrial LSP area is zoned Industrial Development under the City of Kalamunda Local Planning Scheme No. 3 and does not meet the General Industry zone or Strategic Industrial zone definitions in draft SPP 4.1. Clause 5.2.1(c) is therefore not a relevant consideration. See Submitter 8, Comment 14 above.



<p>1.3.3.11 Western Australian Planning Commission Development Control Policy 4.1 - Industrial Subdivision</p> <p>The WAPC's <i>Development Control Policy 4.1 - Industrial Subdivision</i> (DC 4.1) is a Statewide policy that applies to the subdivision of industrial land and provides guidance on matters the WAPC considers when determining applications for industrial subdivision.</p> <p>There are a number of policy measures that are relevant to future subdivision within the light industrial precinct including access and road layout, the provision of adequate infrastructure services, and the supply of appropriately sized and shaped lots.</p> <p>As indicated previously, a band of land along the central part of the southern boundary of the LSP area is proposed to be developed for light industrial purposes to provide a suitable land use buffer and built form interface to future residential uses to the north.</p> <p>This land use planning solution is intended to ameliorate the impact of the more intensive industrial and logistics area to the south-west of Sultana West Road on the Residential Precinct.</p> <p>23. 2.4 ENVIRONMENTAL Policy - 2.4.1 Environmental Protection Agency Guidance Statement No. 3 - (Guidance Statement No. 3) provides generic separation distances between industrial and sensitive land uses to avoid conflicts between these land uses. Meeting the generic separation distance is one way of demonstrating the proposal is appropriate. It additionally provides the EPA's position on the implementation of an identified buffer:</p> <p>Wherever practicable, it is expected that adverse environmental impacts should not extend beyond the boundary of a particular industrial site.</p> <p>Where this is not possible, adverse environmental impacts should not extend beyond the boundaries of a buffer area, which should contain only compatible land uses. New sensitive land uses are not appropriate in the buffer.</p> <p>Guidance Statement No. 3 defines a buffer as:</p> <p>Buffer – all the land between the boundary of the area that may potentially be used by an industrial land use, and the boundary of the area within which unacceptable adverse impacts due to industrial emissions on the amenity of sensitive land use are possible. This may be represented by the separation distance.</p> <p>Guidance Statement 3 provides a list of uses and a recommended separation distance from sensitive land uses (generic separation distance). Meeting the generic separation distance is one way of demonstrating the proposal is appropriate.</p> <p>However, it notes a site-specific technical analysis is the most appropriate guide to the separation distance that should be maintained between an industry and sensitive land use.</p>	<p>23. Noted.</p> <p>The Stage 1 LSP includes in part 9 an objective to ensure that industrial development does not adversely impact on the amenity and safety of adjoining land uses.</p> <p>Sultana Road West is considered to be the most appropriate boundary between light industrial and residential land uses, with design treatments required at the development phase to ensure an appropriate interface. LSP Provisions in Table 3, Items 5 and 21 respectively address Noise Issues and the Light Industrial Interface Management with the southern side of Sultana Road West, with modifications recommended to both items to ensure responses are based on an acoustic assessment and management measures at the time of subdivision and development.</p>
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## 2.4 Environmental Policy

### 2.4.1 Environmental Protection Agency Guidance Statement No. 3

EPA Guidance Statement No. 3 (Guidance Statement No. 3) provides generic separation distances between industrial and sensitive land uses to avoid conflicts between these land uses. It additionally provides the EPA's position on the implementation of an identified buffer:

*Wherever practicable, it is expected that adverse environmental impacts should not extend beyond the boundary of a particular industrial site. Where this is not possible, adverse environmental impacts should not extend beyond the boundaries of a buffer area, which should contain only compatible land uses. New sensitive land uses are not appropriate in the buffer...*

Guidance Statement No. 3 defines a buffer as:

*Buffer – all the land between the boundary of the area that may potentially be used by an industrial land use, and the boundary of the area within which unacceptable adverse impacts due to industrial emissions on the amenity of sensitive land use are possible. This may be represented by the separation distance.*

Guidance Statement 3 provides a list of uses and a recommended separation distance from sensitive land uses (generic separation distance). Meeting the generic separation distance is one way of demonstrating the proposal is appropriate. However, it notes a site-specific technical analysis is the most appropriate guide to the separation distance that should be maintained between an industry and sensitive land use.

With regard to port development, Guidance Statement No. 3 does not provide generic buffer distances. It advocates for buffer distances to be determined on a case-by-case basis with the Local Authority forming the key government agency for advice and approvals. The lack of guidance for buffers to port facilities places the burden of determining and applying buffer distances with the Local Authority, which are often not well equipped to adopt appropriate buffer areas. This results in uncertainty and highlights the need for greater specificity of separation distances.

Whilst Guidance Statement No. 3 applies equally to industries developing within proximity of existing sensitive land uses, it also applies to sensitive land uses developing nearby industries. Whilst this is equitable in theory, we consider the same level of detail is generally not required in practice where a sensitive land use is the incoming use. In our view, the onus should always be on the incoming/new developer to demonstrate there will be no undue effects on the sensitive land use. This is known as the 'agent of change' principle. This matter is discussed further in sections 6 and 8 of this report.

24. FORRESTFIELD/HIGH WYCOMBE INDUSTRIAL AREA STAGE 1 – LOCAL STRUCTURE PLAN. DECEMBER 2019. SECTION 5.6 - My Comment : The Stage 1 LSP considers the SPP 4 – State Industrial Buffer Policy is relevant and justified inclusion. This should be included in the Amended LSP for High Wycombe South Precinct.

5.6 WESTERN AUSTRALIAN PLANNING COMMISSION STATEMENT OF PLANNING POLICY NO 4 – STATE INDUSTRIAL BUFFER POLICY

The purpose of the State Industrial Buffer Policy is to provide a consistent Statewide approach for the protection and long-term security of industrial zones, transport terminals (including ports) other utilities and special uses. The policy is to provide for the safety and amenity of surrounding land uses while having regard to the rights of landowners who may be affected by residual emissions and risk. Planning Policy No.4 defines light industry as:

Light Industry—means an industry;

– 'in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises, will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and

- the establishment of which will not, or the conduct of which does not, impose an undue load on any existing or proposed service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.'

24. See Submitter 9, Comments 14 and 22 above.

In accordance with the requirements set out in this policy, it is considered that a buffer is not required for the subject land.

My comment : how was this conclusion reached.

The following statement contained in the policy supports this:

- 'in the case of industries of a light/service nature and technology parks, the impacts can usually be retained on-site or within the technology park or industrial area boundaries. This is a normal requirement of the performance-based definitions used for these industries/activities.'

Notwithstanding the above, it is considered that the setback of buildings generally within a light industrial area provides for a sufficient buffer to surrounding land uses.

In this instance the Structure Plan also proposed an additional setback and landscaping requirements to land to the south of Sultana Road West due to the interface to the rural residential land on the northern side of the road.

## 9.2 STRUCTURE PLAN DESIGN PHILOSOPHY

Excerpts from Item 9.2

*"The design philosophy underpinning the preparation of the Structure Plan is to provide for a logical extension and consolidation of industrial activities that are already taking place in the locality. The subject land is currently abutted by light industrial uses along its southern boundary, a mixed use and special use area with light industry located along its western boundary (to the rear), Roe Highway to the east and rural residential uses to the north.*

*The Structure Plan has been prepared in accordance with the recommendations of the KHIM and the anticipated outcomes of the Industrial Land Strategy and represents an appropriate and strategic response to the following considerations:*

*It is proposed that an interim interface arrangement be established along the Sultana Road West frontage of the subject land through the application of design guidelines, with an expanded landscaping strip requirement in order to ameliorate any potential negative impacts associated with industrial activity on the rural residential properties on the other side of the road.*

*It is expected that this requirement may be modified in the future as planning for the industrial development of Stages 2 and 3 of the Forrestfield/High Wycombe Industrial Area progresses."*

25. RESIDENTIAL LAND USE POST THE ANNOUNCEMENT OF PERTH AIRPORT LINK - Mr John Day was the also the Minister for Planning when the train was announced in August 2014. I am told the Minister didn't find the need to change instructions about the development of Stage 1 and residential land use in the vicinity? He must have been satisfied that his earlier correspondence was adequate to protect nearby residential land use from the impact of development in Stage 1.

- No adverse impact from businesses in Stage 1
- No noise
- No fumes, etc

My recollection is that the CEO assured me at our last meeting that no one could recall any information or discussions at the time, between the City and the DPLH or the Minister about changes to instructions re adverse impact, no noise, etc. The City, WAPC and DPLH apparently were in discussions from at least about April 2014, some four (4) months before the Perth Airport Link was announced. Our precinct was designated Industrial at the time. This was abruptly changed to Residential, one day after the announcement by Premier Barnett.

26. INDUSTRIAL DEVELOPMENT STRATEGY DECEMBER 2018 –

25. Noted.

26. Noted. See Submitter 9, Comments 14 and 22 above.

Document status

Version	Version No.	Author(s)	Date	Review
Draft Report	1	Jordan Koroveshi Mitchell Brooks	05.12.2017	Peter Varelis
External Review	2	Jarrold Ross (TBB)	20.04.2018	Mitchell Brooks Chris Lodge
Draft Report for Council	3	Chris Lodge Mitchell Brooks	21.05.2018	Raymond Dong Peter Varelis
Final Report for Adoption	4	Mitchell Brooks	21.11.2018	Peter Varelis

2.5 Kewdale-Hazelmere Integrated Masterplan (KHIM) - *Para 3. It should be noted that the KHIM is now 12 years old, and certain aspects of the plan may be outdated and require review.*

My comment: The KHIM included a 200 – 240 m buffer between light industry and residential. This was at the request of the Kalamunda and Swan Shire Councils. The separation distance is not one of the aspects that is outdated.

