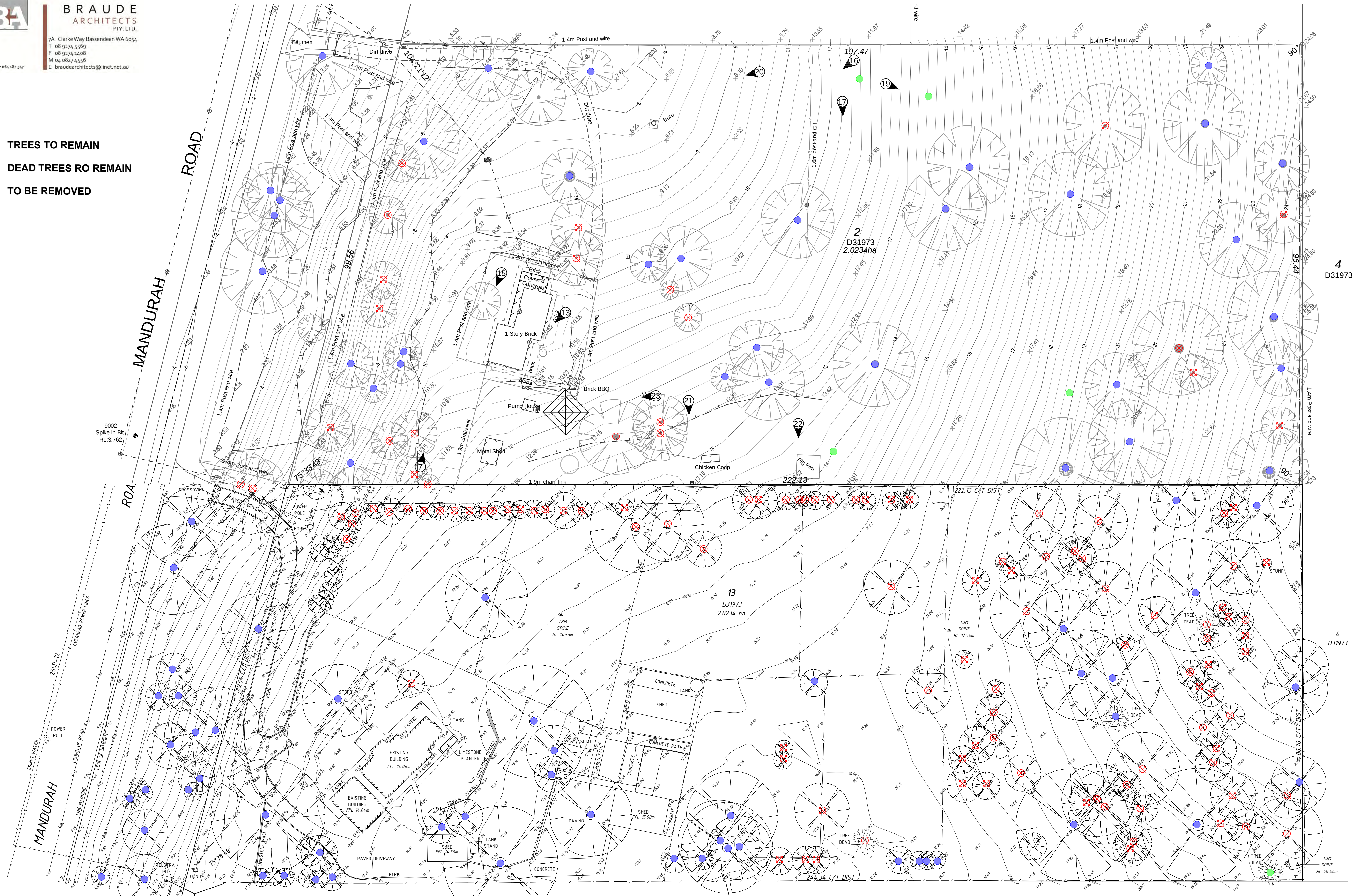


- TREES TO REMAIN
- DEAD TREES RO REMAIN
- ⊗ TO BE REMOVED



**SUNSET RETREAT**

**VERSION 6**



**BRAUDE**  
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**PROPOSED DEVELOPMENT**  
At Lots 13 & 2 Mandurah Rd BALDIVIS  
For MIRAUDO CONSTRUCTION

| SURVEY PLAN |            |         |                |
|-------------|------------|---------|----------------|
| TITLE       | 1:500      | WORK    | 17-110         |
| SCALE       | 16.03.2018 | FILE    | RET_022_zh.pln |
| DATE        | 17-110     | PLOT    | 19.10.2018     |
| AUTHOR      | eb         | DRAWING | SK 9           |
| REV         | zh         | REV     |                |

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VIEW FROM SOUTH-WEST



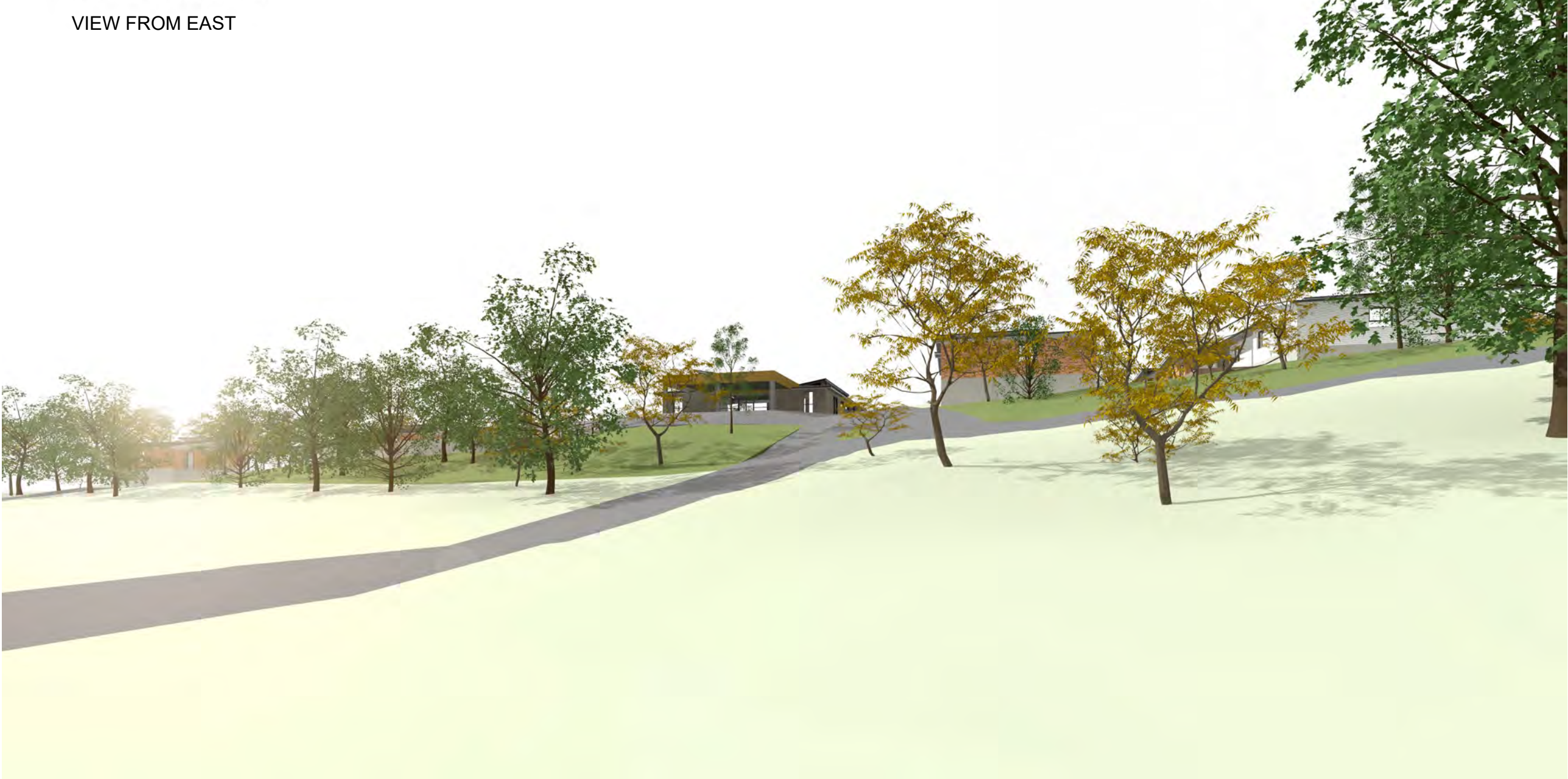
VIEW FROM SOUTH-EAST



VIEW FROM NORTH-WEST



VIEW FROM EAST



VIEW FROM WEST

SUNSET RETREAT

VERSION 6



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**PROPOSED DEVELOPMENT**  
At Lots 13 & 2 Mandurah Rd BALDIVIS  
For MIRAUDO CONSTRUCTION

| PERSPECTIVES |            |          |                |
|--------------|------------|----------|----------------|
| SCALE        | 17-110     | WORK     | 11.12.2018     |
| DATE         | 16.03.2018 | FILE     | RET_022_zh.pln |
| AUTHOR       | eb         | DRAWINGS | SK 8           |
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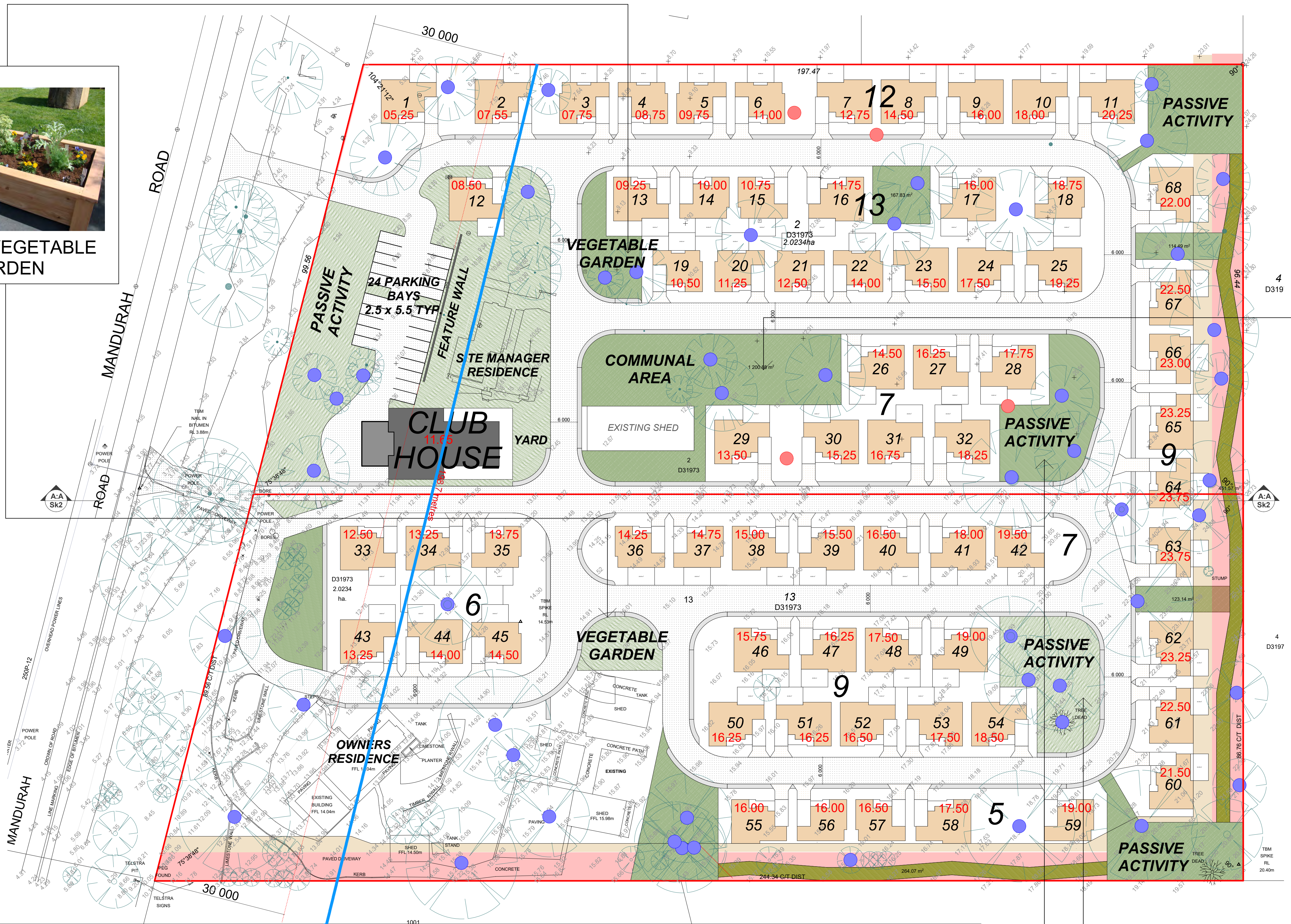
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NOTE:  
REMOVE UNDERGROWTH TO  
VERGE PLANT GROUND COVERS  
& RETICULATE



RAISED VEGETABLE  
GARDEN



COMMUNAL AREA



SHADE PERGOLA & BBQ



OUTDOOR GYM

PASSIVE ACTIVITY



LOG SEATS



LOG SEATS



WATER FEATURE



SCULPTURE

SUNSET RETREAT



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PROPOSED DEVELOPMENT  
At Lots 13 & 2 Mandurah Rd BALDIVIS  
For MIRAUDO CONSTRUCTION