2.6 State Planning Policy 4.1 State Industrial Buffer / Draft State Planning Policy 4.1 Industrial Interface – *“State Planning Policy 4.1 (SPP 4.1) is a guiding document applicable to existing and new industrial areas and industrial uses. Its purpose is to protect industry from encroachment of sensitive land uses and, conversely, to protect sensitive land uses from potentially hazardous industrial activity. SPP 4.1 achieves this by recommending buffers be applied to industrial land where sufficient separation distances cannot be met on-site. It is noted that this policy is currently under review, with a key component being the appropriate planning at the residential and industrial interface. Refer to Section 5.9 of the Strategy for detailed analysis of residential and industrial interface. The measures contained in SPP 4.1 will be considered in this document for the purposes of managing and planning for existing and new industrial areas.”*

My comment: When and how will the City act to fulfil this commitment.

7.1 Forrestfield Marshalling Yards - *Para 4 Draft State Planning Policy 5.4 Road and Rail Noise (SPP 5.4) has a trigger distance of 300m from the closest freight rail track whereby sensitive land uses should be avoided or where they do occur the appropriate interface management and development conditions are required to ensure adverse impacts are minimised.*

My comment: This is an indication of a trigger distance for a noise source from sensitive land uses.

7.3 Forrestfield/High Wycombe Stage 1 - *Forrestfield/High Wycombe Stage 1 comprises an area of approximately 70 ha and provides for principally transport and logistics based industrial uses. The area is zoned Urban under the Metropolitan Region Scheme (MRS) and Industrial Development under the City’s Local Planning Scheme No. 3. The North-East Sub-Regional Framework supports the urban classification of the land under the MRS. The Industrial Development zone requires a Local Structure Plan be prepared for development guidance and permits land uses in accordance with transport- and logistics-based industries. The area is designed to accommodate Category 7 Restrict Access Vehicles (37.5m trucks) to take advantage of its proximity to Roe Highway and the significant upgrades by the state government in the Gateway project. The Forrestfield/High Wycombe Stage 1 Local Structure Plan provides for future road connections, subdivision and design requirements.*

Historical matters regarding the Kewdale-Hazelmere Integrated Masterplan and Forrestfield / High Wycombe Stage 1 Industrial area are beyond the scope of the LSP Amendment.

*There is also a Development Contribution Plan (DCP) in place that collects funds from developing landowners to develop new roads, land acquisition for roads and other common infrastructure. Planning for this area has ~~been~~ had to take into consideration the proposed Forrestfield North urban development. The planning framework has recently been reviewed to address this interface and ensure it is contemporary efficient, and in line with community aspirations.*

*Quote ..The interface will be in line with community aspirations...” Unquote*  
*When and how were we consulted about the extent and adequacy of the buffer.*  
*Also please make the analysis and assumptions available.*

*My comment: Our aspirations call for a transition buffer.*  
*A review of the planning framework investigated three key areas relating to the Forrestfield/High Wycombe Industrial Area Stage 1 Local Structure Plan:*

- Land use permissibility and lot sizes;*
- The proposed local road network; and*
- The DCP.*

*A composite industrial zone has also been recommended to be introduced as a Scheme Amendment over Lot 50 which abuts the Forrestfield North development area. This will assist with appropriate industrial-residential interface management and the provision on an alternative lot product within the area.*

*Facilitating development in this area is key to delivering the proposed infrastructure and should be the focus of the planning framework.*

*Interfac  
e*

*Limited interface concerns to the south and west with Forrestfield Industrial Area and Forrestfield Marshalling Yards respectively.  
Roe Highway provides an effective interface buffer to the Forrestfield residential area to the east.  
The interface to the north is the future Forrestfield North residential precinct which will need to be carefully managed during detailed planning.*

*Road  
Condi  
on*

*The road condition is of good quality where infrastructure has been developed; reasonable kerb condition, no signs of road wear. Roads are still to be delivered and improved in the precinct.*

**Strategies:**

- **Keep development contributions relevant and within relevant frameworks.**
- **Maintain a high standard of landscaping where appropriate and road maintenance.**
- **Attract large businesses by protecting key land parcels from subdivision.**
- **Provide opportunity for small and medium sized businesses to benefit from, and co-locate with, larger industries where appropriate.**
- **Ensure there are logical transition arrangements and interfaces between sensitive and industrial land uses.**
- **Capitalise the close proximity to the airport, freight marshalling yards and highways**

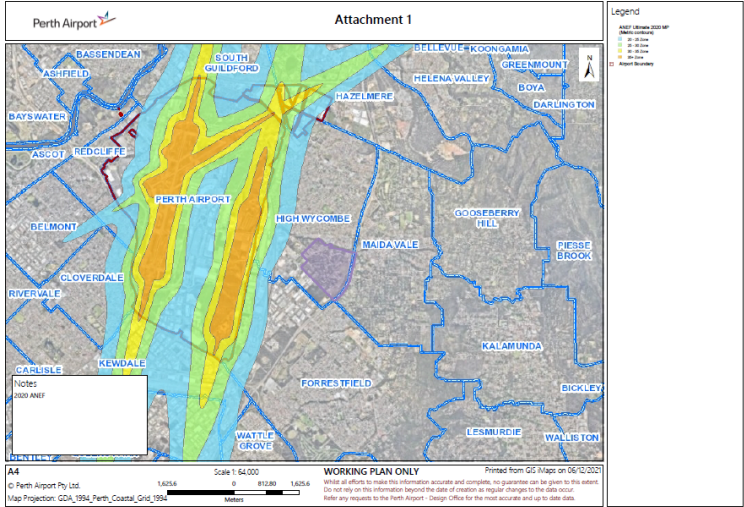
<p>7.13 Residential And Industrial Interface - <i>Residential and Industrial interface is addressed through the requirements of SPP 4.1. The intention of SPP 4.1 is to prevent land use conflict between industrial areas and sensitive land uses such as residential areas. <u>SPP 4.1 requires statutory buffers to be put in place where applicable.</u></i></p> <p><i>SPP 4.1 states that statutory buffers should take the form of a Special Control Area, or similar with related scheme provisions in the applicable local planning scheme. <u>The size and extent of statutory buffers should be determined by potential off-site impacts and strategic planning considerations.</u></i></p> <p><i>The management of land use conflicts and preventing adverse impacts should ensure the co-location of industrial land uses in clusters or industrial areas. <u>Sensitive land uses should not be considered in industrial areas.</u></i></p> <p><i>Strategic and General Industry zones should not have direct interface with sensitive zones. An interface of compatible land use zones should be identified in local planning schemes such as light industry, commercial zones, rural zones and public open space reserves.</i></p> <p><i>The City will ensure that interface issues and land use conflicts are addressed by ensuring there are logical boundaries between residential and industrial uses and utilising transition zones (light industry, commercial, rural and public open space).</i></p> <p><i>An example where the City has considered a transition zone is in the Forrestfield/High Wycombe Industrial Area, where a composite zone has been proposed to be introduced.</i></p> <p><i>The residential component of the zone faces the future Forrestfield North development which will be urban and the industrial component faces the industrial area. <u>The composite zone will provide an appropriate transition from residential to industrial.</u></i></p> <p><i>Strategy:</i></p> <ul style="list-style-type: none"><li>• <i>Ensure there are logical transition arrangements and interfaces between sensitive and industrial land uses.</i></li></ul> <p>27. THE CITY NEEDS TO DELIVER ON COMMITMENTS - Stage 1 has adversely affected my lifestyle and peace of mind. State Government plans and Policies always showed a transition buffer which extended to the nearest residential houses to ensure there was no adverse impact. The extent of the separation distance went 200 metres beyond the northern edge of Sultana Road West. It is time for this long-standing commitment to be respected and delivered. Corrective action is required. Historical distances should return. The Kalamunda Shire Council demanded 200 metres be included in the KHIM. Relevant Council Motions should be complied with, and proof provided upon question – professional and independent if requested.</p> <p>28. CLARIFY ROAD DIMENSIONS FOR SULTANA ROAD WEST - How does the road shown in the Amended LSP for HWS Precinct, line up with the requirements for the industrial businesses in Sultana Road West.</p> <p>The DCP for Stage 1 estimates ~\$2,087,000 for road widening for Sultana Road West.</p> <p>The road width now is 6.2 metres. The drawing below shows 7.0 metres. Is 0.8 metres wider, enough for industrial businesses e.g. Golden Egg semi trailers, and Bev Chain semi trailers. They have big issues manoeuvring in and out. And especially noticeable when it's 4 O'clock in the morning or Sunday night. Air brakes and lights.</p>	<p>27. Noted. See Submitter 9, Comments 14 and 22 above.</p> <p>28. The LSP Amendment contains a Transport Impact Assessment (TIA) at Appendix F. The TIA identifies Sultana Road West with two cross sections; one with a 9m carriageway between Milner and Brae Road, and one with a 7m carriageway east of Brae Road. The 9m carriageway is consistent with the road requirements under the Forrestfield / High Wycombe Stage 1 Industrial Area DCP and will cater for anticipated local residential and industrial traffic. A modification has been included to update the TIA in this regard.</p> <p>The inclusion of infrastructure in development contribution arrangements will be the subject of separate and future consideration.</p>
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	<div><p><b>Road Cross Section Sultana Road West</b> (Sultana Road West terminates at Brae Road – see map for Coll 8)</p><p>Figure 35. Road Cross Section - Sultana Road West (east of Brae Road)</p></div> <p>The existing road is adequate for the very few cars for residential use because Sultana Road West becomes a cul de sac just a few metres past the bridle path. So the message is don't waste the money or put anything in the DCP for HWS. Residential does not require the road to be widened from Brae Road to the point where Sultana Road West becomes a No Through road.</p> <p>Stage 1 needs the road widened. Hence the DCP for Stage 1 should pay for it.</p>	
10.	<p><b>Objection</b></p> <p>1. Thank you for providing the link, I have a few questions:</p> <p>2. When are these expected changes likely to happen 5 years, 10 years, 30 years?</p> <p>3. In the document High Wycombe south Residential Precinct Volume 1 it shows a cross section of Milner Road north of Stewart Road (Figure 33), can you confirm if this is right up to the north end of Milner Road – Maida Vale intersection?</p> <p>4. Figure 33 shows 20 meters for the road, path and trees no room for the existing houses?</p> <p>5. If the above is this the case what is the plan regarding existing houses at the north end of Milner Road to the Maida Vale intersection, will we be bought out, forced to move?</p>	<p>1. Noted.</p> <p>2. Development in the High Wycombe South area is anticipated to occur incrementally over a 30-year timeframe. The trigger for road infrastructure will depend primarily on the rate of uptake of development, which also provides a proportion of funding for the upgrading of infrastructure.</p> <p>3. This is an indicative cross section for the section of Milner Road between Stewart Road and Maida Vale Road. The cross section shows a 20m road reserve, consistent with the existing road reserve width for Milner that the City is preparing concept level designs for roads and intersections, with this information to be advertised when the draft Development Contribution Plan has been prepared for the HWS project area . The cross section is an aspirational design, and the actual designs will incorporate local features and access needs.</p> <p>4. The existing road reserve on Milner is 20m wide. The cross section in Figure 33 shows a 20m road reserve. The existing dwellings are located on private land outside of that existing road reserve.</p> <p>5. Further information regarding any land requirements to facilitate intersections are roads will be advertised once the concept level designs are prepared. The City will engage directly with landowners who are impacted by land requirements for future infrastructure including roads. The concepts will be developed with a view to minimise impacts on existing dwellings and businesses.</p>

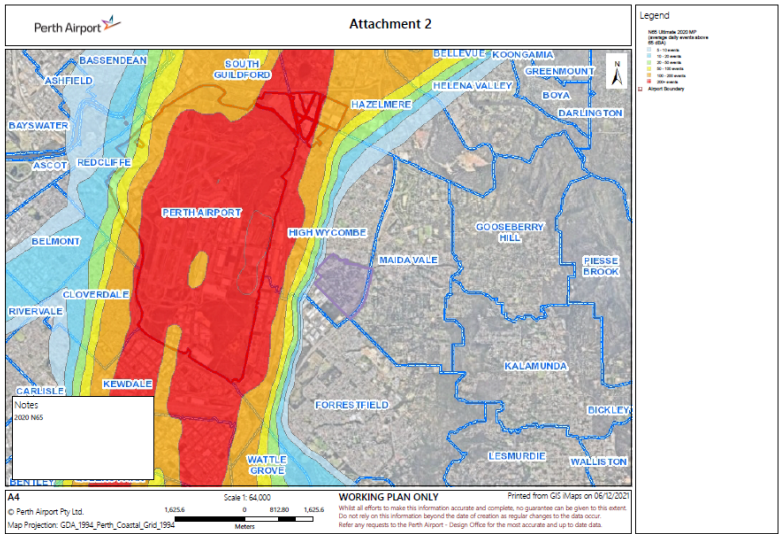
	<p>6. The same document describes Milner updating to 2-4 lanes with roundabout at the Maida Vale intersection, as we are the first house XX again will we be bought out, forced to move as our location will no longer be livable? (It has been close to this now with the recent changes, industrial expansion and train station development).</p> <p>7. What will happen the traffic – track calming that was implemented on Milner - Stewart Road this year to stop the heavy vehicles?</p> <p>8. After reviewing the current plan – layout (Figure 33) of Milner Road north we will be severely impacted, points below:</p> <p>9. The current distance from physical house (Main bedroom) to footpath 6.4m, new plan would make this 3.4m. This leaves us with no privacy and impact of predestine noise.</p> <p>10. Losing the 3.7m of land beyond the boundary means we lose any space to turn our car around or safety reverse into the garage, visitors would have to park on the new footpath.</p> <p>11. As above the 3.7m of land beyond the boundary which is part of the footpath in the new plans currently consist of Telecoms and Internet infrastructure, above ground krone phone patching panel tower core junction for the area, two service man holes, one is for the fibre connection to the node on Maida Vale Road. What will happen to this?</p>	<p>6. Milner Road and Maida Vale Road are proposed to remain as two lanes, one each direction. In liaison with the City's consulting engineers the City is testing design treatments for intersections throughout the precinct. The City will engage with landowners regarding any future land requirements identified through this process.</p> <p>7. It is anticipated that the traffic calming measures will stay in place until there is a need generated to upgrade Milner Road or the structures are required to be modified with changing traffic volumes. This will be monitored by the City over time.</p> <p>8. Noted.</p> <p>9. The cross sections are indicative, and when more detailed design is undertaken the specific widths of verges and other alignments will be resolved. While there are not currently detailed designs prepared for this section of road, it is acknowledged there will need to be changes to the cross-section of the road to facilitate the urban environment envisaged in the Local Structure Plan. The concept for Milner Road between Stewart Road and Maida Vale Road is designed in accordance with the State's Policy Guidance, Liveable Neighbourhoods, and will seek to achieve a safe and convenient environment for all modes including cyclists and pedestrians.</p> <p>10. The submitter's property does contain parking areas in accordance with the existing requirements. Furthermore, the future road network in this locality is planned to incorporate embayment parking wherever possible, noting however in this immediate location there are constraints associated with road reserve width and the proximity to the intersection.</p> <p>11. Regarding the existing telecommunications infrastructure, there is no indication that there would be a reduction or undue impact on these services. Future design phases will incorporate plans for any necessary relocation or adjustments.</p>
	<p>12. One of the main reasons the traffic calming was implemented was due to the large numbers of heavy vehicle traffic which became a health and safety issue that the City had to address, what provisions will be in place to restrict heavy vehicles if the calming is removed? These planned changes do not create a very good environment for use to live in at all.</p> <p>13. If this plan is about a safe and convenient environment then not providing any alternative space for residence parking or visitors will lead to us having to park on the proposed footpath even if we park side on to [our] house, it leaves us with no room.</p> <p>14. The City has failed previously in regard to heavy vehicle management the default answer "as of right" does not work in residential areas. This is why as a group we involved our local councilors to support the installation of traffic claiming to restrict heavy vehicles at this end of Milner Road, our homes where being shaken apart and costing me thousands of dollars in repairs to my property. Truck drivers do not take any notice of signs, traffic claiming is the only resolution to this problem.</p> <p>15. Wouldn't it be much cheaper and less disruptive to residences to install a footpath or cycle path on the other side of Milner Road which currently has no pathway and drop the medium strip in the middle of the road?</p>	<p>12. The City is aware of the need to manage heavy vehicle movement through the precinct and minimise amenity impacts. The road network will need to cater for 'As of Right' vehicle movement and this will include some vehicles with a length under 19m. It is acknowledged that the design of the road should minimise heavy vehicle movements wherever possible. While it is unlikely the future road designs will include chicanes, the changes to the road cross section on Milner Road will make it a more urban and constrained road environment, and together with legible signage for road users, these are considered important factors in the future design.</p> <p>13. Noted.</p> <p>14. The City cannot regulate access to local road by 'As of Right' vehicles however can give due consideration to traffic calming measures to address road safety objectives. See Submitter 10, Comment 12 above.</p> <p>15. See Submitter 10, Comment 5 above.</p>
11. Department of Local Government,	<p><b>Comment</b></p> <p>1. Good afternoon. Thank you for your email. The Department of Local Government, Sport and Cultural Industries appreciates you advising the Department of the City's proposed</p>	1. Noted



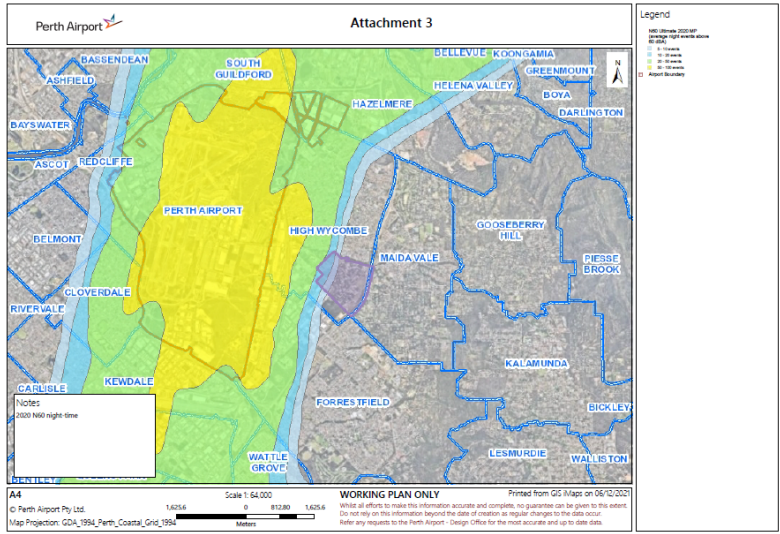
Sport and Cultural Industries	amendment to the High Wycombe South Residential Precinct Local Structure Plan. The Department has no further comment to make in this instance.	
12. Department of Water and Environmental Regulation	<p><b>Comment</b></p> <p>1. Thank you for the above referral. The Department of Water and Environmental Regulation (DWER) has reviewed the proposal and would like to provide the following advice:</p>	1. Noted.
	<p>2. Local Water Management Strategy (LWMS) - The Local Water Management Strategy (Forrestfield North Residential Precinct LWMS (Strategen JBS&amp;G, Dec 2020)) should be updated to incorporate the significant changes to stormwater management proposed as part of this amendment. Although the DWER has not identified any fatal flaws in the proposed amendments, it is still recommended that the LWMS is updated and then provided to the DWER for consideration and further endorsement.</p> <p>3. Contaminated site investigation - The DWER strongly recommends that the required investigations into the current state of the Brand Road Landfill as a matter of priority. Given that the Local Structure Plan has identified the need for district open space and a primary school, but the potential for this open space and school is dependent on the former landfill site being remediated and usable for POS, then this investigation is critical to determine if the structure plan can actually be implemented. As a minimum an Accredited Contaminated Sites Auditor should be engaged as soon as possible.</p>	<p>2. Noted. The proposed LSP Amendment does not propose any significant changes to spatial layout or urban form and stormwater outflows are expected to be commensurate with the approved LSP. As identified in the approved LWMS, storage flow locations and layouts are conceptual and will be reviewed at the Urban Water Management Plan stage. The City will continue to liaise with DWER on any required modifications to the LWMS.</p> <p>3. The City is proceeding with Statutory Contaminated Sites investigations of the former landfill site as per DWER notification and in accordance with State legislation including the Contaminated Sites Act. The investigations will inform appropriate mitigation/remediation and redevelopment of recreational, educational, and residential uses when fully understood and accepted by the relevant authorities. The City will continue contact with the Department of Health and Department of Water and Environmental Conservation, plus consult with the Department of Education regarding the primary school site.</p> <p>It is recommended that in the LSP Report Volume 1 - Table 3 Item 9 Additional Information Submitted be modified to read:</p> <p>“9.1 Detailed Site Investigations of the Brand Road landfill, proposed school site and surrounding reserves are required as stated in the current DWER Statutory site notifications. The Detailed Site Investigation aims to identify and address any Contamination Risk Data Gaps to:</p> <ol style="list-style-type: none"> <li>1. determine the extent of gas, ground water and soil contamination on and if required, off site</li> <li>2. develop a Remediation Action Plan and appropriate site management plans which will include an asbestos management plan subject to review by an Accredited Contaminated Sites Auditor”</li> </ol> <p>It is also recommended that the Environmental Assessment and Management Strategy (Strategen JBS&amp;G) dated 24 September 2021 be updated to include the DWER site map showing the existing and new site classifications (August 2021) and include the DWER Statutory Classification Notifications (August/September 2021).</p>
13. Department of Primary Industries and Regional Development	<p><b>No Objection</b></p> <p>1. Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the proposed amendments to the High Wycombe South (formerly Forrestfield North) Residential Precinct Local Structure Plan. DPIRD does not object to the proposal as the proposed changes do not impact primary and supporting industries or agricultural land.</p>	1. Noted.
14. Perth Airport	<b>Comment</b>	1. Noted.