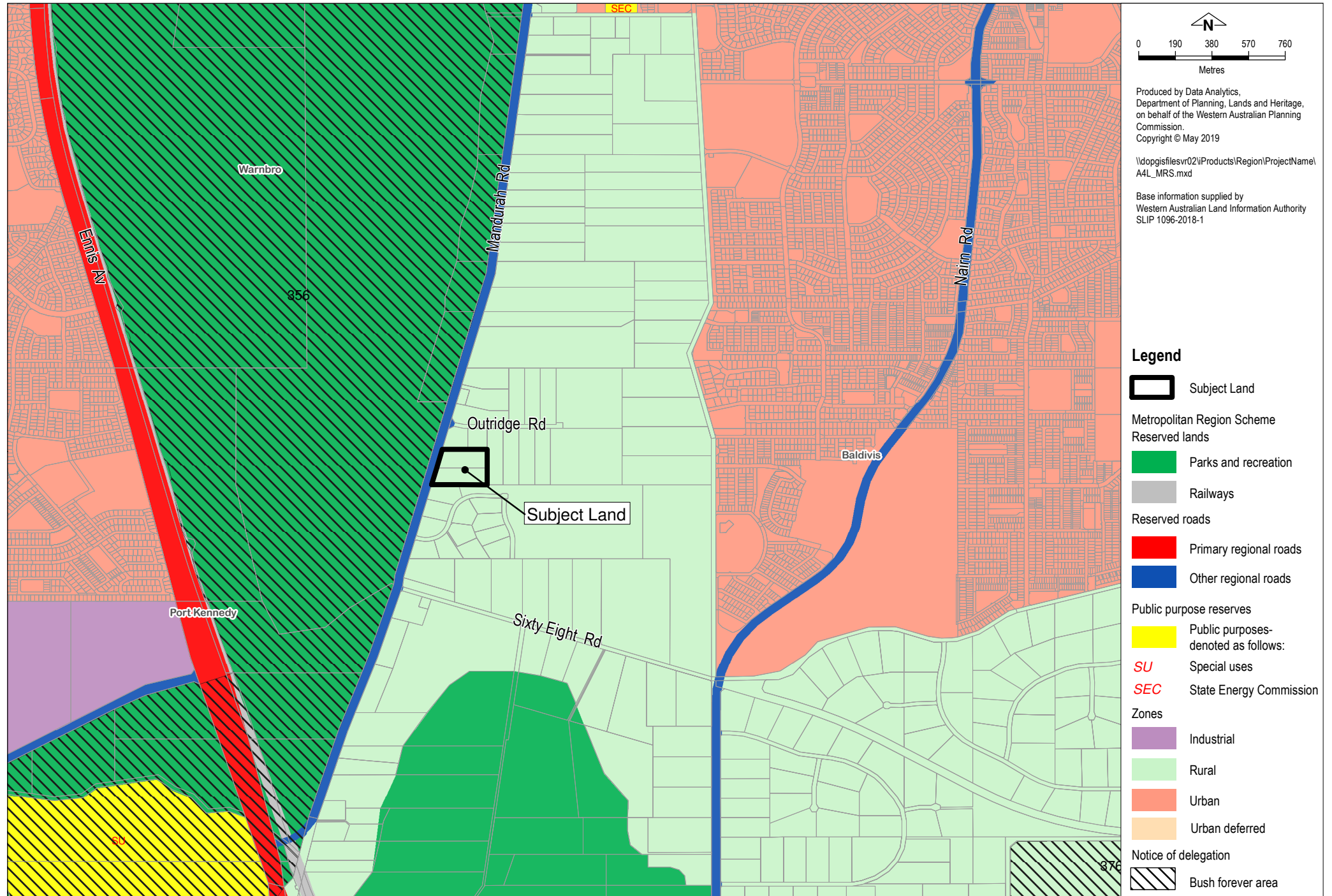
REV | A | SHOWN FINISHED FLOOR LEVELS | 06.11.2018

VERSION 6

| SITE PLAN       |            |         |                |
|-----------------|------------|---------|----------------|
| SCALE           | 1:500      | WORK    | 17-110         |
| DATE            | 16.03.2018 | FILE    | RET_022_zh.pln |
| AUTHOR          | eb         | DRAWING | SK 1           |
| DRAWN           | zh         | REV     | A              |
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## Proposed Lifestyle Village - Lot 2 & 13 Mandurah Rd, Baldivis





URBANISTA  
TOWN PLANNING

AERIAL MAP

0 30 60 120 180 240 300 m

1:3,000 @ A4

1447 & 1457 MANDURAH ROAD  
BALDIVIS

Coordinate System: GCS WGS 1984  
Datum: WGS 1984 Units: Degree









| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| 1.                             | <p>I strongly object to this being built. I would like to know why another is proposed what are the statistics supporting the need for more housing here whether lifestyle or other? What are the statistics for people wanting to come and live in Baldivis?</p> <p>The area is already well over developed. There are already 3 lifestyle villages with empty properties on them.</p> <p>There are not people lining up to come to Baldivis, and there are loads of properties up for sale or rent generally. You can't even leave the area because house prices have dropped so much in the last 6 years which is at least in part due to the over expansion of the area and number of vacant properties</p> <p>Baldivis has become a sea of rooves and lost so much of it's natural bushland, this has to stop. We have issues with crimes and hoon driving, expanding the area further only makes the situation worse. We only have one smaller hospital locally which hasn't changed in size despite Baldivis's population having expanded by 50% between 2011 and 2016 according to sources. Baldivis has more properties for sale and rent than either Mandurah or Cottesloe (reference Reiwa and Domain.</p> <p>On top of this the shopping centre is poor, the rents are too high and as a result there are only the same old rubbish stores, there are few independent stores or quality stores. I go to Mandurah Forum for decent big stores and use as many smaller independents (2 of which are located in Mandurah) as I can.</p> <p>There are no big cinemas just Ace and United neither of which have anything like Event or Hoyts cinemas. Both of these of course being in Rockingham, plus there is no swimming pool, yet Baldivis is set to become bigger than Rockingham.</p> <p>I would rather there was no further development in Baldivis in terms of property or retail. Improve what is already in Baldivis in terms of retail and don't build any more properties.</p> |
| 2.                             | <p>Transport &amp; Footpath infrastructure should be suggested. A bus stop will aid this community to and from the Warnbro train station and access to Baldivis Shopping centre, including our location. I also suggest a footpath from Stringybark way to the Vernon Arms area, would encourage all residents to walk or bike ride. This (mandurah rd) is very busy and will encourage fitness of all neighbours including the lifestyle village.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 3.                             | <p>We refer to the Urbanista Town Planning document where the construction company argues that this proposal is a tourist or caravan park. As the planning company points out further in the document this is an "aged community lifestyle" village which implies that unlike caravan parks with facilities for long term residential use, the use of these units will be predominantly for aged residents. Making this a lifestyle village or retirement community not a caravan park.</p> <p>We also note there is going to be a commercial precinct located within the lifestyle village with two story buildings which is inconsistent with the rural setting in which it is proposed to be located. According to the caravan Parks and Camping Grounds Regulations 1997 (W.A.) permitted buildings in caravan parks, including a manager's house, shop, restaurant and ablution facilities. Many of the commercial tenancies fall outside the scope of shop and restaurant.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



| PUBLIC SCHEDULE OF SUBMISSIONS |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| No.3 – cont...                 |         | <p>Urbanista Town Planning document page 10 setbacks. We object to the company reducing the City of Rockingham Local Planning Policy 3.1.1 Rural Land Strategy stipulations for setbacks. Reducing setbacks to lot boundaries from 10m to 3.4m will significantly impact adjoining properties and the rural landscape. We disagree that "the lesser setback is not anticipated to result in a perception of adverse building bulk when viewed from the adjoining properties". Given the units will be in very close proximity to each other the adverse building bulk will be visible from adjoining properties.</p> <p>We also disagree with the companies assessment that "the lesser setback does not result in any new merit-based decision relating to visual privacy or visual intrusion", having a green space and retaining trees would provide greater visual privacy and make the development more compatible with the surrounding environment.</p> <p>As per planning bulletin 49: Caravan Parks as pointed out by the planning company "The policy also acknowledges that development of caravan parks must take into consideration site or locational selection matters including mix of tourist and permanent accommodation, visual impact and amenity, topography, drainage, soils and vegetation, utility services, pedestrian and vehicular access and environment, setting and land capability" reducing the setbacks would be detrimental to the visual impact, environment and setting.</p> <p>We also note that other lifestyle villages in the area have been able to comply with the City of Rockingham Local Planning Policy 3.1.1 Rural Land Strategy in regards to setbacks and do not see a reason for this application to be any different.</p> <p>Referring to page 13 Planning Bulletin 49: Caravan Parks which stipulates that 'caravan parks which are principally designed for permanent residents should be assessed in the same way as conventional residential development. They should be located in areas with access to employment, shops, schools, public transport, and community and recreation facilities.' And the companies own words "a bus route linking with essential commercial, social and community services is considered essential to the site if beyond walking distances to these facilities" there is no bus route linking this site to commercial precincts and none of the listed shopping precincts listed in the plan are within close proximity or walking distance.</p> <p>Page 14 Planning Bulletin 83: Planning for Tourism The company states that "The Local Planning Strategy detailed in section 5.2 above, clearly outlines the importance of the park through identifying it as a major tourist node", as this development is not designed for tourists but long term aged residents it can hardly be considered important as a major tourist node.</p> <p>On page 16 the plan points out this is for short stay accommodation and then goes on to say this is providing alternative accommodation in a lifestyle village setting. The planning seems to be unsure if this is indeed a caravan park or a long term aged residential facility and this creates uncertainty as to what type of facility is being built.</p> |



| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| No.3 – cont...                 | <p>As there is only two access points to the property located 100m apart it would be considered a hazard for bushfire purposes, if the fire comes from the entry the aged residents would have no escape route.</p> <p>As the planner has pointed out throughout their planning document this facility is intended as long term residential living for aged people. Nowhere in the planning report does the impact of an influx of aged residents (potentially 136 residents) on the local services and community. The increase in need for doctors, ambulance call outs, hospital visits and other associated health services could potentially impact the wider community in longer wait times and less availability of services.</p> <p>The increased traffic on Mandurah road will become a hazard. The roundabout on Mandurah Road and Safety Bay Road is already a significantly busy intersection and as all services and residents will need to use this roundabout to access either Baldivis or Rockingham precincts the potential for accidents and decreased traffic fluidity through this intersection creates a hazard.</p> <p>The environmental impact of this development is significant, removing rural areas and increasing traffic next to the Rockingham Lakes reserve thereby impinging on native fauna and flora.</p> <p>The increased burden on ground water supplies as the facility uses this valuable resource to water their communal and passive activity areas could prove detrimental to existing properties that depend on this resource for their portable water and detrimental to the environment and water table in general.</p> <p>As there are several other lifestyle villages already in the vicinity there is no need for another business of this sort within the community.</p> |
| 4.                             | <p>Please find attached a group "submission response" from all residents of Outridge Rd, Baldivis in response to your letter dated the 23rd January, 2019, regarding the proposed Lifestyle Village on lots 2 and 13 Mandurah Rd, Baldivis.</p> <p>Please note that the residents at 17 Outridge Rd (Catheryn and Kevin Johnstone) have signed the submission but did not have the green response form available for attachment to this submission.</p> <p>I have also attached a document that was written in 2007 by the Department of Environmental Protection regarding the significance of the Outridge Wetlands which highlights our concerns of high density living and non-conforming use of this area in Baldivis.</p> <p>I thank you in advance for your efforts in reviewing our submissions and look forward to an outcome favourable to the local community.</p> <p><b><u>Petition Letter</u></b></p> <p>The proposal is of course well written by consultants "Urbanista Town Planning" and covers all the usual requirements, eg environmental and bushfire assessments etc.</p> <p style="text-align: right;">cont...</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| PUBLIC SCHEDULE OF SUBMISSIONS |         |
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| No.4 – cont... | <p>When addressing the Metropolitan Regional Scheme, the State Planning Policy 2.5 and the City of Rockingham Town Planning Scheme No2, we would have to say the planning consultants have drawn a very “long bow” in their assessment of what these schemes mean and the original intent.</p> <p>Without going completely into all the original intent of these schemes, it basically calls for the land that is being considered to be promoted for rural land use, eg primary production, environmental protection and cultural pursuits. This is also the objectives of your Town Planning Scheme No.2. We struggle to see that the proposed village and commercial outlets fall anywhere near these original intents.</p> <p>The consultants lean very heavily into what constitutes a caravan park as this appears as the only use that could creep into the existing schemes and even that is stretching the imagination. We cannot see anything in the zoning of the existing schemes that would allow this proposal to go ahead.</p> <p>The proposal also is asking for a relaxation of setbacks from all boundaries from what is now allowed and that again will not comply with the original intent. Two accesses to Mandurah Rd are proposed in close proximity to each other and we know a traffic management assessment has been done but of course these are always proposed in the client's favour and really mean nothing. Additional commercial crossovers onto Mandurah Rd will only cause traffic problems.</p> <p>We are all long term residents of the Baldivis area and have watched all the developments happen in the area and we have no issues at all with these, but one of us had a meeting with council about 3 years ago and the "Baldivis Wedge" was explained as follows: the wedge is the land between Fifty Rd, Mandurah Rd, Eighty Rd and 68 Rd and this wedge of land is always to be left for rural use. Subdivision could be made of the land according to its location. I may be incorrect about the land use sizes, but we were told at the time that, in essence, that referred to larger blocks, about 5 - 7000 m2 on the west side of the ridge on Mandurah Rd and coming down the east side. Further down the east side blocks could come down to about 3000 m2 subject to the proximity of wet lands and other factors.</p> <p>These blocks were to be a single dwelling block with all the usual setbacks, building envelopes and other considerations. If this Village goes ahead you will basically be allowing 68 single dwellings to be established on an area of 4.04 hectares, which is definitely outside the original intent of the schemes. Area setbacks will be totally compromised and the rural feeling of the Baldivis Wedge will be lost forever. We know this development doesn't impact on some of us directly and impacts on some directly, but we want this little piece of rural land to remain an oasis in a very large suburban area, a place where people can invest in a lifestyle that allows for the intent of the original schemes to be met.</p> |
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| No.4 – cont...                        | <p>People use the term "the thin edge of the wedge" quite freely, but as we all know if this proposal is allowed, it breaks down the barrier a little bit and the next developer then uses the precedent as a lever to get the next non-conforming development through and before to long it gets completely out of council's control as developers are more than willing to take council to task in the courts and if precedents have been set, there is basically no going back.</p> <p>We do question why any developer would buy land in the first place that is not zoned correctly for what they have in mind and then want to take council to task to get approvals that are non-conforming and outside any original intent for that land. We believe this is just an arrogant approach to development when developers believe they can work outside what would be considered normal practice.</p> <p>On another note and I know this has no impact on the development but we think we need to consider the social impact of this development. The proposal is for the location alongside an existing tavern and for four commercial outlets on this property, one being for fast food and really do we want fast food in a rural environment? There are more than enough issues with alcohol and fast food in the Australian community and do we really want to be part of increasing the problems that these bring?</p> <p><b>SUMMARY</b></p> <p>In summary, we would just like to make the following points</p> <ol style="list-style-type: none"> <li>1) The land in question under the Metropolitan Regional Scheme 2.5 and the Rockingham Town Planning Scheme No.2 was to be retained for rural use. This proposal is well outside of the original intent, is non-conforming and will only dilute the surrounding area of its uniqueness.</li> <li>2) The consultant's views that the land may be used as a caravan park and by default would include a retirement village is pretty fanciful even to a person with non-planning experience.</li> <li>3) The current intent of the existing scheme would be lost with 68 dwellings, commercial outlets and multiple access to Mandurah Rd on this 4.04 HA piece of land.</li> <li>4) The Baldivis Wedge land was always to be used as single dwelling properties only, with all the usual setbacks, building envelopes and land sizes to meet the environmental considerations of the White Lakes and the Outridge Wetlands. From our understanding a lot of environmental assessment and other factors went into the original decisions of the future of the Baldivis Wedge which would now be lost.</li> <li>5) The thin edge of the wedge will be inserted into the Baldivis Wedge land if this proposal goes ahead. A precedent will be made allowing other non-conforming developments to be proposed and then approved on the basis that other non-conforming approvals been already been given and that would completely ruin the rural aspect for which the Baldivis Wedge was designed.</li> <li>6) Why would any council consider this when the proposal falls so far out of line with all the original intents of existing schemes and would truly ruin such a unique section of the Rockingham area?</li> </ol> |
| <b>PUBLIC SCHEDULE OF SUBMISSIONS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| No.4 – cont...                        | 7) The Baldivis Wedge is a very unique part of Rockingham that should always allow people to have a rural setting in a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