<div><p>1. I refer to the letter dated 22 October 2021 inviting comment on the above proposal. The proposed amendment seeks to make a number of changes, with the two changes relating to residential densities being of minor interest to Perth Airport.</p><p>2. Airspace Assessment - The lower level of the airspace in this area is at 61m AHD. Preliminary assessment indicates structures up to 15-20m above ground level would not infringe Perth Airport’s prescribed airspace. Any application for a structure over this height would need to be referred to Perth Airport for further assessment. Additionally, Airservices Australia operate a microwave communications link through this area. Although this does not preclude development occurring in this area, some proposals would be required to be assessed by Airservices to ensure that communications that are vital to air traffic Control in the Perth basin are not impacted. It is recommended the City of Kalamunda, or other relevant parties engage with Airservices directly to seek guidance on this matter. Perth Airport would be happy to facilitate this engagement.</p><p>3. Aircraft Noise Assessment - The area continues to be located outside the endorsed Australian Noise Exposure Forecast (ANEF); in this instance under the ANEF adopted under Perth Airport Master Plan 2020 (previously Master Plan 2014). The subject area is included for reference in Attachment 1.</p><div><p>The map, titled 'Attachment 1', shows the Perth Airport area with various noise contours. The airport itself is highlighted in yellow. Surrounding areas are colored in shades of green and blue, indicating different noise levels. Suburbs labeled include Bayswater, Ashted, Belmont, Riverdale, Cloverdale, Kewdale, Wattle Grove, Forresfield, Kalamunda, Bickley, Lesmurdie, Wallington, Gosferbury Hill, Maida Vale, High Wycombe, Hazelmere, Helena Valley, Doyla, Darlington, and Greenmount. A legend on the right side of the map identifies the noise contours: ANEF (2020) 10, ANEF (2020) 15, ANEF (2020) 20, ANEF (2020) 25, ANEF (2020) 30, and Airport Boundary. A scale bar at the bottom indicates a scale of 1:64,000. The map is labeled 'WORKING PLAN ONLY' and 'Printed from GIS Maps on 06/12/2021'. It also includes a note about the map's accuracy and a reference to the Perth Airport website for more information.</p></div><p>4. Also of note, is the National Airports Safeguarding Advisory Group (NASAG). The NASAG comprises Commonwealth and State Government planning and transport Departments and Authorities and has developed the ‘National Airports Safeguarding Framework.’ The NASF contains nine guideline documents which assist in achieving the listed aims. Guideline A of the framework is titled ‘Measures for Managing Impacts of Aircraft Noise’ and specifically addresses the suitability of different development scenarios in aircraft noise affected areas. All levels of decision makers, including Local Governments, are encouraged to review and take guidance from the framework and consider it as part of their assessment.</p><p>5. Guideline A uses “noise above” contours as its reference, which relate to the specific number of events that a decibel level is exceeded. The N65 is a ‘noise above’ metric, and is produced because the ANEF is not well suited to conveying aircraft noise exposure to the community, as over-flight frequency and the sound level of single events (typically two factors that determine how a person will react to noise) are not clearly translated by the ANEF system. Perth Airport produces the N65, which demonstrates the likely effect of aircraft noise exposure on an area or a development, at the ultimate airfield capacity. The N65 is publicly available on the Aircraft Noise Information Portal, viewable from Perth Airport’s website.</p></div> <div><p>2. Noted. The City will refer development applications to Perth Airport that meet the provisions described in this submission.</p><p>3. Noted.</p><p>4. Noted.</p><p>5. Noted.</p></div>
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6. Using the NASF recognised N65 contour, the western portion of the subject site will experience up to 10 aircraft noise events above 65 decibels across an average day. Noise at this level is disruptive to a normal conversation even inside a dwelling and will be unacceptable to most people. It is worth noting that the area will receive a significant number of additional aircraft noise events at a level less than 65 decibels, and these noise events may also cause annoyance to some people. The N65 overlaid with the subject area is included in Attachment 2.



7. An additional NASF recognised noise metric is the N60, which shows the number of events in excess of 60 decibels that can be expected over an average night (11pm-6am). The lower threshold was chosen to reflect people's increased sensitivity to noise in this period. The subject site will experience up to 20 aircraft noise events above 60 decibels across an average night. The N60 overlaid with the subject area is included in Attachment 3.



8. A summary of Guideline A is provided in Table 2 below, and the applicable requirements for the subject proposal are highlighted:

6. Noted. Assessment of transport noise will be assessed on a case-by-case basis at the time of future development, including assessment of aircraft noise pursuant to State Planning Policy 5.1 Land Use Planning in the Vicinity of Perth Airport, and potential attenuation measures.

7. Noted.

8. Noted.

	Within ANEF 20 contour	Within 50+ N65 contour	Within 6+ N60 contour
Rezoning Greenfield areas from Rural to Residential	Prohibit	Avoid permitting	Avoid permitting
Rezoning Brownfield areas	Require Insulation	Require Insulation	Require Insulation
	Require Notification on Title	Require disclosure to future residents	Require disclosure to future residents
Development Applications for existing Residential zoned land	Require Insulation	Require Insulation	Require Insulation
	Require Notification on Title	Require disclosure to future residents	Require disclosure to future residents

Table 2 – Assessment of NASF Guideline A

9. Notes

1. Insulation to be in accordance with Australian Standard AS2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.
  2. The ‘+ N60’ contour is present across significant areas surrounding Perth Airport. As a result, Perth Airport will consider the suitability of development within this contour on a case by case basis.
  3. Perth Airport has interpreted ‘disclosure for future residents’ as being the inclusion of an advice note on an approval which details aircraft noise information, as opposed to the imposition of a condition requiring a Notification on the Certificate of Title (which is otherwise covered under SPP 5.1).
10. The subject site will experience 5-10 N65 and 10-20 N60 night-time aircraft noise events. This level meets the trigger within NASF Guideline A and therefore insulation is recommended.
11. Structure Plan Assessment - Section 1.3.3.10 of the consultant report makes note of the recommendation to:
- Register Notifications on Title for a number of lots in proximity to certain roads,
  - Incorporate architectural treatment packages, and
  - Complete and implement a Transport Noise Assessment at subdivision and/or development stage with respect to noise impacts from High Wycombe Station.

The area of land subject to the N60 is in the western and north-western side of the structure plan area. Perth Airport urges that the scope of the Transport Noise Assessment is broadened to include aircraft noise, particularly due to operations on Perth’s New Runway. The assessment should consider architectural noise treatment packages in accordance with Australian Standard 2021 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, especially for those portions of the site that are within the noise contours discussed above.

12. Perth Airport Recommendation - Given the above assessment, Perth Airport neither supports nor objects to the proposal and provides the following advice:  
Advice i: Appropriate conditions and advice notes are required in line with recommendations made in section 1.3.3.10 of the Local Structure Plan report dated October 2021. These are in relation to:

- Dwelling insulation to meet Australian Standards,
- Notification on the Certificate of Title of certain lots, and
- Completion and implementation of a Transport Noise Assessment at subdivision and/or development stage

Advice ii: The subject area is located outside the ANEF, within the 5-10 N65 and the 10-20 N60 contours. For further information on aircraft noise the applicant/owner(s) may contact Perth Airport’s Planning team on 9478 8888 or [planning@perthairport.com.au](mailto:planning@perthairport.com.au) or visit Perth Airport’s Aircraft Noise Portal at <https://aircraftnoise.perthairport.com.au/>

9. Noted.

10. Noted. See Submitter 13, Comment 6 above.

11. Noted. See Submitter 13, Comment 6 above.

12. Noted.

	13. Summary - Given the above assessment, Perth Airport neither supports nor objects to the proposal subject to the advice provided.	13. Noted.
15. Department of Education	<p><b>Support (and Comments)</b></p> <p>1. Thank you for your letter dated 22 October 2021 providing the Department of Education (Department) with the opportunity to comment on the City of Kalamunda's (City) proposed amended to the Forrestfield North Residential Precinct Local Structure Plan. The Department wishes to advise that it offers no in principle objections to the proposed amendment. The proposed modifications are unlikely to have a material impact on the delivery of the educational needs for the area.</p> <p>2. Notwithstanding the Department's support for the proposed amendment, there is an element of concern in relation to the road network surrounding the future primary school site. The Western Australian Planning Commission's draft Operational Policy 2.4 – Planning for School Sites requires new school sites to be designed with at least three road frontages to accommodate for the safe and efficient movement of vehicles to and from school sites. The current road network proposed two and a half road frontages, with the north-eastern road further constrained by not being a through road.</p> <p>3. It is acknowledged that there are no modifications to the future primary school site or the road network surrounding it as part of this amendment. However, the Department would welcome the opportunity to work with the City to investigate whether there is an opportunity to revise the LSP by modifying the road network surrounding the future primary school site. The Department believes that a revised road network may improve the safe and efficient movement of vehicular traffic in this part of the LSP.</p>	<p>1. Noted.</p> <p>2. The local street network in proximity to the future Primary School site remains unchanged from the LSP approved by the WAPC in July 2020.</p> <p>At the appropriate time, the City will engage with the Department of Education to progress plans and staged development of the Sporting Precinct to maximise accessibility for school users and connection with Brand Road.</p> <p>3. The Sporting Precinct Concept Plan (Appendix 1 in Volume 1) shows the future school oval extending into the adjoining Local Open Space corridor, constraining a full perimeter road around the school. At the appropriate time the City will engage with the Department of Education to progress plans and staged development of the Sporting Precinct to maximise accessibility for school users and connection with Brand Road.</p>
16. Main Roads Western Australia	<p><b>Comment (Modifications Required)</b></p> <p>1. In response to your correspondence received on 28 November 2021, Main Roads advises details in the Local Structure Plan (LPS) are uncertain and provide the following comments:</p> <p><u>Traffic Impact Assessment</u></p> <p>2. Roe Highway and Maida Vale Road Interchange</p> <ul style="list-style-type: none"> <li>The Transport Modelling Report and SIDRA Intersection Analysis prepared by KCTT show significant works are proposed for the Roe Highway and Maida Vale Road interchange (4 lane bridge construction). There is no concept design providing showing the extent of upgrading required and the transport assessment should identify when these upgrades will be required.</li> </ul> <p>3. The attached comments are provided on the Transport Impact Assessment (KCTT – 20/09/2021). Main Roads is available to discuss these as required.</p> <p>4. The proposed local structure plan amendment includes a proposed future overpass over Roe Highway but that it is not required until post 2050. Further information is required to inform this timeframe and how it will be implemented.</p> <p>5. With regard to the Lloyd George Acoustics noise report, Main Roads advises the following:</p> <ul style="list-style-type: none"> <li>Noise wall installation, quiet house treatments and title notifications as outlined in Lloyd George Acoustics' report must be applied to the development.</li> <li>Residences on noise-affected lots must be designed to provide at least on outdoor living area that is orientated away from and shielded from road traffic noise with the objective of meeting the SPP 5.4 outdoor noise target.</li> </ul>	<p>1. Noted.</p> <p>2. Noted. KCTT advise that Appendix 3 (SIDRA modelling) contains input volumes which show turn movements for each intersection split per vehicle category. The TIA is to be finalised by KCTT as part of the High Wycombe South DCP project in consultation with Main Roads WA.</p> <p>3. See Submitter 16, Comments 5 to 16 and responses below.</p> <p>4. A yields analysis included a significant reduction in estimated population and dwelling numbers for the Residential Precinct. Updated traffic modelling provided in the TIA concluded that the Roe Highway overpass will not be required until post 2050.</p> <p>5. Noted.</p>