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|    | <p>very fast growing, suburban area of the southern corridor. In years to come, people should be able to stand back and say that council had the foresight to see the true potential of this area with the Outridge Wetlands, The Children's Forest and The White Lakes making up an environmentally sustainable area that can be enjoyed by all without all the commercial development that will inevitably follow if this is approved.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 5. | <p>No issue with the submission, however this development further supports our request to have foot paths/cycle paths &amp; bus routes along Mandurah Rd. Walking along Mandurah Rd at present is very dangerous and the population with all the development occurring supports this investment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 6. | <p>What a fantastic proposal. More than just a handful of people would have access to this beautiful area. Many more young families should have the prospect of investing &amp; living on a reasonably sized block. More sub-division of this under utilized area is required with other infrastructure, shopping, transport, freeway etc., it's time to take advantage of all of this without adding to more urban sprawl. In another relevant subject, I find it hard to believe that properties in our area still have no access to scheme water or deep sewer. As some of these services are already very close, what about looking after all rate payers and supply the services we need.</p> <p>Another major problem with these large rural(?) properties, is the real risk of fire. The dense fuel loads in these areas is of great concern to local residents. Once again, to reduce this ever present fire risk, please consider some necessary development. Come on Rockingham Shire, share the area!</p> |
| 7. | <p>By this submission we add to the submission that we signed as part of the Outridge Rd Residents' Submission, namely that we strongly oppose the proposal due to it being unsuitable and that it contravenes the zoning of the Baldivis Rural Wedge.</p> <p>Since the proposed lifestyle village border our property, we are submitting following point:</p> <p>In the seriously unfortunate light of the non-conforming proposal being passed, we require the following to protect the rural amenity of our land and the wildlife in the area:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| No.7 – cont...                 | <ol style="list-style-type: none"> <li>1) A reduction to 34 chalets with a restriction of 12 parking bays.</li> <li>2) An 1800mm high limestone wall to be built along the perimeter of the development in order to maintain the safety and well-being of the family of kangaroos that have lived on our block for years and which move throughout this whole area. The 1800 limestone wall will prevent the kangaroos from entering any village and prevent them from coming to any future harm. We will NOT tolerate any removal of wildlife from the rural Baldivis Wedge. Furthermore, a wall of this description will protect our rural amenity, regarding noise and the visual amenity of our property, as a large part of our western perimeter borders the land in question.</li> <li>3) Retain ALL the tuarts, which are protected in this area.</li> <li>4) The planting of native on the development as habitat for local birds and other wildlife.</li> </ol> |



|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|    | <p>5) Protect all wildlife that lives on these two blocks. There may be bandicoots living there as some have lived on our property for years and roam in our garden, while there is certainly prolific birdlife in the area.</p> <p>In share, as your can see from our requirements and concerns that such a development, in our opinion is at odds with the rural zoning of the area and is non-conforming. We support the Rockingham Council in their opposition to the development and the retaining of the land as rural for the Baldivis Wedge.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 8. | <p>We the residents of 10 Stringybark way Baldivis strongly appose the new proposed 'Lifestyle Village' at lots 2 and 13 on Mandurah Rd in Baldivis for the following reasons.</p> <p><b>Reduction of native fauna and flora.</b> There is a high risk of reducing the amount of Black Cockatoos in the area (Endangered) and other native fauna and flora in the area with the proposed 68 site lifestyle village. Kangaroos will also face uncertainty if the proposed development occurs very similar to the Paramount Estate in Baldivis where 100 western grey kangaroos were set to be 'tranquilised and euthanised' in order for that development to commence.</p> <p><b>Loss of amenity.</b> My property at 10 Stringybark way Baldivis is a north facing block to which iam concerned that I will go from a rural outlook to one that resembles high density suburbia. Its fair to say I would not have bought this 'Special rural' zoned block of land if a proposed 68 Chalet development was approved within 150m of my front gate.</p> <p><b>Environmental concerns.</b> The area in question has 100 year old Tuart trees along with many other native trees that will need to be mostly removed for the 68 chalets to be built. As there is another lifestyle village close by (68 rd) I have witnessed this type of environmental impact to which can only be described a rural bushland converted to concrete jungle. I personally have designed my house and other dwellings with the utmost respect for native trees and council regulations. I personally have planted over 400 native trees, shrubs and plants at great expense to ensure my property stays 'rural'.</p> |

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| No.8 – cont...                 | <p><b>Increase in Noise and Traffic.</b> It is fair to say that if the 68 chalet lifestyle village was approved there would be a substantial increase in vehicle traffic resulting in noise and safety concerns. The question should be asked if our local road infrastructure is equipped to handle this excessive influx of cars, caravans, boats and or trailers.</p>                                                                                                                                                                                                                                                                                                                                                                                                           |
| 9.                             | <p>We, the residents of 8 Stringybark Way strongly oppose the Proposed Lifestyle Village at Lots 2 and 13 Mandurah Road Baldivis for the reasons as outlined below:</p> <ul style="list-style-type: none"> <li>• <b>Environmental Concerns</b> - the proposed addition of 68 chalets will negatively impact on this stretch of natural bushland, which heavily features centuries old tuart and native banksia. The current residents of Stringybark Way have all respected the environment and worked hard at retaining the trees as per the regulations set by the estate and council. Observing fire-safe regulations. Having seen the other local lifestyle villages in the area - the destruction of the environment will be extensive to make way for these small</li> </ul> |