<p>6. General – There is no turn traffic volume diagram included in the TIA for the key intersections.</p> <p>7. General – No Assessment has been made of the impact of the development on the state road network. No base modelling (without development) has been undertaken.</p> <p>8. Section 1 Executive Summary - The TIA outlines that the proposed structure plan will include an overpass connecting the (Transport Oriented Design) TOD Connector and Ravenswood Road. However, the District Structure Plan indicates the overpass will be connecting the existing Sultana Road East and Sultana Road West. TIA must clarify the correct location and connection of the new overpass estimated to be installed by 2050.</p> <p>9. Section 2.20 Proposed road network – Maida Vale Road remains one lane each way however the SIDRA analysis shows two lanes each way. The TIA must clarify the proposed lane configuration. If an upgrade to two lanes each way is needed, how will this be funded? (particularly at the Roe Highway interchange).</p> <p>10. Section 2.21 Proposed intersection controls – Applicant is required to obtain Traffic Signals Approvals Policy (TSAP) approval from Main Roads for the proposed new signal control at Milner Road/TOD Connector. The need for traffic signals will have to be demonstrated during TSAP Stage 1 process. As part of this process the land requirement for a signalized intersection should also be considered.</p> <p>11. Section 2.23 Changes to external transport networks – The SIDRA modelling indicated there will be a dual carriageway at Berkshire Road, however there is no indication in the TIA about the timing of this upgrade or the funding arrangements, particularly in relation to the interchange.</p> <p>12. Appendix 4 Traffic Modelling Report – Main Roads cannot assess the Paramics modelling outputs and methodology undertaken as this software has not been supported by Main Roads for some time. The modelling should be converted to one of the following programs approved and accepted by Main Roads as detailed in ... Operational Modelling Guidelines (OMG):</p> <ul style="list-style-type: none"> <li>• Sidra: version 9</li> <li>• LinSig: version 3,2,40,0</li> <li>• Vissim: version 2020</li> <li>• Visum: version 2020</li> <li>• Aimsun: version 2020</li> </ul> <p>13. SIDRA</p> <p>General – Modelled vehicle classifications and characteristics are not as per OMG such as:</p> <ul style="list-style-type: none"> <li>• Austroads Vehicle Class category</li> <li>• Vehicle mass</li> <li>• Power</li> <li>• Length</li> <li>• PCE</li> <li>• Gap Acceptance Factor</li> <li>• Opposing Vehicle Factor</li> </ul> <p>Modeller to update in accordance with the latest (Jan 2021) OMG</p>	<p>6. Noted. Appendix 3 (SIDRA modelling) of the TIA contains input volumes which show turn movements for each intersection split per vehicle category.</p> <p>7. Noted. KCTT can update the TIA and process M1 and M7 without the development traffic to address Main Roads comment. KCTT note that Maida Vale Road / Roe Highway roundabouts are impacted by the development traffic and included in the DCP scheme. Development traffic at Berkshire Road / Roe Highway interchange comprises approximately 2% of the traffic, therefore not considered a significant impact. Traffic data for Roe Highway was obtained from ROM models provided to KCTT.</p> <p>8. The Forrestfield North DSP approved in September 2016 showed a District Distributor Integrator B along Sultana Road West connecting over Roe Highway to Sultana Road East. Collaboration with DevelopmentWA identified necessary spatial modifications to the RP LSP including a new TOD Connector Boulevard and future Roe Highway overpass to Ravenswood Road, Maida Vale South. The TIA is correct and no changes are required.</p> <p>9. Noted. Maida Vale will remain one lane each way and will require two approach lanes into the roundabouts when due for upgrading, and affected by traffic travelling east along Maida Vale Road. Traffic data for Maida Vale Road was obtained from ROM models provided to KCTT.</p> <p>10. Noted.</p> <p>11. Noted. As per TIA document and all previous studies, Berkshire Road will require an upgrade to a dual carriageway by 2041. This work was covered in detail in the DCP study. Funding for upgrading of Berkshire Road is to be considered in preparing the DCP scheme.</p> <p>12. Noted. KCTT have advised that the network model for the TIA was prepared concurrently to inform the LSP and DCP for future High Wycombe South DCP and LSP using Paramics, peer reviewed in August 2021, and therefore validated. If MRWA is unable to review the model then the data could be imported/converted using Aimsun by MRWA (or KCTT if needed), or a peer review should be arranged.</p> <p>13. Noted. KCTT advise that some models have remnant specification of classification from previous edition of OMG. Key amendments pertain to inclusion of Austroads Class 2 within Austroads 3-5 group (which is questionable as Class 2 are passenger vehicles with a trailer and Class 3-5 are rigid trucks) and separation of Austroads Class 10 and 11 in separate groups (road trains). As the change pertains to less than 1% of modelled traffic, the impact of the change will be negligible.</p>
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	<ul style="list-style-type: none"><li>Roe Highway/ Berkshire Road interchange does not align with existing layout</li></ul> <p>14. Roe Highway Interchange with Maida Vale Road – Roe Highway southbound most left-hand short lane should be zipper merge instead of primary merge.</p> <p>15. Maida Vale Road on to Roe Highway (two lanes on Maida Vale Road) – Two lanes on Maida Vale Road – East approach are set up for both lanes to be shared left-thru. This is incorrect.</p> <p>16. Berkshire Road – Roe Highway off to Berkshire Road (west) – Geometry does not align with the existing configuration</p> <ul style="list-style-type: none"><li>Northwest leg<ul style="list-style-type: none"><li>There is one lane each direction but this has been modelled with two lanes each direction (unless there is information provided that Berkshire Road will becomes dual carriageway)</li><li>The most right hand lane should be a short lane (unless there is information provided that Berkshire Road will becomes dual carriageway)</li></ul></li><li>Southwest leg<ul style="list-style-type: none"><li>Left turn short lane should be a giveway with high angle splitter island (unless there is a proposed configuration change)</li></ul></li></ul> <p>Signal phasings are modelled as per SCATS</p>	<p>14. Noted. TIA to be updated by KCTT.</p> <p>15. Noted. TIA to be updated by KCTT.</p> <p>16. Noted. TIA to be updated by KCTT. See Submitter 16. Comment 11 above.</p>						
17. Department Fire and Emergency Services	<p><b>Support (with Comments/Recommendations)</b></p> <p>1. I refer to your email dated 22 October 2021 regarding the submission of a Bushfire Management Plan (BMP) (Revision 2), prepared by Strategen JBS&amp;G and dated 4 October 2021, for the above Structure Plan. This advice relates only to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.</p> <p>2. Policy Measure 6.3 a) (i) Preparation of a Bushfire Hazard Level Assessment</p> <table><tr><th>Issue</th><th>Assessment</th><th>Action</th></tr><tr><td><b>Vegetation Classification</b></td><td><p>Areas of vegetation are not labelled or numbered in the Vegetation Classification Maps. Areas to the south west of Suitana Road West and within the subject site have been classified as Class B Woodland. These vegetation areas cannot be substantiated as Class B Woodland with the limited information and photographic evidence available. The foliage cover appears to exceed 30%.</p><p>The BMP should detail specifically how the Class B Woodland classification was derived as opposed to Class A Forest. These areas have been classified as Class A Forest in other developments referred to DFES in the area.</p><p>If unsubstantiated, the vegetation classification should be revised to consider the vegetation as per AS3959:2018, or the resultant BAL ratings for future lots may be inaccurate.</p></td><td><p>Comment. Modification required at subsequent planning stages.</p></td></tr></table> <p>3. Policy Measure 6.3 a) (i) Preparation of a Bushfire Hazard Level Assessment</p>	Issue	Assessment	Action	<b>Vegetation Classification</b>	<p>Areas of vegetation are not labelled or numbered in the Vegetation Classification Maps. Areas to the south west of Suitana Road West and within the subject site have been classified as Class B Woodland. These vegetation areas cannot be substantiated as Class B Woodland with the limited information and photographic evidence available. The foliage cover appears to exceed 30%.</p> <p>The BMP should detail specifically how the Class B Woodland classification was derived as opposed to Class A Forest. These areas have been classified as Class A Forest in other developments referred to DFES in the area.</p> <p>If unsubstantiated, the vegetation classification should be revised to consider the vegetation as per AS3959:2018, or the resultant BAL ratings for future lots may be inaccurate.</p>	<p>Comment. Modification required at subsequent planning stages.</p>	<p>1. Noted.</p> <p>2. Noted. Vegetation classifications, hazard levels, BAL ratings will be addressed in future BMPs for staged development. The Bushfire Management Plan has excluded Environment Conservation Area 11 (adjacent to proposed TOD Connector) as a bushfire hazard using the AS3959 exclusion clause 2.2.3.2 (b) which is “single areas of vegetation less than 1 ha in area and not within 100 m of other areas being classified vegetation. This recommendation will be addressed when revising the Bushfire Management Plan or in preparation of future BMPs for stages of development.</p> <p>3. Future residential lots must achieve a rating of BAL-29 or lower, with Asset Protection Zones unlikely for individual medium to high density lots. The LSP shows local streets separating the Bush Forever sites from future residential land, which will contribute to appropriate separation to bushfire prone vegetation.</p>
Issue	Assessment	Action						
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	<table border="1"> <tr> <td><b>BAL Rating</b></td><td>The BMP states that the Bush Forever site within the residential precinct may impact whether some lots can achieve BAL-29. All future lots should achieve BAL-29 in their entirety. At the next planning stage consideration should be given to ensuring that lots are not created with a BAL rating of BAL-40/FZ rather than focussing on the ability of a future building to achieve BAL-29.</td><td>Comment. Modification required at subsequent planning stages.</td></tr> </table> <p>4. Policy Measure 6.3 c) Compliance with the bushfire protection criteria</p> <table border="1"> <tr> <th>Issue</th><th>Assessment</th><th>Action</th></tr> <tr> <td><b>Location and Siting and Design</b></td><td> <p><b>A1.1 – not demonstrated</b></p> <p>The BMP recognises remnant vegetation as having an extreme bushfire hazard. However, the BMP appears to contradict the Structure Plan layout. The Structure Plan shows perimeter roads around all areas of future residential areas, yet the BMP discusses the requirement for FSAR's to allow access for emergency services where perimeter roads may not be proposed. Perimeter roads are vital to achieve hazard separation from areas of retained vegetation to achieve BAL-29 for future lots.</p> <p>Good design, including provision of hazard separation such as a perimeter road around this hazard, will ensure the future subdivision meets the intent of these elements by ensuring lots are located in areas with the least possible risk.</p> </td><td>Comment. Modification to the BMP is required.</td></tr> </table>	<b>BAL Rating</b>	The BMP states that the Bush Forever site within the residential precinct may impact whether some lots can achieve BAL-29. All future lots should achieve BAL-29 in their entirety. At the next planning stage consideration should be given to ensuring that lots are not created with a BAL rating of BAL-40/FZ rather than focussing on the ability of a future building to achieve BAL-29.	Comment. Modification required at subsequent planning stages.	Issue	Assessment	Action	<b>Location and Siting and Design</b>	<p><b>A1.1 – not demonstrated</b></p> <p>The BMP recognises remnant vegetation as having an extreme bushfire hazard. However, the BMP appears to contradict the Structure Plan layout. The Structure Plan shows perimeter roads around all areas of future residential areas, yet the BMP discusses the requirement for FSAR's to allow access for emergency services where perimeter roads may not be proposed. Perimeter roads are vital to achieve hazard separation from areas of retained vegetation to achieve BAL-29 for future lots.</p> <p>Good design, including provision of hazard separation such as a perimeter road around this hazard, will ensure the future subdivision meets the intent of these elements by ensuring lots are located in areas with the least possible risk.</p>	Comment. Modification to the BMP is required.	<p>4. Table 1: Compliance Table, Bushfire Protection Criteria A3.1 confirms during staged development, each stage is to be provided with two access routes. Criteria A3.7 states that Fire service access routes (FSAR) may be required where perimeter public roads are not proposed, or temporary FSARs may be required during staging of development. Under the new version of the Guidelines for Planning in Bushfire Prone Areas V1.4 (January 2022), Acceptable Solution 3.4b allows for FSAR's where perimeter roads are not proposed. The BMP demonstrates compliance with Acceptable Solution A1.1 with Figure 6 demonstrating the post-development Bushfire Hazard Level assessment identifying land that will have a moderate BHL, with habitable development avoided on land with an extreme BHL. The only modification is to correct the numbering Figure 4 (on page 15) as Figure 6.</p>
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	<p>5. Policy Measure 6.3 c) Compliance with the bushfire protection criteria</p> <table border="1"> <tr> <td><b>Vehicular Access</b></td><td> <p><b>3.1 – not demonstrated</b></p> <p>Consideration should be given to the staging of the future subdivision to ensure that two access routes are provided for all stages given the Roe Highway is a barrier to access to the east. Smokebush Place is currently a dead end and it is unclear whether the connection denoted in the BMP to Ravenswood Road to the east of the Roe Highway is achievable or within the relevant timeframes for the Structure Plan.</p> <p>The BMP states that EAW's may be required to achieve two-way access during the staging of the development. EAW's should not be used in lieu of public roads unless it can be demonstrated that there is no alternative.</p> </td><td>Comment. Modification to the BMP is required.</td></tr> </table> <p>6. Recommendation – supported subject to modifications - At the structure planning stage, consideration should be given to the intensification of land use and how this relates to identified bushfire hazards. DFES is satisfied that the bushfire hazard level assessment has adequately identified the bushfire risk and considered how compliance with the bushfire protection criteria can be achieved at subsequent planning stages. Notwithstanding the above, modifications as indicated in the above table(s) to the BMP are required prior to subsequent planning stages to ensure compliance with the bushfire protection criteria. As these modifications are minor in nature and will not affect the Structure Plan, these modifications should be undertaken to support subsequent stages of the planning process (subdivision and development applications).</p>	<b>Vehicular Access</b>	<p><b>3.1 – not demonstrated</b></p> <p>Consideration should be given to the staging of the future subdivision to ensure that two access routes are provided for all stages given the Roe Highway is a barrier to access to the east. Smokebush Place is currently a dead end and it is unclear whether the connection denoted in the BMP to Ravenswood Road to the east of the Roe Highway is achievable or within the relevant timeframes for the Structure Plan.</p> <p>The BMP states that EAW's may be required to achieve two-way access during the staging of the development. EAW's should not be used in lieu of public roads unless it can be demonstrated that there is no alternative.</p>	Comment. Modification to the BMP is required.	<p>5. EAWs are an Acceptable Solution A3.2b in the current Guidelines. The BMP states that temporary Emergency Access Ways (EAWs) may be required to provide access to a public road during staged development, with no permanent EAWs anticipated within the LSP area. The Future Roe Highway Overpass from the future TOD Connector to Ravenswood Road in the Maida Vale South investigation area is not anticipated until at least 2050 and cannot be considered to provide access beyond the Structure Plan area for the foreseeable future. Staged subdivision of Cell 3 in the South-East of the LSP will require a detailed BMP addressing all bushfire protection criteria including two-way vehicular access and provision of EAWs if required. Furthermore, The City is investigating creation of an EAW from Sultana Road West through to Nardine Close.</p> <p>6. Noted. Recommended modifications can be addressed in Bushfire Management Plans for future development stages.</p>						
<b>Vehicular Access</b>	<p><b>3.1 – not demonstrated</b></p> <p>Consideration should be given to the staging of the future subdivision to ensure that two access routes are provided for all stages given the Roe Highway is a barrier to access to the east. Smokebush Place is currently a dead end and it is unclear whether the connection denoted in the BMP to Ravenswood Road to the east of the Roe Highway is achievable or within the relevant timeframes for the Structure Plan.</p> <p>The BMP states that EAW's may be required to achieve two-way access during the staging of the development. EAW's should not be used in lieu of public roads unless it can be demonstrated that there is no alternative.</p>	Comment. Modification to the BMP is required.									
18. Department of Health	<p><b>Support (with Comments/Recommendations)</b></p> <p>1. Thank you for your letter of 22 October 2021 requesting comments from the Department of Health (DOH) on the above proposal. The DOH provides the following comment:</p> <p>2. Water Supply and Wastewater Disposal - The development is required to connect to scheme water and reticulated sewerage and be in accordance with the Government Sewerage Policy 2019.</p> <p>3. Land Contamination - The advice request relates to a revision of the High Wycombe Local Structure Plan (LSP) which address the following:</p>	<p>1. Noted.</p> <p>2. Noted.</p> <p>3. Noted.</p>									

	<p>a) Various name changes, minor changes to the boundaries of various proposed land use policies and constraints;</p> <p>b) Updates to technical report; transport study, noise assessment and Environmental Assessment strategy;</p> <p>c) Various road reserve realignments;</p> <p>d) Changes to housing density definitions;</p> <p>e) Changes to local surface water drainage systems and basins, and traffic flows.</p> <p>DOH has no comment with respect to the above minor changes a) to e).</p> <p>4. General Recommendations - The LSP (Oct 2021) includes land known as 'Brand Road Landfill' site which has been reported and classified under the Contaminated Sites Act 2003 based on its historical use for the disposal of hazardous wastes, including asbestos. The site has been the subject of numerous assessments which have been independently reviewed by an accredited Contaminated Sites Auditor, most recently in <i>"MAR Former Landfill Brand Road, High Wycombe v2"</i> (JBS&amp;G May 2021).</p> <p>Although the LSP refers to early assessments at this site (i.e. s.2.4.2.3 LSP and s.3.2 JBS&amp;G), the information provided is inaccurate and outdated. DOH recommends obtaining a Detailed Summary of Records from DWER, including copies of advice provided by the Auditor and DOH on the condition of the site and update the LSP accordingly.</p> <p>5. DOH recommended in April 2021, May 2021 and August 2021, that –</p> <p>a) whilst the site remains largely unused (as informal open space with no buildings or enclosed spaces) the public health risks from ground gas are very low and the risk from asbestos can be managed through the implementation of a simple asbestos management plan (AMP). DOH is not aware that this AMP has been submitted for approval or enacted on site, and the site is therefore not, in its current condition, suitable for any use.</p> <p>b) if the landfill site was to be redeveloped (e.g. as a formal sports oval or public open space) additional clean up works will be required, including the development of a Remediation Action Plan to;</p> <p>i. address asbestos exposure and risk; and</p> <p>ii. to monitor and manage long term on and off-site ground gas risk.</p> <p>The RAP would be required to be independently reviewed by the Auditor and measures installed under the supervision of a Chartered Engineer.</p> <p>6. Critical Recommendations - The proponent should be aware that the gas management/venting system installed within the landfill site is no longer functioning and ground gas appears to be migrating towards the southern perimeter adjacent to the proposed primary school site. DOH is concerned that the suitability of the proposed primary school site (Lot 18) has NOT been adequately determined. DOH has recommended that further ground gas assessments are carried out, but only AFTER the gas management systems within the landfill site are shown to be operational and effective, AND the public health risk from ground gas migration towards the primary school site has been adequately managed.</p>	<p>4. The City is proceeding with Statutory Contaminated Sites investigations of the former landfill site as per DWER notification and in accordance with State legislation including the Contaminated Sites Act. The investigations will inform appropriate mitigation/remediation and redevelopment of recreational, educational, and residential uses when fully understood and accepted by the relevant authorities. The City will continue liaison with the Department of Health and Department of Water and Environmental Conservation, plus consult with the Department of Education regarding the primary school site.</p> <p>See Submitter 12, Comment 3 above for recommended modifications.</p> <p>5. Noted. See Submitter 18, Comment 4 above. For clarity, the Brand Road landfill site is fenced and not open for public access and the future primary school site is privately owned property.</p> <p>6. The location of the primary school is established in the current LSP. The City is aware of the Passive Venting System (PVS) and had received advice through the Mandatory Auditor Review that the PSV may be ineffective. The Passive Venting system (PVS) on-site is a third-party asset managed by EDL Energy (EDL) under a lease and licence arrangement which is also connected to the Pioneer Park Site. The City is currently in negotiations with EDL regarding the termination of the lease and handover of a working PVS. The City is also committed to ongoing statutory investigations as required by DWER which includes further landfill gas investigations.</p>
19. Department of Biodiversity Conservation and Attractions	<p><b>Support (with Comments/Recommendations)</b></p> <p>1. I refer to your letter of 22 October 2021 requesting comments on the proposed amendments to the High Wycombe South Residential Local Structure Plan (LSP). The Department of Biodiversity, Conservation and Attractions' (DBCA) Parks and Wildlife Service provided comment regarding the previous version of the now approved LSP (Forrestfield North Residential Precinct Local Structure Plan) in correspondence dated 4 July 2018. A copy of this</p>	<p>1. Noted.</p>

<p>advice is attached as previous response remains relevant to the current assessment of the proposed amendments. DBCA have reviewed the referred information and provide specific comment in relation to the proposed modifications to the LSP below.</p> <p>2. Threatened Flora and Ecological Communities. The implementation of the draft LSP proposes both potential impacts and retention of occurrences and habitat of threatened flora and fauna species (wavy-leaved smokebush, <i>Conospermum undulatum</i> and black cockatoos) listed as threatened under the Biodiversity Conservation Act 2016 (BC Act), occurrences of a threatened ecological community (TEC) that is listed under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and under the BC Act, as well as habitat for quenda and other native fauna and flora.</p> <p>3. DBCA has previously advised that support for any future requests for Ministerial authorisation under the BC Act, to take or disturb State listed threatened and priority listed flora and fauna and TECs within the precinct, would be dependent on the achievement of strategic biodiversity outcomes including the retention, protection and management of Environmental Conservation (EC) and local open space (LOS) areas containing those values. DBCA considers that the benefit provided by the establishment and management of the conservation open space could provide mitigation for a major proportion of the loss caused by the clearing of values within the LSP area. It is noted that the amended LSP includes the identification of statutory mechanisms to achieve the proposed protection of EC and LOS areas. Ceding of LOS areas, identification of an appropriate land manager and implementation of required management plans should be facilitated through conditions of future subdivisions, to ensure delivery of the overall strategic biodiversity conservation outcomes.</p> <p>4. While the above advice reflects DBCA's likely assessment approach under the BC Act, the consideration of impacts under the Commonwealth EPBC Act may differ. The City should undertake consultation with the Commonwealth Department of Agriculture, Water and Environment regarding assessment and mitigation of impacts to listed threatened wavy-leaved smokebush, black cockatoos and all other Matters of National Environmental Significance under the EPBC Act.</p> <p>5. Proposed Environmental Conservation reserves and Local Open Space - It is noted that the revised 'Forrestfield North Residential Precinct Environmental Assessment and Management Strategy' (Strategen JBS&amp;G, 2021) (EAMS) refers to the agreed mechanism for acquisition of identified Environmental Conservation (EC) areas within the precinct. It is acknowledged that these areas, following appropriate reservation in the Metropolitan Region Scheme, will be progressively acquired and managed by the Western Australian Planning Commission (WAPC) until transferred to an appropriate end land manager (section 3.7.2, page 52). The MRS reservation and State government acquisition of these areas will ensure they are appropriately retained and protected to achieve the previously agreed environmental outcomes.</p> <p>6. DBCA notes that the mechanism to acquire LOS areas will be through the Development Contribution Plan prepared for the precinct (section 3.7.3, page 52). The previous LSP approval required the preparation of a Strategic Conservation Management Plan (SCMP), by the Department of Planning Lands and Heritage and the City of Kalamunda. A draft version of the SCMP was referred for comment to DBCA in 2020 however DBCA is not aware if this has now been finalised. The SCMP, in conjunction with the proposed management agreement between the City of Kalamunda and the WAPC, will provide a framework to ensure management and protection of the areas within the precinct containing the highest conservation values.</p> <p>7. It is DBCA expectation that populations of threatened flora and occurrences of State and Commonwealth listed TECs, which occur in areas of local open space (LOS), will be retained</p>	<p>2. Section 1.3 (Table 1) and Section 1.4 (Table 2) of the Environmental Assessment and Management Strategy (EAMS) identify the Declared Rare Flora (DRF) and Threatened Ecological Communities (TEC) listing and application of Federal and State legislation.</p> <p>3. Section 1.4 Table 2 EAMS identified the Wildlife Conservation Act 1950 (WA) (and gazetted Biodiversity Conservation Act 2016) and the Conservation and protection of wildlife (flora and fauna). Special provisions and schedules apply to the protection and management of gazetted rare flora and fauna. When development applications are received and assessed, the City can note the requirement for permits in accordance with the Biodiversity Conservation Regulations 2018 within approvals. A Strategic Conservation Management Plan has been prepared to support the adopted LSP, with subsequent development needing to ensure compliance with the SCMP.</p> <p>4. Noted.</p> <p>5. Noted. As discussed in Section 3.7 of the EAMS the proposed EC areas are currently within multiple private ownerships, the acquisition and management of the ECs will ensure the long-term retention and security of the key environmental matters (particularly the Waxy-leaved Smokebush) within the Residential Precinct.</p> <p>6. The SCMP (prepared by Emerge) was adopted in July 2020 by the WAPC as Appendix 5 of the LSP Volume 1 report. A copy of the SCMP has been provided separately to DBCA. The EAMS objectives intend to describe the environmental and heritage values within the precinct and surroundings based on existing information; and identify potential opportunities to secure, protect and manage the significant environmental values on site and present management requirements. To ensure that an integrated approach is developed for the precinct area the EAMS has been prepared in parallel with the Local Water Management Strategy (LWMS) and Bush Fire Management Plan (BMP), both prepared by Strategen-JBS&amp;G.</p> <p>7. Noted.</p>
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and managed in association with those populations and occurrences which occur within EC areas. DBCA is aware that the “management agreement” developed by DPLH and the City requires the preparation of further detailed management plans to address the management and enhancement of EC and LOS areas. Future management planning should ensure that there is a consistent management approach across both these areas for vegetation containing high conservation value. Revegetation proposed in both of these areas should protect, support and improve the environmental values retained and create a functional vegetated linkage from Poison Gully Creek to the Sultana Road Bushland.

8. Bushfire Management - It is noted that a revised ‘Forrestfield North Residential Precinct Local Structure Plan – Bushfire Management Plan’ (Strategen JBS&G, 2021) (BMP) has been prepared to support the proposed LSP amendments. It is acknowledged that the majority of the LOS areas displayed in the post-development scenario (Figure 4, page 12), are classified as ‘Class B – Woodland’ representing an ‘Extreme’ bushfire hazard level. This classification recognises that these areas, if not already containing remnant vegetation may be revegetated in the future.