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|  | <p>lots. From the plans provided on the Rockingham Council website, it's evident that over 66% of the trees will be removed. The remaining trees may not be compliant with the 20m clearway boundary as per the bushfire safety regulations.</p> <p>The proposed development will lead to the further destruction of the few remaining trees left within the planning unit 4A.</p> <ul style="list-style-type: none"> <li>• <b>Loss of Amenity</b> - For the information/plans on the Council website, our block has a northerly aspect and we are very concerned that we will go from a natural bushland view to a scene of 'high density suburbia'. Essentially, the proposed development represents a significant increase in the urbanisation of a designated rural area and would definitely result in a material loss of amenity for existing ratepayers. Further, it would be reasonable to suggest that existing residents (like us) would not have bought their large rural blocks, with the knowledge that they would be abutting such a large (and invasive) chalet development.</li> </ul> <p>Aside from existing residents, Lake Walyungup nature reserve, has become a favoured and well know location for music videos, photo shoots, and most recently a feature movie. The location is sought after because of the lack of background suburban "noise". This is achieved by the uniqueness of this stretch of rurally maintained properties and natural bushland, therefore we believe it should be maintained at its current level of development.</p> <p>In a local newspaper the Sound Telegraph, Paul Papalia is quoted as saying "There's been a number of feature movies being shot right across the State and every little bit of awareness of just how different, and in many ways beautiful, Western Australia is, every bit of that going out there to the world helps," he said. He is looking at areas of beauty to attract tourism.</p> <p>City of Rockingham Mayor Barry Sammels said Rockingham was filled with an abundance of environmental assets that gave production crews the opportunity to shoot in an area "rich with wildlife, breathtaking coastline and thrilling eco-adventures".</p> |
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| No.9 – cont... | <p>This area has become an area enjoyed by local residents - many who currently live in small lot houses, with little room for nature which appears to be the 'tiny block' trend of Baldivis. These residents require some much needed nature and space. Hikers and visitors from further afield also utilise the natural environment corridor within the Planning Unit. It is an area of significant importance to the City of Rockingham, State Government and the community and residents from surrounding suburbs should be active in ensuring its preservation.</p> <p>The proposed development will increase the urban footprint to an unnecessary and unsustainable level within Planning unit 4A.</p> <ul style="list-style-type: none"> <li>• <b>Disturbance to the native fauna and flora</b> - There is considerable risk of disturbing remaining and potential black cockatoo roosting sites as well as other native flora and fauna with the proposed additional 68 chalets and accompanying communal clubhouse. For example, we have recently seen the impact on our resident kangaroo population as demonstrated by another large-scale development in another area of Baldivis - which has encroached on rural habitat.</li> </ul> <p>The proposed development will lead to the unnecessary disturbance of natural habitats for native fauna and flora that exists within Planning unit 4A.</p> <ul style="list-style-type: none"> <li>• <b>Increase in traffic (volume, noise and safety concerns)</b> - As a by- product of the 68-lot development, it is reasonable to assume that there will be a significant increase in vehicular traffic volume and accompanying noise. Both of which are key impacts that would need to be addressed by significant investment in the current road network and infrastructure. Regardless, we as existing residents would be impacted negatively, now and into the future, by such a large and permanent influx of village residents, their personal vehicles, and other associated maintenance and service vehicles. Should each resident have one car (with the visitor 24 car-park fully utilised), we can expect an increase of +92 vehicles (plus associated maintenance and service vehicles) per day using a road network that is ill-equipped to address such a load. Consequently, there could be potential safety concerns that may arise as 'unintended impacts' should such a development be approved. The Communal Club house would also pose a noise issue. For example, we understand that the Lifestyle Village on Mandurah Road hosts live concerts, which disturb the quiet nature of the area and will cause unnecessary noise pollution.</li> </ul> <p>The proposed development will lead to significant increase in associated vehicular traffic (For example, if we assume 2 trips per day with 100% visitor car utilisation and full resident occupancy - an increase of 67,160 trips per annum will be added to the current traffic load).</p> <p>It will also increase the level of noise pollution that is unreasonable and inconsistent with the current quiet nature of the environment within the planning unit.</p> |
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| No.9 – cont...                 | <ul style="list-style-type: none"> <li>• <b>Change of Zoning that is inconsistent with the historical and future promise of this land</b> - This stretch of land has always been gazetted as Large Semi Rural properties. In this regard, the majority of homeowners along the Mandurah Road and within our estate have opted to buy into this lifestyle at great expense to enjoy the natural bushland and quiet surrounds.<br/>There has been a concerted effort to retain and build natural wildlife corridors abutting Mandurah Road to create continuity surrounding the Nature Reserve of Lake Walyungup. This forms part of the Rockingham Lakes Regional Parkland - <b>a network of fragile and high value nature reserves</b>.<br/>The efforts to retain these corridors extends beyond the land owners along Mandurah Road and can be evidenced in the removal of homes that once existed along the western stretch of Mandurah Road and in recent years, the mass plantings to bring the area back into the Nature Reserve. The inclusion of more of these Lifestyle villages along this stretch of road is in complete opposition to what has been achieved in reclaiming the reserves. This development may be at the detriment of the adjacent Lake Walyungup, which leads to concern over whether the appropriate environmental impact studies have been carried out?<br/>From a community perspective, some existing residents have come from small suburban blocks and have been sold with the expectation and assurance that the area along Mandurah Road would remain as large semi-rural blocks of 1 ha as per Planning Unit 4 of the Rural Land Strategy. We do not, nor would expect to find ourselves back in a situation of unsustainable 'high density living' in a area of natural beauty.</li> </ul> <div data-bbox="687 1059 1449 1384" style="border: 1px solid black; padding: 5px;"> <p>The proposed development clearly contravenes the special rural/special residential designation to encourage residential developments that enhance the landscape and natural resource attributes of the unit. Such a large 68 unit development would be an 'eyesore' on the area's planning characteristics and would not be keeping in the spirit or intent of Planning Unit 4.<br/>Such a development would signal other potential developments in the unit, which would further degrade the landscape and resource protection areas of the unit</p> </div> <ul style="list-style-type: none"> <li>• <b>Over-development of Baldivis</b> - It is typical of the trend in Baldivis to develop low cost high density housing at the expense of the natural bushland attraction and safety of Baldivis. This has caused significant devaluation of many areas in Baldivis. Over the last several years, land/house values have fallen from a median of ~\$525,000 to ~\$430,000 representing a significant devaluation of properties in the Baldivis area. This is primarily due to an oversupply and a lack of demand for housing in Baldivis and the surrounding area.</li> </ul> <div data-bbox="687 1671 1449 1771" style="border: 1px solid black; padding: 5px;"> <p>The proposed development (and subsequent release of small high-density lots) will further exacerbate the decline in housing values within the Baldivis area.</p> </div> <ul style="list-style-type: none"> <li>• <b>Degradation of Area</b> - Having been a long term resident of Baldivis for 40+ years I have seen the degradation of this suburb where crime has become a real problem.</li> </ul> |
| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| No.9 – cont... | <p>The landscape of Baldvis has been destroyed from what was once a quiet country town to high density overcrowding suburbia.</p> <p>For those residents who love Baldvis but have paid a high price to build in what is some of the last remaining country style blocks along Mandurah Road - to now have the threat of a high density development on our doorstep will lower the value of our investments significantly, ruin the ambiance and rural quality of the area and impact negatively on this beautiful stretch of Baldvis.</p> <p>This begs the question as to why the rules have been 'relaxed' when existing developments within the immediate vicinity have been limited to 1 ha lots? What has changed? It should be noted that:</p> <ul style="list-style-type: none"> <li>i) The original gazettement was in place for a reason, which included a Visual Landscape Evaluation (VLE). This was in place to protect and conserve landscape values and vistas enjoyed by the residents of Rockingham as outlined in Planning Policy No. 3.1.1 of the Rural Land Strategy.</li> <li>ii) It is an objective of the strategy to maintain valued landscapes that contribute to the sense of place of the City of Rockingham. It is vital that major road arteries and traffic corridors such as Mandurah Road retain a rural outlook as this is considered a vital character of the area ie maintain an open landscape character, as a means to giving form and definition to the build up area avoiding urban sprawl and providing accessible countryside close to the city.</li> </ul> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>We contend that the proposed development is not consistent with conserving landscape values. It is a high density low value development which is not suited to this area. <b>The area has significant environmental value with the black cockatoo, kangaroos and other native flora and fauna and sits directly opposite a natural wetland.</b></p> </div> <p><b>We do not think the development proposal is valid or appropriate for this area and raises more questions associated with the unnecessary departure from the status quo planning for the Town Planning Unit 4.</b></p> <ul style="list-style-type: none"> <li>• <b>Unightly:</b> The existing Lifestyle Village on 68 Road, Baldvis is unsightly with a caravan stockyard as one of its roadside features (refer to appendix A - Fig 2), as well as an unsightly privacy screen which the village has utilised as an advertisement banner (Fig 4 &amp; 5). This stretches the full length of the verge and surrounds. Not something neighbouring residents would enjoy as their view. The mix is entirely wrong, and this should not be allowed. It contravenes every consideration of the Rural Land Strategy and should this development be allowed to go ahead will open up the possibility for other similar urbanisation of a rural gazetted stretch of land.</li> <li>• <b>A minimum lot size of 1 ha</b> is recommended in the Rural Land Strategy. West of the ridgeline between Mandurah Road and Eighty Road is to maintain a rural view from Mandurah Road and protect the landscape value of the region.</li> </ul> <p>Interestingly, east of the ridgeline there is a recommendation to keep the minimum lot size of 5,000m<sup>2</sup>.</p> |
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No.9 – cont...

This is to ensure that the range of density will provide a required transition into the high-density housing situation east of Eighty Road.

The Rural Land Strategy is a very thorough document, which clearly defines and explains the reasoning behind the planning and therefore should be referred to and respected by any future development considerations.

As affected residents we:

- Expect to be notified when the upcoming JDAP meeting is so that we can attend. As such please consider this submission as our request to be invited to this meeting; and
- Request a copy of the Responsible Authority Report.
- View the Environmental Impact Study

#### Appendix A

Lifestyle Village, 68 Road, BALDIVIS 6171



Fig 1: Unsightly sea containers for storage



Fig 2: Caravan storage area Roadside

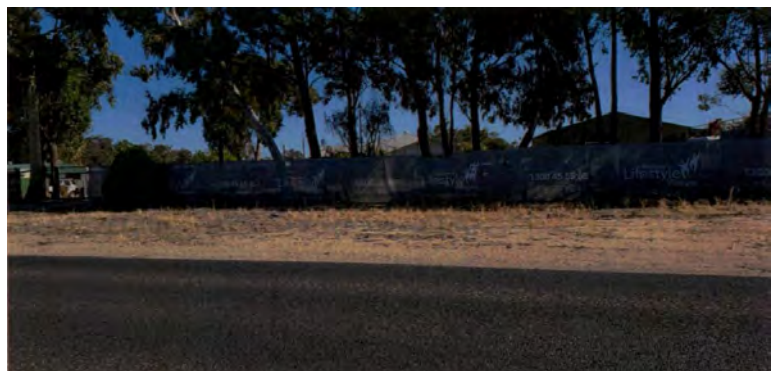


Fig 3: Privacy screen used as advertisement

#### PUBLIC SCHEDULE OF SUBMISSIONS

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No.9 – cont...



Fig 4: Roadside advertising and unsightly banner



Fig 5: Typical views from adjacent properties

10.

As owners of 28 Stringybark Way Baldvis we do not support the proposed Lifestyle Village. We feel that there are already many lifestyle villages in the area, and they are not alongside residential areas for good reason. Further more we have the following objections and concerns;

**UNSIGHTLY/NEGATIVE IMPACT ON LIFESTYLE**

The main attraction of the lot we live on is its size and natural outlook. A high density development placed right on our doorstep is not what was promised or expected when in buying into this area. The ambience of the area will be negatively impacted by building a development of small crowded lots which is the antithesis of the feel and lifestyle that we as current residents have payed a lot of money to attain. The character of the area would be drastically altered.

We were of the understanding that this land was gazetted to be semi-rural properties only. The proposed development does not fit into this zoning criteria whatsoever. We believe the development will degrade the landscape and find it is inconsistent with the zoning that was intended. When buying our lot we were not expecting to have to look out upon an unsightly crowded lifestyle development. Furthermore this then decreases our land/house value as we can not retain the semi-rural feel and outlook that is a part of the lifestyle promised in this area.

**INCREASE IN TRAFFIC and NOISE**

It is fair to assume that this development would result in an increase in traffic and noise. Existing road infrastructure would need to be addressed owing to the increase in traffic volume that would result with this development. We do not believe the current infrastructure would be adequate to deal with the great increase of traffic that will result.

**PUBLIC SCHEDULE OF SUBMISSIONS**

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| No.10 – cont... | <p>The increase in noise and traffic will again negatively impact our current quiet and peaceful lifestyle that we have worked hard to establish.</p> <p><b>DESTRUCTION OF HABITAT AND NATIVE FAUNA AND FLORA</b></p> <p>The destruction of the environment will be quite extensive in order to make way for so many small lots and houses. Clearly most of the trees will be removed. The area is unique, it has very old tuart trees and banksias. This will result in loss of habitat for a variety of birdlife that lives in the area including black cockatoos that are already endangered. With so much of Baldivis being developed and so much land being cleared, do we need further high density development that will result in such a large loss of habitat and flora and fauna.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 11.             | <p>My property at 31 Stringybark Way adjoins the southern boundary of the proposed development where I am an owner/occupier with my family.</p> <p>We object to the development proceeding in its current form as;</p> <ul style="list-style-type: none"> <li>&gt;The development appears inconsistent with the Rural Land Strategy (Planning Policy 3.1.1)</li> <li>&gt;The development application is lacking in detail, inconsistent and poorly designed</li> <li>&gt; It will be detrimental to the nature of the Special Rural lifestyle we sought by building our family Home in Stringybark way and to that of our neighbours.</li> </ul> <p>The following 6 pages further outline our objection. Thank you for the opportunity to comment.</p> <p><b>1. Zoning/ Planned use. (Planning report - Urbanista Town Planning)</b></p> <p><u>1.1. Planned Use</u></p> <p>The Planned use of the development is not clearly stated. The application wording varies between "short stay" tourism accommodation, camping ground, caravan park and a lifestyle Village with (implications) intimations of over 55's residence. There is potentially a vast difference in target markets and in the impact on neighbouring properties in each instance.</p> <p>We note other Local Lifestyle Villages have a much larger number of units</p> <ul style="list-style-type: none"> <li>• Vibe Baldivis - 250 units</li> <li>• Tuart Lakes - 200+ units</li> <li>• Affinity Village - 250 units+</li> </ul> <p>This suggests there is an economy of scale required for these developments which this development doesn't seem to satisfy. There is no business case provided by which the viability of the proposed development can be assessed. For instance, if the proposal is for rental accommodation {and clearly some or all of it is) this would significantly deter many retirees. Under the Centrelink rules the value of a rental residence cannot be deducted from their assessable assets with a resultant adverse impact on their pension entitlements.</p> |

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| No.11 – cont...                | Given there is some risk that the proposed development is potentially unviable we would ask the OAP to be extremely |



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|  | <p>mindful that if approved there is likely to be follow-up development applications to significantly increase the number and density of dwellings to the further detriment of the existing special rural family homes immediately to the south and east of the proposal.</p> <p>Our concern is</p> <ul style="list-style-type: none"> <li>• The intent is not to develop a Lifestyle Village - but a camping ground/ caravan park/ short stay rental accommodation</li> <li>• Should the proposal in future need to be expanded across the existing house/ shed area to provide a viable business case this will impact more significantly on my family residence at 31 Stringybark Way</li> <li>• The intent is to achieve approval then have an alternate party produce a radically different plan having already received 11 approval" - the 11 thin end of the wedge" on the basis that this is needed to make the business viable.</li> <li>• Such a rental development will attract itinerant personnel resulting in reduced commitment to standards of surround upkeep and therefore applying additional cost pressures on the business model viability.</li> </ul> <p><u>1.2 Planning Policy</u></p> <p>Doesn't meet the objectives of section 8 Planning policy 3.1.1. Rural Land Use Strategy.</p> <p><i>"Specifically, the Strategy provides guidelines to ensure that Special Rural/Special Residential development is:</i></p> <ul style="list-style-type: none"> <li>- <i>managed to minimise impacts on rural land uses;</i></li> <li>- <i>protects and enhances the rural landscape and environmental values;</i></li> <li>- <i>recognises the opportunities for environmental repair."</i></li> </ul> <p>The development fails to address to latter two points.</p> <p>The Urbanista Visual Landscape report refers to the City of Rockingham visually disastrous Sixty Eight Road "Lifestyle ????" development ("<i>which have had an undue negative impact on that local area</i>") and then attempts to justify any negative impact of the proposal under consideration as "not quite as bad".</p> <p>We encourage the Metropolitan Southwest DAP not to permit past planning mistakes to be used as a "consideration" yardstick by which future development proposals are deemed to be "more or less acceptable".</p> <p>The development in our view doesn't meet the objectives of Planning unit 4 of Planning policy 3.1.1.</p> <p>"This Unit comprises the western margins of the Spearwood Dune System, east of Mandurah Road The primary objective for this Planning Unit is to encourage special rural/special residential development which recognises and enhances the landscape and natural resource attributes of the unit and provides a rural context to proposed urban development to the east."</p> <p>The proposed development is high density housing and does nothing to "recognise and enhance the landscape", particularly for the family residences to the south next to or overlooking the proposed development from elevated positions.</p> |
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| No.11 – cont...                | <u>1.3 Planning Report - Rural Planning policy 2.5</u> |