9. It is noted however that an EC area, identified as EC 11 is proposed to be ‘modified to a low threat state’ similar to the surrounding residential area. As the EC area contains high conservation values, including threatened flora, and is proposed for retention, the BMP should be amended to accurately reflect the BAL classification of ‘Class B- Woodland’ in Figure 4 (page 12) and ‘Extreme’ hazard level in Figure 6 (page15). Any other references in the LSP and supporting documentation to modifying the vegetation in EC 11 should also be removed. As previously advised, there should be no indication that any significant fuel reduction measures or modification of permissible rehabilitation species within the proposed open space are necessary to meet the Building and Hazard Separation Zones required.

10. Previous Submission (2018) attached to current submission - I refer to your letter of 8 May 2018 requesting comments on the proposed Forrestfield North Residential Local Structure Plan (LSP). The Department of Biodiversity, Conservation and Attractions’ (DBCA) Parks and Wildlife Service including Rivers and Estuaries Branch have reviewed the referred information and provide the following advice. DBCA has recently been represented on the City of Kalamunda’s State Agency Technical Advisory Group for the North Forrestfield District Structure Plan. This involvement included discussions and provision of feedback, in conjunction with the Environmental Planning Branch of Department of Water and Environmental Regulation (DWER), to the City in relation to the draft concept and design of the current LSP. As a result of this consultation, both DWER and DBCA recently provided indicative support for the North Forrestfield concept plan which appears to be consistent with the current draft LSP design.

Threatened Flora and Ecological Communities - On review of the Forrestfield North Level 2 Flora and Fauna Survey (2017) provided with the referral, it was determined that appropriate methods were applied by AECOM for the conduction of the flora and vegetation survey. It was also considered that the subsequent statistical analysis and interpretation of collected data was in accordance with DBCA’s recommendations. Findings from the survey report, which were supported by DBCA, concluded that a majority of the remnant vegetation within the survey area aligns with the threatened ecological community (TEC) FCT20a (Banksia attenuata woodlands over species rich dense shrublands). FCT 20a is often associated with the presence of the threatened flora species *Conospermum undulatum*, which was also recorded extensively throughout the LSP area.

8. Noted.

9. Environmental Conservation Area 11, located adjacent to the proposed TOD Connector, will be protected for the purpose of conservation pursuant to the *Environmental Protection Act 1986*, with clearing exemptions under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* not applicable. The Bushfire Management Plan has simply excluded this area as a bushfire hazard using the AS3959 exclusion clause 2.2.3.2 (b) which is “single areas of vegetation less than 1 ha in area and not within 100 m of other areas being classified vegetation”.

10. Noted. Responses to the following comments are addressed in Attachment 8.1.2.6 of the Special Council Meeting held 3 December 2018.

It should be noted that the environmental values listed above are protected under both State and Federal legislation. The threatened flora species *C.undulatum* is protected under the Western Australian Wildlife Conservation Act 1950 and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The TEC SCP 20a is protected under the Environmental Protection Act 1986 and also under the EPBC Act as it forms part of the Federally listed Banksia woodlands of the Swan Coastal Plain TEC.

The scale and widespread nature of the environmental values identified throughout the LSP area were considered in detail in the planning for the site. It is recognised that due to the number of isolated small vegetated remnants found throughout the existing rural residential landscape, retention and protection of all significant values would not be possible. The negotiated LSP design outcome, based on the previous consultation with relevant agencies, was considered the best planning and environmental outcome.

For those properties which contain known occurrences of *C. undulatum* that are proposed to be impacted, proponents should be aware that irrelevant of previous support from relevant environmental agencies any proposals to clear or 'take' threatened flora will also require permission from the State Environmental Minister via a 'permit to take' in accordance with the Wildlife Conservation Act 1950.

Proposed Environmental Conservation reserves - It is noted that the identification of a 30 hectare central open space corridor within the LSP area is the primary method proposed to ensure the future retention and protection of a majority of the environmental values on site and it is understood that this open space corridor will comprise of both active and passive local open space with the focus on minimising impacts and improving connectivity. DBCA notes that the primary mechanism identified by the City to implement the proposed environmental conservation areas is through State government acquisition as regional open space. This is a not a standard approach to protecting local open space areas and the City would need to liaise with the Western Australian Planning Commission to determine the suitability of this option. The City may need to investigate alternate mechanisms to reserve and protect these areas within the development. DBCA recommends that the open space corridor be managed as one reserve with multiple management purposes identified within including public recreation and conservation.

The Environmental Assessment and Management Strategy (EAMS) document states that the development of a Strategic Conservation Management Plan (SCMP) is proposed at the individual subdivision stages of the development. DBCA considers that the protection and treatment of the identified open space areas needs to occur as part of the current LSP not post approval. The SCMP should provide assurance, as part of the structure plan process, that the values within the Environmental Conservation and other open space areas will be retained, protected and enhanced while allowing for restricted active and passive recreational facilities. In the absence of this SCMP at the LSP stage, resolution of any identified issues would be deferred to the subdivision planning stage, which is an unsatisfactory situation for the protection of the threatened flora, threatened ecological community and other biodiversity values of the area and not supported by DBCA. Given the significant environmental values within the retained open space areas it is recommended that advice should be sought from DBCA during the preparation of the proposed SCMP.

Bushfire Management - The Bushfire Management Plan prepared as part of the LSP lacks identified Asset Protection Zone setbacks from the vegetated open space areas to the residential development. It is difficult to fully assess how these proposed setbacks will impact the Environmental Conservation areas and proposed revegetation of linkages within open space. In the absence of a detailed Bushfire Management Plan, SCMP and associated revegetation strategy, DBCA is concerned mitigation of bushfire risks may result in adverse environmental impacts. DBCA does support the classification of a majority of the public open space areas displayed in the Concept Landscape Plan, as "Extreme" bushfire hazard level, which recognises that these areas, if not already containing remnant vegetation may be revegetated in the future. DBCA also supports the provision of a hard road edge to a majority of open space/ residential interfaces. There should be no indication that any significant fuel reduction measures or modification of permissible rehabilitation species within the proposed open space are necessary to meet the Building and Hazard Separation Zones required.

Local Water Management Strategy and Foreshore Impacts - On review of the Local Water Management Strategy (LWMS) the Rivers and Estuaries Branch of DBCA provide the following comments predominately related to the impacts of the development on the Poison Gully Creekline, which bounds the development area and eventually flows into the Swan River. It should be noted that DBCA was not given the opportunity to review or comment on the District Water Management Strategy (DWMS) prepared for this site. DBCA requests that the LSP map should include the location of all stormwater management structures within the development including the location of proposed basins within open space areas and any proposed or existing stormwater outlets into Poison Gully Creek. The River and Estuaries Branch recommends the outlets are located away from the edge of the foreshore buffer with any treated stormwater allowed to flow across vegetated pathways to the creek. The conceptual details of the stormwater infrastructure should be included in the documents, consistent with guidelines for preparing an LWMS. In addition, the stormwater plan (figure 11) is considered unclear and difficult to interpret. A clearer plan should be included in the report, along with a map showing the proposed stormwater management infrastructure in relation to the 100 year floodway, wetland areas (including buffers), Bush Forever sites and the foreshore reserve. There are also identified inconsistencies between the landscape plan and stormwater plan with respect to the location of roadside swales, which should be rectified.

While it appears that both the LSP and LWMS are not proposing subsoil drainage as groundwater is located well below ground level across most of the area, section 3.5.3 of the LWMS mentions the installation of subsoil drains. The LWMS should acknowledge that the water discharging from the subsoil drains will be treated prior to discharge to the receiving environment and space set aside for this purpose or alternatively should specifically state that subsoils are not required in Forrestfield North. It is noted that the District Structure Plan and DWMS set the initial parameters for the foreshore reserve widths along Poison Gully Creek, which were subsequently increased in the proposed LSP and LWMS. It appears however that portions of the allocated foreshore reserve remain less than 10 metres wide (from the top of the embankment). DBCA requests that the minimum width of the foreshore reserve be 30 metres, consistent with the Western Australian Planning Commission's public open space guidelines.

The River and Estuaries Branch also has concerns regarding the below ground storage tanks and basins for the 1 in 5 and 1 in 100 ARI events. The conceptual shape of the basins in the

	<p>stormwater plan show a steep-sided square design and it is unclear how the storage tanks are incorporated into the design. Further information related to the proposed design, size and form, of the basins and storage tanks, and confirmation of their proposed locations are needed. On review of the LWMS it is considered that the infrastructure may have a negative impact on the visual amenity of the area, particularly if located adjacent to the foreshore area.</p> <p>It is noted that Lot 10208 on Plan 13419 (Crown Reserve 37323), which is adjacent to the Metropolitan Region Scheme (MRS) reserve along Poison Gully Creek, is included in the Local Scheme Reserves as Local Open Space but not in the Metropolitan Region Scheme (MRS) as Parks and Recreation reserve. It is also not included in the LSP boundaries. It is recommended that if amendments to the MRS are proposed to include additional land identified in the LSP as foreshore reserve, this lot be included within the Parks and Recreation reserve to formalise its current use.</p> <p>Matters of National Environmental Significance - Due to the identification of areas of vegetation on site which align with the Commonwealth listed threatened ecological community 'Banksia Woodlands of the Swan Coastal Plain', presence of the threatened flora species <i>C. undulatum</i> and, the presence of identified foraging and potential breeding habitat for Carnaby's Black Cockatoo (<i>Calyptorhynchus latirostris</i>), Forest Red-tailed Black Cockatoo (<i>Calyptorhynchus banksii naso</i>) and Baudin's cockatoo (<i>Calyptorhynchus baudinii</i>), there is a recognised impact to threatened species and communities listed under State and Federal legislation. Consideration should therefore be given to the obligations for assessment of the proposal in accordance with the Wildlife Conservation Act 1950 and the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act). Please be aware that the proponent(s) will have notification responsibilities under the EPBC Act and should contact the Commonwealth Department of Environment and Energy for further information on these responsibilities, prior to further planning stages.</p> <p>It is recommended that, as per the planning for the North Forrestfield area, any referral of this development in accordance with the EPBC Act should be strategic and not on an individual landowner basis. Thank you for the opportunity to comment on this proposed structure plan.</p>	
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