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|                                | <p>The Planning report considers that the proposal is consistent with the Rural Planning Policy, however we dispute Lifestyle village satisfies the tourist references in the policy</p> <ul style="list-style-type: none"> <li>• Microbrewery - it is not - we have one -Vernon Arms</li> <li>• Bed and Breakfast - it is not - typically cater for small groups 4- 10</li> <li>• Holiday house/ chalet - it is not</li> <li>• Art gallery - it is not</li> </ul> <p>Life style village= high density housing estate not a Tourist facility</p> <p>The Planning report indicates the development will have little or no impact on neighbouring rural lands. It is difficult to evaluate the veracity of this statement without clarification of the specific planned use.</p> <p><u>1.4 Planning Report - Setbacks</u></p> <p>The Planning report indicates that the Setbacks between the development and the southern boundary is outside of the guideline. [8.4M v 10M]. We insist that the policy requirements are implemented.</p> <p>Furthermore, we note that other Lifestyle villages (Tuart Lakes, Baldivis Vibe) have visual screens to neighbouring properties. Should this development go ahead we require that our visual amenity and that of other neighbours [future] on the southern boundary is screened to a height of 2 m. [ physical barrier &amp; green]</p> <p><u>1.5 Planning Report - Commercial tenancies Commercial tenancies subject to future approval?</u></p> <p>The entire application seems to suffer from "indecent haste". Here we are asked to comment on only part of a proposal, omitting a material component of something considered integral to the whole. This only serves to heighten our concerns that the application is really the thin end of a much larger wedge.</p> <p><u>1.6 Planning - Other Concerns</u></p> <p>The 67 chalets on 40,000m2 acres, (1 residence per 600m2 (R16.0) vs 1 residence per 10,000 m2 (R1.0) - a very significant change in housing density across a single boundary line - supports a "hard barrier" as installed by Main Roads along parts of the Freeway system.</p> <p>The planning policy implies that there should be buffer areas and areas of transitional treatment of housing density which this development does not address along the proposed R16.0 (or R32 in the proposed development area) urban /rural (R1.0) interface.</p> <p>The existing house and shed to the southern boundary are indicated as remaining. Should this application somehow be approved we require some form of formal assurance that this will not be amended further otherwise the building density of the entire site could approach R30.</p> <p><b><u>2. Chalet design / Noise / Acoustic Report</u></b></p> <p>The Acoustic report makes a number of assumptions on the type, design and nature of the chalet accommodation in the assessment of noise. This assessment is very much dependant on the "planned use" of above. Lower quality accommodation, or caravan type sites would have a very different outcome.</p> |
| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| No.11 – cont...                | <p>Similarly, the frequency, duration and intensity of "outdoor" events would be different. The report details the best case rather than providing any certainty.</p> <p>Noise report/ Visual amenity report deals with 31 Stringybark as the nearest neighbour however the adjacent lots to our East will likely be closer to this development. We are not the worst case unless development is extended into the area currently defined by the existing House &amp; shed.</p> <p><u>The waste water treatment plant.</u></p> <p>The Acoustic Report refers to a singular wastewater treatment plant which is not shown on any plans. Only multiple biocycle tank locations are shown. There is no detail of intended discharge effluent quality or quantity nor is there any detail of how or where this effluent will be dispersed.</p> <p>We cannot find in any of the documentation available with the proposal of any reference to or consideration of the impacts of site effluent being returned back into the aquifer.</p> <p>On the basis of the Bushfire Emergency Plan (Occupants) page 6, there will be up to 175 persons on the proposed site. Using the standard of 200 litres per person per day capacity requirement then this equates to some 35,000 litres of effluent per day being introduced into the superficial aquifer from which ground water is extracted at nearby properties.</p> <p>Likewise, there appears to be no assessment of such a large volume of nutrient rich discharge reaching Walungup Lake and the seasonal wetlands along its eastern margin adjacent the proposed development.</p> <p>This in our view is a major omission from the application.</p> <p><b>3. Traffic/ Vehicles</b></p> <p>We note an error in the traffic report stating Old Mandurah road speed limit at 70 km/hr, rather than 80 km/hr. We believe this has implications in terms of the intersection design.</p> <p>We note that the design indicates two short access drives perpendicular to Old Mandurah road.</p> <p>The change in level from the development site to the road will result in a very steep driveway, giving an inadequate level area to wait for turning. For more senior drivers (over SS's) or Tourists (unfamiliar) this is essential. We would note that most existing access driveways are designed on an angle up the slope from an adequate exit/ entry platform area which is also a planning policy requirement. This will have an implication on the earthworks, offset of infrastructure from the roadway and the retention of large trees and is a flaw in the design.</p> <p>There are no slip lanes shown in the development and no widening shown for vehicles turning right into the development. For the increased quantity of traffic and for the larger service vehicles this is essential. The slip lane for Stringybark way addresses no more than the 67 residences proposed for the development.</p> <p>We note the reference to "no public Transport accessibility" along old Mandurah road and feel that a development of this type catering to the over SS's should have provision for this.</p> <p>Old Mandurah road has no bicycle paths similar to that along Safety Bay road that might be useful for pedestrians /cyclists/ motorised carts. This casts doubt of the suitability of location for a development of this type.</p> |
| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| No.11 – cont...                | <b>4. Visual amenity (Urbanista Visual Landscape Assessment)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



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|                                       | <p>The visual amenity report focus is primarily on the Mandurah Road street view (viewshed) and either overlooks or omits the impact on adjacent residences to the south and to the east. A Google search of Lifestyle Village - Tuart Lakes - shows green screening along lot boundary of that development has been provided.</p> <p>The proposal fails to provide any barrier, green or otherwise, between the existing R1.0 rural lifestyle homes and the proposed high density "short stay/ caravan/ camping/ lifestyle" proposal.</p> <p><b>5.Items not addressed elsewhere</b></p> <p><u>Earthworks/Site works</u></p> <p>The cross-section AA of development plans indicate some significant earthworks which is not discussed in the proposal. The cross section drawing shows the road being above a number of chalets requiring significant areas of excavation and retaining walls being required. We question how this is consistent with objective of keeping large trees where any disturbance of the root system can adversely impact tree health and stability.</p> <p>Earthworks of this type will likely provide noise and dust issues during construction and establishment period.</p> <p><u>Provision of services</u></p> <p>Gas - There is currently no reticulated gas currently at our property. And we assume this is the case for the adjacent lots. - implication bottled gas - additional deliveries/ traffic movements</p> <p>Communications (NBN) - There is no comments around NBN coverage or rather lack of it. Access to landline connections have been limited in this area.</p> <p>Potable /non-potable Water - Does enough capacity existing to service 67 additional residences and the green open space?</p> <p><u>Wildlife</u></p> <p>We can confirm that Black Cockatoos frequent the area and support the conditions requiring nesting habitat trees to be retained. Our concern is that the existing design does not adequately allow for this.</p> <p>We can confirm that Kangaroos also frequent the subject lots and from observed kangaroo foot prints and frequented pads, live along the ridge. We note the public reaction to the displacement of a kangaroo population for a subdivision along Baldivis Road earlier this year. This does not seem to have been considered in the proposal.</p> <p><u>Summary</u></p> <p>The development fails to meet the objectives of the Planning Policy (3.1.1) There are many aspects that are unclear in the submission, not limited to</p> <ul style="list-style-type: none"> <li>• Significant inconsistencies in the stated planned use - over SS's lifestyle village? short stay (rental)? tourism?, caravan park? or camping?</li> <li>• The design of chalets - to what standard?</li> <li>• Business viability of proposed development?</li> <li>• Any development approval made on the basis of the submitted documentation could best be described as "carte blanche" with no way of knowing where it is all going to end up.</li> </ul> |
| <b>PUBLIC SCHEDULE OF SUBMISSIONS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| No.11 – cont...                       | We believe the issues we have raised brings into doubt the suitability of the location for a development of this type;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



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|     | <ul style="list-style-type: none"> <li>• Radical change in residential density</li> <li>• Failure to consider the visual amenity to the subdivision along Stringybark way</li> <li>• Difficulty in developing site and maintain the environment values</li> <li>• Issues with access - Traffic/ public transport/ foot path - cycle way along Mandurah Road and Sixty-Eight Road/ accessibility</li> <li>• Lack of services</li> </ul> <p>We formally object to the proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12. | <p>Rowe Group acts on behalf of the landowner of Lot 71 (No. 1441) Mandurah Road, Baldivis ('Lot 71'). We write in relation to a proposed lifestyle village development at Lots 18 (No. 1447) and 19 (No. 1457) Mandurah Road, Baldivis ('the subject site'). Lot 71 is located immediately to the north of the subject site.</p> <p>We have been instructed by the landowner of Lot 71 (our 'Client') to review the development application material available on the City of Rockingham ('the City') website and provide our comments on the proposal. As part of preparing this submission, we have reviewed the following material:</p> <ul style="list-style-type: none"> <li>- Planning Report prepared by Urbanista dated 20 December 2018;</li> <li>- Development Plans prepared by Braude Architects dated 19 October 2018;</li> <li>- Acoustic Report prepared by Sealhurst Acoustic Design and Engineering dated 6 December 2018;</li> <li>- Bushfire Management Plan prepared by Bushfire Prone Planning dated 12 April 2018;</li> <li>- Bushfire Emergency Plan prepared by Bushfire Prone Planning dated 3 August 2018;</li> <li>- Environmental Impact Assessment prepared by Terratree dated 11 September 2017;</li> <li>- Transport Statement prepared by KCTT dated September 2018;</li> <li>- Visual Landscape Statement prepared by Urbanista dated 8 January 2019; and</li> <li>- Waste Management Plan prepared by Coastal Waste Bins dated 12 November 2018.</li> </ul> <p>On review of this material, we have identified a number of concerns and these are detailed in this submission. It is for these reasons that we are of the view that the proposed development should not be approved by the City. Comments on the proposed development will be made on behalf of our Client.</p> <p><b>Proposed Development</b></p> <p>From our review of the Development Application material, we understand that the Application seeks approval for a lifestyle village for over 55 year old persons. The Application characterises the proposal as permanent residential accommodation, and "alternative accommodation for the aged". It also characterises the land use as a "tourism" use, however details as to how the proposal may serve a tourism role are not provided.</p> |

| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                               |
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| Name                           | Comment                                                                                                                                                                       |
| No.12 – cont...                | The proposal includes the construction of 67 chalets, a communal clubhouse and five (5) commercial tenancies. We understand that the commercial tenancies do not form part of |



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|  | <p>the current Application and these commercial tenancies are not shown on the plans. Each chalet includes one (1) car parking bay, in addition to a total of 24 visitor car parking bays to the north of the proposed clubhouse building.</p> <p><b>Subject Site</b></p> <p>The subject site is comprised of two rural lots with a total area of 40,467m<sup>2</sup>. The subject site is zoned 'Rural' under the Metropolitan Region Scheme ('MRS') and the City's Local Planning Scheme No. 2 ('LPS 2'). It is located within the City's Rural Land Strategy ('Strategy') Planning Unit 4, and Precinct 4A.</p> <p>The adjacent property to the north, being Lot 71, is comprised of a tavern and brewery. This is a well- established entertainment venue, with the brewery receiving Development Approval from the City in 2015. A Works Approval was issued in 2015 from the Department of Water and Environmental Regulation ('DWER') for the current brewing operation. The area of the Lot 71 adjacent to the shared boundary (i.e. the northern boundary of the subject site) is utilised as the kitchen access area, service areas, parking, and the location of the waste water treatment plant, associated with the brewery. The boundary includes light natural vegetation and a small mesh and picket fence.</p> <p>The subject site is otherwise surrounded by rural-style single residential land use on large, one- to two-hectare lots. The subject site abuts Mandurah Road, which is an 'Other Regional Road', adjacent to which is a system of lakes, wetlands and bushland classed as a Bush Forever site.</p> <p>The Strategy's Planning Unit 4 is comprised of a variety of rural based land uses such as scattered broad hectare grazing and market gardens, more intensive land uses such as a poultry farm and piggery, and parks and recreation reserves. The Strategy also identifies the Planning Unit 4 as a transition area between the inland urban corridor and the coastal urban corridor, noting that it contains an extensive chain of wetlands and provides an essential landscape and rural context.</p> <p><b>Reasons to Refuse</b></p> <p>From review of the Application we are of the view that the City should not support the proposed development. Rather, the Application should be refused for the following reasons:</p> <p><u>Land is not appropriate at the Subject Site</u></p> <p><i>Definition of Caravan Park</i></p> <p>The Applicant states that the proposal falls under the land use classification of a 'Caravan Park', as they argue that the proposal can be considered a 'Park Home Park' which falls under the category of a 'Caravan Park'. We do not believe that the chalets proposed on site can be considered 'Park Homes', and subsequently 'Caravan Park' in this instance.</p> <p>The City's LPS 2 defines a 'Caravan Park' as:</p> <p><i>having the same meaning as in the Caravan Parks and Camping Grounds Act 1995.</i></p> |
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| Name                           | Comment                                                                                                                |
| No.12 – cont...                | Subsection 5(1) of the <i>Caravan Parks and Camping Grounds Act 1995</i> ('the CPCG Act') defines a 'Caravan Park' as: |



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|                                | <p><i>an area of land on which caravans, or caravans and camps, are situated for habitation.</i></p> <p>The CPCG Act further defines a 'Caravan' as:</p> <p><i>a vehicle that is fitted or designed for habitation, and unless the contrary intention appears, includes an annexe.</i></p> <p>The Applicant claims that the proposed chalets can be considered 'Park Homes', which are defined in the CPCG Act as:</p> <p><i>a vehicle of a prescribed class or description that is fitted or designed for habitation.</i></p> <p>Additionally, Subregulation 4(1) of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> ('the CPCG Regulations') clarifies the following with regard to the meaning of a 'Park Home':</p> <p><i>A caravan in respect of which a vehicle licence is not required under the Road Traffic (Vehicles) Act 2012 Section 4, because it could not be drawn by another vehicle on a road due to its size, is a vehicle of a prescribed class or description for the purposes of the definition of "park home" in section 5(1) of the Act.</i></p> <p>This indicates that a 'Park Homes' is a subcategory of a 'Caravan', and therefore that a proposal comprised of 'Park Home' can be considered a 'Caravan Park'. This is the reasoning used by the Applicant in this instance.</p> <p>In order to meet the definition of a 'Park Home' or 'Caravan' however, the object must be a vehicle. The CPCG Act defines the term 'vehicle' as:</p> <p><i>a means of conveyance (other than a train, vessel or aircraft) capable of being propelled or drawn on wheels.</i></p> <p>The proposed chalet designs do not meet the definition of a vehicle in any way. The chalets appear to be fixed accommodation, which do not incorporate wheels or other means of conveyance. We are therefore of the view that the chalets cannot be considered 'Park Homes' or 'Caravans', and therefore that the proposal cannot be considered a 'Park Home Park' or 'Caravan Park' uses under LPS 2.</p> <p>Moreover, a recent SAT decision further clarified the definition of a 'Park Home' in relation to an application for a 'Park Home Park' licence for the purposes of 'Aged Persons Dwellings' use (Henville and City of Armadale [2018] WASAT 108). In addition, the Decision of Henville and City of Armadale notes that the noun 'conveyance', as used in the definition of a 'vehicle', is defined by the Macquarie and Oxford English Dictionaries, respectively, as:</p> <p><i>a means of conveyance" and "a means of transport from place to place.</i></p> <p>It therefore follows, according to the Decision of Henville and City of Armadale, that a 'Park Home' must be a <u>means</u> of transport, not simply an object which is moveable. It was therefore determined that the Applicant's proposed form of habitation was not a vehicle because it was not a <u>means</u> of transport, but instead merely a habitable structure that can withstand movement from one location to another.</p> |
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| No.12 – cont...                | <p>As such, the form of habitation could not be considered a 'Park Home', and the proposal therefore not a 'Park Home Park'.</p> <p>This reasoning can be equally applied to the proposed development at the subject site, further indicating that the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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|  | <p>proposed chalets do not meet the definition of a 'Caravan' or 'Park Home', and therefore that the proposal is not a 'Caravan Park' use under LPS 2.</p> <p>As the proposed land use is not consistent with the 'Caravan Park' land use definition, the City must consider the proposed development against other suitable land uses defined in LPS 2. In this instance, we are of the view that there are two (2) likely options available. These are:</p> <ol style="list-style-type: none"> <li>1. 'Grouped Dwellings'; or</li> <li>2. Use Not Listed – Retirement Village.</li> </ol> <p>These are further explained below.</p> <p><i>Grouped Dwellings</i></p> <p>As we do not believe the proposal can be considered a 'Caravan Park', it could instead be classified as 'Grouped Dwellings' for the purpose of accommodating 'Aged Person'. A 'Grouped Dwelling' is defined in State Planning Policy 3.1 Residential Design Codes ('R-Codes') as:</p> <p><i>A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property.</i></p> <p>The R-Codes also define 'Aged Person' as:</p> <p>A person who is aged 55 years or over.</p> <p>The proposal could be considered to satisfy this definition, given that 67 single-storey chalets are proposed over two lots. In addition, the Applicant, in the Planning Report on a number of occasions, has used the term 'Grouped Dwelling' to describe the proposed chalets. However, the 'Grouped Dwellings' land use is classified as an 'X' use under the provisions of LPS 2. Therefore, should this interpretation be applied, the proposal should be refused on the basis that the proposed use is incapable of receiving approval at the subject site under the provisions of LPS 2.</p> <p><i>Use Not Listed – Retirement Village</i></p> <p>Alternatively, the proposal could be considered a 'Lifestyle Village' or 'Retirement Village', and therefore a 'Use Not Listed' in accordance with Clause 3.2.4 of LPS 2. Clause 3.2.4 of LPS 2 states the following with regard to unlisted uses:</p> <p><i>If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the Use Classes, the Local Government may:-</i></p> <ol style="list-style-type: none"> <li>a) <i>Determine that the use is consistent with the objectives and purpose of the particular zone and is therefore permitted;</i></li> <li>b) <i>Determine that the proposed use may be consistent with the objectives and purposes of the particular zone and thereafter follow the advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval; or</i></li> </ol> |
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| No.12 – cont...                | <p>c) <i>Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.</i></p> <p>If the above land use interpretation is applied, we believe the proposal should be refused, as it is not consistent with the</p> |



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|                                | <p>objectives and purposes of the 'Rural' Zone under LPS 2. The objective of the 'Rural' Zone, as outlined in Clause 4.11.1 of LPS 2, is as follows (underlined for Author's emphasis):</p> <p><i><u>The objective of the Rural Zone is to preserve land for farming and foster semi-rural development which is sympathetic to the particular characteristics of the area in which it is located, having due regard to the objectives and principles outlined in the Rural Land Strategy and supported by any other Plan or Policy that the Local Government may adopt from time to time as a guide to future development within the Zone.</u></i></p> <p>Given the high level of residential development proposed, and its incongruence with the existing development in the area, we are of the opinion that the proposal cannot be considered semi-rural development, and is not sympathetic to the characteristics of the locality. Further, the proposal does not meet the objectives and principles outlined in the Strategy as required in the 'Rural' Zone objective (as outlined below).</p> <p>As stated above, the subject site is located within the Strategy's Planning Unit 4. The objective of this unit is as follows:</p> <p><i><u>The primary objective for this Planning Unit is to encourage special rural/special residential development which recognises and enhances the landscape and natural resource attributes of the unit and provide a natural viewshed to Mandurah Road and a rural context to proposed urban development to the east.</u></i></p> <p>As outlined in the Strategy, Planning Unit 4 is comprised of a variety of rural based land uses, such as scattered broad hectare grazing and market gardens, more intensive land uses such as a piggery and poultry farm, and many park and recreation reserves. The proposal will stand in contrast to these land uses, as well as to the adjoining tavern and brewery, and surrounding single dwellings on one- to two-hectare lots.</p> <p>The comparatively high level of development will be visible from Mandurah Road, thereby detracting from the natural landscape of the area. This is exacerbated by the proposed significantly reduced setback to Mandurah Road (explained later in this submission). The proposal may be considered more appropriate on the east side of the Planning Unit 4, closer to existing urban development. In its current location however, it negatively impacts the surrounding rural context. We are therefore of the view that the proposal does not meet the objective of Planning Unit 4 of the Strategy.</p> <p>Within Planning Unit 4, the subject site is located in Precinct 4A. Precinct 4A serves as an interface between the urban land to the east, and the wetlands to the west. As such, the Strategy states that lot sizes should be determined by the need to protect the natural bushland and other landscape values whilst minimising the impact on wetland areas.</p> <p>The Strategy identifies two main sections of Precinct 4A: the area east of the ridgeline, located in proximity to urban areas; and west of the ridgeline, characterised by semi-rural development and visible from Mandurah Road.</p> |
| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Name                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| No.12 – cont...                | <p>The Strategy recommends that lots west of the ridgeline have a minimum size of one hectare, in order to maintain the rural viewshed from Mandurah Road and to protect the landscape value of the region. For lots east of the ridgeline, the Strategy recommends a minimum size of 5,000m<sup>2</sup>, to provide an interface between the larger lots to the west and the urban development to the east.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                                | <p>The subject site is located west of the ridgeline, adjacent to Mandurah Road. Whilst the proposal is located over two lots, for the purpose of assessing the intensity of the proposed residential development, each chalet can be considered a separate lot. With this interpretation, the density of the proposed development is over sixteen times greater than that recommended in this location. It is also over eight times greater than that recommended on the east side of the ridgeline.</p> <p>The increased intensity of development will result in traffic and noise impacts uncharacteristic of the area, in addition to the impact on the natural landscape. For these reasons, we are of the view that the proposal does not meet the objectives and principles of the Rural Land Strategy.</p> <p>Given the above, the proposal does not meet the objective of the 'Rural' Zone, and should therefore be refused by the City.</p> <p><i>Department of Planning and Western Australian Planning Commission Comments</i></p> <p>In addition to the above, there is a history of comments made by the former Department of Planning ('DoP') and the Western Australian Planning Commission ('WAPC') indicating that 'Lifestyle Villages' and 'Park Home Parks' are not compatible with the 'Rural' Zone.</p> <p>In December 2008, the WAPC withheld consent for a rezoning under the City of Wanneroo District Planning Scheme No. 2, of land zoned 'Rural' under the MRS, for the purposes of a 'Lifestyle Village'. The WAPC stated that the application (WAPC Ref: 853-2-30-19P65):</p> <p><i>comprises development which is not consistent with the 'Rural' zoning of the land in the Metropolitan Region Scheme.</i></p> <p>Further, in August 2009 the WAPC Statutory Planning Committee resolved the following relating to the same rezoning proposal:</p> <p><i>Support the use of 'Urban' land for the purpose of park home sites due to their density, infrastructure/servicing requirements and necessity for accessibility to community and medical services and support the zoning of these sites as 'Special Use' to provide greater certainty, simplicity and consistency to the land zoning for park home sites, ensuring that the site is only used for a park home site unless a rezoning is initiated.</i></p> <p>Finally, in November 2013 the then-Minister for Planning, Culture and the Arts, also considered the following in relation to the same proposal:</p> <p><i>the proposed amendment is to provide for a residential development which is inconsistent with the general intentions of the Rural zoning of the land in the Metropolitan Region Scheme.</i></p> <p>The Department and WAPC have also indicated that such development should be well serviced and located in proximity to urban infrastructure.</p> |
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| PUBLIC SCHEDULE OF SUBMISSIONS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| No.12 – cont...                | <p>This includes the availability of sewer and community infrastructure, such as shops, schools, community facilities, etc. We are of the view that the proposal fails this test as there is no available sewer in the area or nearby shops and other community facilities accessible to the occupants of the proposed development.</p> <p>In August 2011, the then-Director General of the Department, wrote the following in relation to the same proposal:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



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|  | <p><i>The Department is not opposed to the principle of locating such development on rural land which is contiguous with well serviced urban areas and which is not likely to prejudice planning of future urban areas.</i></p> <p>Further, Planning Bulletin 49/2014 states that caravan parks comprising a long-stay component, which is defined as occupancy by the same person for any period of time greater than three months, should be located where there is access to urban facilities and amenities.</p> <p>We note that the subject site is not located in proximity to a local centre, and that the nearest bus stop is located 2.5km, or a 30-minute walk, from the subject site. In addition, there is no available sewer infrastructure within proximity of the subject site. We do not consider that it is satisfactorily serviced for the intensity of residential development proposed.</p> <p>Given the above, we believe that the proposal is incompatible with the 'Rural' Zone under the MRS and LPS 2 and should be refused.</p> <p><b>Activity Centre</b></p> <p>The proposal includes the provision of five (5) commercial tenancies, and states that these would be occupied by land uses including:</p> <ul style="list-style-type: none"> <li>- Convenience store;</li> <li>- Take-away food outlet;</li> <li>- Medical consulting rooms;</li> <li>- Pharmacy; and</li> <li>- Hairdressing and beauty.</li> </ul> <p>Whilst we understand that the commercial tenancies do not form part of the subject application, we do believe it is necessary to consider the impact of these land uses at the present time.</p> <p>The Application states that these tenancies are 'incidental' uses and therefore do not require planning approval. There is no indication within the application however, that the tenancies will only serve the residents of the development or designed to service the wider community. Based on the information contained in the Applicant's Transport Impact Statement, we are lead to believe that the proposed commercial tenancies will be able to be used by the wider community, not just the occupants of the development.</p> <p>If this is the case, we are of the view that the proposed land uses are not incidental and that the proposal is for all intents and purposes, creating an activity centre in an unplanned location. The proposed commercial land uses, in conjunction with residential development and recreation areas are all characteristic of an activity centre.</p> |
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| No.12 – cont...                | <p>This would create additional impacts with regard to traffic, noise, and the environment, and would be a further detriment to the existing rural landscape.</p> <p>The City has a Local Commercial Strategy which identifies intended activity centre locations, including district centres, neighbourhood centres, local centres and freeway service centres. The subject site, nor any site in proximity, is not identified as the location of a planned activity centre under the City's Local Commercial Strategy. Further, each of the</p> |

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|  | <p>proposed commercial land uses are classified as 'X' uses within the 'Rural' Zone, and therefore cannot be approved at the subject site.</p> <p>It is apparent that the subject site is not identified as or suited to the proposed commercial land uses, and as such they should not be approved.</p> <p><b>Setbacks</b></p> <p>The City's Local Planning Policy No. 3.1.1 – Rural Land Strategy ('LPP 3.1.1') states the following setback requirements apply to development at the subject site:</p> <ul style="list-style-type: none"> <li>- 40m to Mandurah Road; and</li> <li>- 10m to other lot boundaries.</li> </ul> <p>The proposed development incorporates the following setbacks:</p> <ul style="list-style-type: none"> <li>- 4.8m to Mandurah Road in lieu of 40m required by LPP 3.1.1;</li> <li>- 3.4m to the northern lot boundary in lieu of the 10m required by LPP 3.1.1;</li> <li>- 8.4m to the southern lot boundary in lieu of the 10m required by LPP 3.1.1; and</li> <li>- 11.2m to the eastern lot boundary in lieu of the 10m required by LPP 3.1.1.</li> </ul> <p>We note that the setback to the eastern boundary is consistent with the provisions of LPP 3.1.1.</p> <p>The proposed setbacks to Mandurah Road and the northern lot boundary will have a detriment to the development on Lot 71 and the predominant streetscape and character of Mandurah Road and the surrounding rural area. As a result, we are of the view that the proposed setbacks to Mandurah Road and the northern lot boundary cannot be supported for the following reasons:</p> <ul style="list-style-type: none"> <li>- The properties on Mandurah Road, to the north and south of the subject site generally incorporate a setback of approximately 40m, consistent with the provisions of LPP 3.1.1. Therefore, the proposed 4.8m setback to Mandurah Road will be out of character with the predominant setback of buildings to Mandurah Road in the vicinity of the proposed development;</li> <li>- The proposed reduced street setback to Mandurah Road is reflective of development that is located in an urban area. As the subject site is zoned 'Rural' under the MRS and LPS 2, the proposed reduced street setback is not considered appropriate and should not be supported; and</li> <li>- The proposed setback to the northern lot boundary of the subject site (the boundary adjoining Lot 71) represents a significant variation to the prescribed 10m.</li> </ul> |
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|                                |         | <p>In particular, the proposed 3.4m setback is to the portion of Lot 71 which is occupied by the loading and service area of the existing brewing and tavern operation. This includes a waste water treatment plant for the existing operations. The location of the proposed dwellings along the northern lot boundary of the subject site could cause land use conflict between the occupants of the proposed development and the existing and approved development on Lot 71. The proposed setbacks to the northern boundary should not be supported.</p> |



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|  |  | <p>On the basis of the above, the proposed development should not be supported.</p> <p><u>Noise</u></p> <p>Lot 71 is occupied by a brewery or 'Beverage Manufacturing – Alcoholic' use (Category 24) as described in Schedule 1 of the Environmental Protection Regulations 1987 ('the Environmental Regulations'). This is a land use that may generate land use conflicts with existing sensitive land uses. The types of impacts caused by this land use were considered as part of the Works Approval Application when the existing development at Lot 71 was considered and approved by both the City and the Department of Water and Environmental Regulation ('DWER'). The Environmental Protection Authority's ('EPA') Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses No. 3 ('the Separation Guidelines') was specifically developed to provide advice on the use of generic separation distances (buffers) between industrial and sensitive land uses to avoid conflicts between incompatible land uses. A number of emissions are generated by industrial, commercial and rural activities and infrastructure. These include noise and air emissions (gases, dust and odours). The levels of emissions may at times exceed amenity levels considered acceptable in residential areas and at other sensitive land uses.</p> <p>Generally, but not always, impacts on the environment decrease with increasing distance from the source of the emission. The determination of the buffer area is necessary in many situations to avoid or minimise the potential for land use conflict. While not replacing the need for best practice approaches to emission management, the use of buffers is a useful tool in achieving an acceptable environmental outcome. The Separation Guidelines focus on protecting sensitive land uses from unacceptable impacts on amenity that may result from industrial activities, emissions and infrastructure. The Separation Guidelines specifically classifies "residential developments" as a 'sensitive land use'. The proposed development would therefore be considered a 'sensitive land use' under the Separation Guidelines.</p> <p>The separation distances in the Separation Guidelines are intended to be used as a tool, supplemented by other appropriate techniques, to assist in the assessment of new individual sensitive land uses or estates, in the vicinity of existing / proposed industry and infrastructure. The separation distances are also intended to provide assistance to strategic planning studies and processes.</p> |
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| No.12 – cont...                |         | <p>Proponents and responsible authorities are encouraged by the EPA to consider their proposals and schemes in light of the guidance given. A proponent or responsible authority wishing to deviate from the advice in the Separation Guidelines would be expected to put a well-researched, robust and clear justification arguing the need for that deviation.</p> <p>It is noted that the Separation Guidelines provides general guidance in the absence of site-specific technical studies, and buffer distances can be reduced if the findings of technical studies can demonstrate that amenity impacts are not significant.</p> |

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|  |  | <p>Where the separation between the industrial and sensitive land uses is greater than the generic distance, there will not usually be a need to carry out site-specific technical analyses to determine the likely area of amenity impacts due to emissions from the industry. Where the separation distance is less than the generic distance, a scientific study based on site and industry-specific information must be presented to demonstrate that a lesser distance will not result in unacceptable impacts. If the distance from the industrial land use to the sensitive land use is less than the recommended separation distance, and it cannot be demonstrated that unacceptable environmental impacts are likely to be avoided, then other options should generally be pursued.</p> <p>As previously mentioned, Lot 71 is occupied by a 'Beverage Manufacturing – Alcoholic', described as a premise where alcoholic beverages are manufactured – brewery, distillery or winery. The buffer distance recommended for this industry is 200m to 500m, depending on size and type of product.</p> <p>The Applicant's Planning Report does not discuss or assess amenity impacts from the existing brewing operation at Lot 71. There is also no reference to the Separation Guidelines in any of the application materials.</p> <p>There is a waste water treatment plant at the south east corner of Lot 71, approximately 10m north of the closest residence proposed by the Application. This is well within the 200m to 500m generic separation distance recommended in the Separation Guidelines. A site-specific technical analysis would provide the most appropriate guide to the separation distance that should be maintained between the proposed sensitive land uses and the existing brewing operation at Lot 71, to avoid or minimise land use conflicts. If a technical analysis is carried out, it should report on the nature and level of the possible emissions from the brewery operation, the site context, predicted impacts, acceptable criteria, and proposed mitigation. We recommend that the City request the Applicant to undertake a noise assessment to address these issues and any revised material (including the noise assessment) should be readvertised for community consultation prior to the City making a determination.</p> <p>The proposed development, being permanent residential in nature, will exacerbate the potential for land use conflict given the proximity and number of dwellings proposed. We are of the view that there is an inevitable perception of land use conflict even if the conflict is not real.</p> |
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| No.12 – cont...                |         | <p>Our Client is concerned that if they maintain the existing use and development of Lot 71 in its current form or enhances the existing use, then the likelihood of any future plans would be prejudiced by the proposed development within the buffer area of the existing use.</p> <p>In addition, the existing tavern operation at Lot 71 holds a restricted tavern licence. As a result, there are regular and frequent live music events held generally every Friday and Saturday evenings and Sunday afternoons. The proposed development, being a highly urbanised and intensive development, will likely lead to complaints from occupants of the dwellings nearest to Lot 71. We are of the view that complaints</p> |



|                                |         | <p>of this nature (i.e. complaints relating to an existing operation adjacent to a new urbanised and intensive residential development in a rural area) would be inappropriate.</p> <p>Should the City be of the mind to support the proposed development, it is requested that the City impose a condition on any development approval which requires a Section 70A Notification to be registered on the Certificate of Title for the subject site which advises the future prospective occupants of the proposed development that they will be located inside of a buffer area of an existing 'Beverage Manufacturing – Alcoholic' use and therefore may be susceptible to dust, noise, odour and gas emissions from the operation.</p> <p><u>Traffic</u></p> <p>The Transport Impact Statement prepared by KCTT dated September 2018 describes the proposed development as generating approximately 332 additional vehicle trips on the surrounding road network. This anticipated number of vehicle trips includes trips generated by a clubhouse (approximately 4,000m2 GFA) and shops (approximately 385m2 NLA). In addition, we understand that the Applicant has applied a 50% reciprocity rate to the clubhouse and the shops components as it is claimed that most of the visitors will be from the proposed development.</p> <p>Firstly, the proposed development does include the construction of a clubhouse, however it is only approximately 150m2 (as shown on the development plans). Secondly, the shops component does not form part of this Application or any other Application that is under consideration by the City at the time of writing this submission (to our knowledge). Therefore, we are of the view that the trip generation contained in the Transport Impact Statement does not adequately reflect the traffic situation following the completion of the proposed development and cannot be relied upon by the City in making a determination on the Application with sufficient confidence.</p> <p>Furthermore, the Transport Impact Statement suggests that the future proposed shops component will be available for use by others who do not occupy the proposed development. The Planning Report prepared by Urbanista dated 20 December 2018 states that this shops component could include the following uses:</p> <ul style="list-style-type: none"> <li>- Convenience store;</li> <li>- Take-away food outlet;</li> <li>- Medical consulting rooms;</li> <li>- Pharmacy; and</li> <li>- Hairdressing and beauty.</li> </ul> |
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| PUBLIC SCHEDULE OF SUBMISSIONS |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| No.12 – cont...                |         | <p>The provision of these types of land uses, which are available for others who do not occupy the proposed development, will create an unplanned activity centre at the subject site. As previously explained, this will create an unplanned activity centre which is inappropriate and out of character with the 'Rural' Zone.</p> <p>These types of land uses will generate additional traffic to and from the subject site which we are of the view has not been contemplated by this Application.</p> <p>Given Mandurah Road is reserved 'Other Regional Road' under the Metropolitan Region Scheme ('MRS') and its importance within the surrounding road network, we are of the view that the Application must be referred to the Department of Planning,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                   |                                  | <p>Lands and Heritage ('DPLH') and Main Roads WA ('MRWA') in accordance with Instrument of Delegation (DEL 2017/02) to appropriately review the traffic generated by the proposed development</p> <p><u>Parking</u></p> <p>The Applicant advises in the Planning Report the following in relation to car parking:</p> <p><i>In accordance with the Caravan Parks and Camping Grounds Regulations, 1 car bay per 20 sites is required to be provided, with a minimum of 4 bays. The proposed lifestyle village/park home will have 67 chalets and therefore only requires 3.35 bays. Notwithstanding this, each chalet will be provided with parking for one vehicle as outlined in the plans located in Attachment 4. In addition to the one car bay per chalet, the proposal also includes 21 car bays located adjacent to the shops and club house and within the Mandurah Road street setback area.</i></p> <p>On review of the development plans, it appears that there are 24 car parking bays to the north of the proposed clubhouse. This is inconsistent with the advice contained in the Planning Report (refer above). Therefore, we request clarification as to how many car parking bays will be provided by this development.</p> <p>We are of the view that the proposed development does not provide sufficient on-site parking facilities. Whilst each unit is provided with a single car parking bay, it is likely that some occupants will have more than one (1) vehicle. The following table provides a summary of the parking requirements outlined in the Transport Impact Statement:</p> <table><tr><th>LAND USE</th><th>REQUIREMENT</th><th>YIELD/FLOORSPACE</th><th>TOTAL PARKING</th></tr><tr><td>Lifestyle Village</td><td>1 per dwelling</td><td>67 units</td><td>67.0</td></tr><tr><td>Clubhouse</td><td>1 bay per 4 persons accommodated</td><td>120 people</td><td>30.0</td></tr><tr><td>Shops</td><td>6 bays per 100m<sup>2</sup> NLA</td><td>220m<sup>2</sup></td><td>13.2</td></tr><tr><td>Total</td><td>-</td><td>-</td><td>110.2</td></tr></table> <p>The proposed development incorporates a total of 91 car parking bays, resulting a shortfall of approximately 19.2 (20) bays.</p> <p>We are of the view that the proposed shortfall is significant given there is a lack of alternative modes of transport available in the area (such as public transport and bicycles). As a result, the proposed development is likely to rely solely on the use of private cars.</p> | LAND USE      | REQUIREMENT | YIELD/FLOORSPACE | TOTAL PARKING | Lifestyle Village | 1 per dwelling | 67 units | 67.0 | Clubhouse | 1 bay per 4 persons accommodated | 120 people | 30.0 | Shops | 6 bays per 100m <sup>2</sup> NLA | 220m <sup>2</sup> | 13.2 | Total | - | - | 110.2 |
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| LAND USE          | REQUIREMENT                      | YIELD/FLOORSPACE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | TOTAL PARKING |             |                  |               |                   |                |          |      |           |                                  |            |      |       |                                  |                   |      |       |   |   |       |
| Lifestyle Village | 1 per dwelling                   | 67 units                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 67.0          |             |                  |               |                   |                |          |      |           |                                  |            |      |       |                                  |                   |      |       |   |   |       |
| Clubhouse         | 1 bay per 4 persons accommodated | 120 people                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 30.0          |             |                  |               |                   |                |          |      |           |                                  |            |      |       |                                  |                   |      |       |   |   |       |
| Shops             | 6 bays per 100m <sup>2</sup> NLA | 220m <sup>2</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 13.2          |             |                  |               |                   |                |          |      |           |                                  |            |      |       |                                  |                   |      |       |   |   |       |
| Total             | -                                | -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 110.2         |             |                  |               |                   |                |          |      |           |                                  |            |      |       |                                  |                   |      |       |   |   |       |

#### PUBLIC SCHEDULE OF SUBMISSIONS

| Name            | Address | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| No.12 – cont... |         | <p>On review of the development plans, there is no adequate space available at the subject site to facilitate the construction of additional car parking bays that would be required to assist in reducing this shortfall. Unless additional car parking facilities are proposed, we are of the view that the City should refuse the Application.</p> <p><u>Waste Management</u></p> <p>There are no available sewer connections in vicinity of the subject site. Furthermore, the Application does not contain any information as to how sewerage waste will be managed or treated on-site in the absence of available sewer infrastructure. Based on our Client's experience in development at Lot 71, the City has historically required information from the Applicant which details as to how sewerage will be managed and treated</p> |



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|  |  | <p>on-site. As this Application does not contain any details relating to sewerage management and treatment.</p> <p>The proposed development has the potential to generate a significant amount of sewerage waste. This will potentially have implications on groundwater and the location of the buildings at the subject site in order to facilitate leach drains and sewerage systems.</p> <p>Therefore, we are of the view that the City should not determine this Application until such a time that the Applicant has provided information on sewerage management and treatment.</p> <p><u>Bushfire Management</u></p> <p>The Bushfire Management Plan prepared by Bushfire Prone Planning dated 12 April 2018 describes the proposed development as an “over 55s Lifestyle Village”. The proposed land use is considered a Category 1 use, which is a land use and associated infrastructure that are designed to accommodate groups of people with reduced physical or mental ability. As a result, the proposed land use is a vulnerable land use under State Planning Policy No. 3.7 – Planning in Bushfire Prone Areas (‘SPP 3.7’).</p> <p>Given the proposal is a vulnerable land use under SPP 3.7, the application is required to provide a Bushfire Emergency Evacuation Plan. We acknowledge that the Applicant has submitted such a document titled Bushfire Emergency Plan prepared by Bushfire Prone Planning dated 3 August 2018.</p> <p>From our experience, the City has required the provision of more than one (1) evacuation route from a development site.</p> <p>We request that the City, the Department of Planning, Lands and Heritage (‘DPLH’) and Department of Fire and Emergency Services (‘DFES’) undertake a comprehensive review of the proposed development, in particular the Bushfire Management Plan and the Bushfire Emergency Plan prior to making a determination on this Application.</p> <p>In relation to evacuation routes identified in the Bushfire Emergency Plan, we understand that the Applicant has identified three (3) options:</p> <ul style="list-style-type: none"> <li>- Destination east – Baldivis Township – on Mandurah Road travel south along Mandurah Road to Sixty Eight Road, then travel east along Sixty Eight Road to Baldivis Road, and north along Baldivis Road to Baldivis Township;</li> </ul> |
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| PUBLIC SCHEDULE OF SUBMISSIONS |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Name                           | Address | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| No.12 – cont...                |         | <ul style="list-style-type: none"> <li>- Destination north – Rockingham Township – on Mandurah Road travel north along Mandurah Road to Safety Bay Road, then travel west along Safety Bay Road to Read Street, and north along Read Street to Patterson Road, then travel west along Patterson Road to Rockingham Township.; and</li> <li>- Destination south – Secret Harbour Township – on Mandurah travel south along Mandurah Road to Stakehill Road, then west along Stakehill Road to Ennis Avenue, then south along Ennis Avenue to Anstey Road and west along Anstey Road to Secret Harbour Township.</li> </ul> <p>We are of the view that the identified options are rely too heavily on access and egress to Mandurah Road in the event of a bushfire. All evacuation options rely on the use of Mandurah Road.</p> |

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|  |  | <p>We are of the view that an appropriate alternative evacuation should be considered to allow the occupants of the subject site to be evacuated from the east across the adjoining lots in case on a bushfire event to the west of the site. This could be secured by way of easements and agreements with the adjoining landowners.</p> <p>As previously advised, this approach is consistent with our recent experience with the City. Therefore, the City should not support the proposed development until such a time that a viable evacuation option becomes available which allows the occupants of the subject site to be safely evacuated to the east.</p> <p>Summary</p> <p>On the basis of the above, we are of the view that the City of Rockingham ('the City') should refuse the proposed development of a lifestyle village at Lots 18 (No. 1447) and 19 (No. 1457) Mandurah Road, Baldivis ('the subject site') for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed land use is not consistent with the 'Caravan Park' land use definition contained in the City's Local Planning Scheme No. 2 ('LPS 2');</li> <li>- The proposed land use could be consistent with the definition of 'Grouped Dwelling' under State Planning Policy No. 3.1 – Residential Design Codes ('R-Codes'), which is an 'X' use within the 'Rural' Zone and therefore not capable of approval at the subject site;</li> <li>- Alternatively, the proposed land use could be considered a 'Use Not Listed – Retirement Village' under Clause 3.2.4 of LPS 2. However, the proposed land use is not consistent with the objectives and purposes of the 'Rural' Zone under LPS 2 and therefore not capable of approval at the subject site;</li> <li>- Historically, the Department of Planning, Lands and Heritage ('DPLH') and Western Australian Planning Commission ('WAPC') has advised that a lifestyle village or retirement village use is not appropriate within the 'Rural' Zone under the Metropolitan Region Scheme. As the subject site is zoned 'Rural' under the MRS, the proposal should not be supported;</li> </ul> |
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| PUBLIC SCHEDULE OF SUBMISSIONS |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| No.12 – cont...                |         | <ul style="list-style-type: none"> <li>- The proposed commercial land uses are not incidental to the proposed lifestyle village and the proposal is for all intents and purposes, creating an activity centre in an unplanned location. This is inconsistent with the City's Local Commercial Strategy;</li> <li>- The subject site, nor any site in proximity, is not identified as the location of a planned activity centre under the City's Local Commercial Strategy;</li> <li>- Each of the proposed commercial land uses are classified as 'X' uses within the 'Rural' Zone under LPS 2, and therefore cannot be approved at the subject site;</li> <li>- The proposed setbacks to Mandurah Road and the northern lot boundary will have a detriment to the development on Lot 71 and the predominant streetscape and character of Mandurah Road and the surrounding rural area;</li> </ul> |



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|  |  | <ul style="list-style-type: none"> <li>- The proposal includes the construction of a sensitive land use within the existing buffer area of an operating 'Beverage Manufacturing – Alcoholic' use, without any site-specific environmental investigations;</li> <li>- The trip generation contained in the Transport Impact Statement does not adequately reflect the traffic situation following the completion of the proposed development and cannot be relied upon by the City in making a determination on the Application with sufficient confidence;</li> <li>- The Transport Impact Statement suggests that the future proposed shops component will be available for use by others who do not occupy the proposed development. These types of land uses will generate additional traffic to and from the subject site which we are of the view has not been contemplated by this Application;</li> <li>- The proposed development incorporates a parking shortfall of approximately 20 parking bays. Insufficient justification for such a shortfall has been provided by the Applicant in the Transport Impact Statement;</li> <li>- The proposed car parking shortfall is significant given there is a lack of alternative modes of transport available in the area (such as public transport and bicycles);</li> <li>- The proposed development has the potential to generate a significant amount of sewerage waste. This will potentially have implications on groundwater and the location of the buildings at the subject site in order to facilitate leach drains and sewerage systems. Therefore, we are of the view that the City should not determine this Application until such a time that the Applicant has provided information on sewerage management and treatment; and</li> <li>- Insufficient evacuation routes, in the event of bushfire, have been proposed by the development.</li> </ul> <p>We and our Client would be more than happy to meet with the City's Officers to discuss the proposed development and our concerns in greater detail at a meeting at the City's Offices, that they be required.</p> <p>Should you require any further information or clarification in relation to this matter, please contact the undersigned on 9221 1991.</p> |
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| SERVICING AUTHORITIES SCHEDULE OF SUBMISSIONS  |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| 1. Mr Brett Dunn<br><b>Department of Water</b> | PO Box 332<br>MANDURAH WA<br>6210 | <p>Thank you for referring the proposed application received 23 January 2019. The Department of Water and Environmental Regulation (DWER) has reviewed the proposal and wishes to provide the following comments.</p> <p><b>On-site wastewater disposal</b></p> <p>In accordance with the Draft Government Sewerage Policy (State of Western Australia, 2016), the subject land is located within a sewage sensitive area. As this land is not connected to the reticulated sewerage infrastructure, future development of the proposed lot must adhere to the Policy.</p> <p>However, the information contained within the application is limited and does not demonstrate how the proposed development will comply with the Policy. Further information is required to prove the site's ability to use on-site wastewater treatment and disposal.</p> <p>As such, the proposal in its current form does not align with the objectives of the Policy.</p> <p><b>Part V License</b></p> <p>In addition to the above, the proposed development may have regulatory responsibilities under Part V of the Environmental Protection Act 1986 (EP Act).</p> <p>The EP Act requires a works approval to be obtained before constructing a prescribed premises and makes it an offence to cause an emission or discharge, unless a licence is held for the premises. During the works approval assessment stage, the Department assesses emissions and discharges associated with the prescribed activities.</p> <p>The Department notes that the proposed development may require a licence or registration according to Schedule 1 of the Environmental Protection Regulations 1987 Category 54 (sewage facility premises) with a production or design capacity of 100 cubic metres or more per day or Category 85 (sewage facility premises) with a production or design capacity of more than 20 but less than 100 cubic metres per day.</p> <p>Should the applicant require further information the Department can be contacted at <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a> or 6364 7000, and applicants with queries relating to works approvals and licences will be directed to the relevant officers. Further information on licensing is available at <a href="http://www.der.wa.gov.au/our-work/licences-and-works-approvals">http://www.der.wa.gov.au/our-work/licences-and-works-approvals</a>.</p> <p><b>Groundwater</b></p> <p>The subject lot and proposed development area is located within the Stakehill groundwater area (Outridge sub area) which is proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction would be subject to licencing by the DWER. The issuing of a groundwater licence is not guaranteed but if issued will contain a number of conditions that are binding upon the licensee. An existing licence on Lot 13 expired in 2018 and there is a limited amount of groundwater available within this sub area. Please contact the licensing business support unit on 1800 508 885 for further advice.</p> <p><b>Native Vegetation</b></p> <p>Under section 51C of the Environmental Protection Act 1986 (EP Act), clearing of native vegetation is an offence unless</p> |

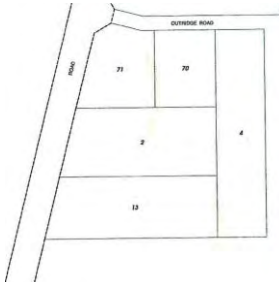
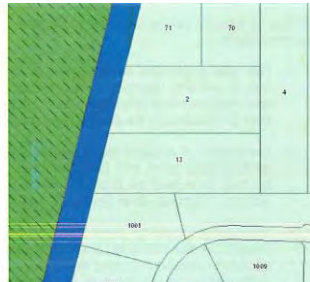


|                                                |                                                       | undertaken under the authority of a clearing permit, or the clearing is subject to an exemption.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| No.1 – cont...                                 |                                                       | Exemptions for clearing that is a requirement of a written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Regulations). Where required, DWER will provide input at subsequent stages of planning in reference to the Department's regulatory responsibilities under Part V of the EP Act. Guidelines and fact sheets on the regulation of native vegetation clearing can be found on DWER's website at <a href="https://www.der.wa.gov.au/our-work/clearing-permits">https://www.der.wa.gov.au/our-work/clearing-permits</a> .<br>If you have any queries relating to the above matter, please contact Jane Sturgess at DWER's Mandurah office on 9550 4228.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2. Mr Jim Dodds<br><b>Department of Health</b> | PO Box 8172<br>PERTH<br>BUSINESS<br>CENTRE WA<br>6849 | <p>Thank you for your letter of 23 January 2019 requesting comments from the Department of Health (DOH) on the above proposal.</p> <p>The DOH provides the following comment:</p> <p><b>1. Water Supply and Wastewater Disposal</b></p> <p>The development is required to connect to scheme water and reticulated sewerage (if available) as required by the Government Sewerage Policy- Perth Metropolitan Region. For non-scheme water connected areas, the development is to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004.</p> <p>The necessary requirements may be referenced and downloaded from:<br/> <a href="http://ww2.health.wa.gov.au/Articles/A_E/Drinking-water-quality-management">http://ww2.health.wa.gov.au/Articles/A_E/Drinking-water-quality-management</a><br/> <a href="http://ww2.health.wa.gov.au/Articles/A_E/Drinking-water-guidelines-and-standards">http://ww2.health.wa.gov.au/Articles/A_E/Drinking-water-guidelines-and-standards</a></p> <p><b>On-Site Wastewater Disposal</b></p> <p>Suitable provision for an adequate onsite effluent disposal area is to be accommodated in any planning approval. For on-site wastewater disposal systems to be approved, a winter 'site-and-soil evaluation' (SSE) in accordance with Australian Standard 1547 (AS/NZS 1547) is required. Any on-site waste water treatment process is to be in accordance with DOH publications which may be referenced and downloaded from:<br/> <a href="http://ww2.health.wa.gov.au/Articles/N_R/Recycled-water">http://ww2.health.wa.gov.au/Articles/N_R/Recycled-water</a><br/> <a href="http://ww2.health.wa.gov.au/Articles/U_ZNWater-legislations-and-guidelines">http://ww2.health.wa.gov.au/Articles/U_ZNWater-legislations-and-guidelines</a></p> <p><b>2. Food Act Requirements</b></p> <p>All food related areas (clubhouse kitchen, etc.) to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines. Details available for download from:<br/> <a href="http://ww2.health.wa.gov.au/Articles/F_I/Food-regulation-in-WA">http://ww2.health.wa.gov.au/Articles/F_I/Food-regulation-in-WA</a></p> <p><b>3. Health (Miscellaneous Provisions) Act Requirements</b></p> <p>All public access areas (clubroom, library, etc.) are to comply with the provisions of the Health (Miscellaneous Provisions) Act 1911, related regulations and guidelines and in particular Part VI - Public Buildings.</p> |

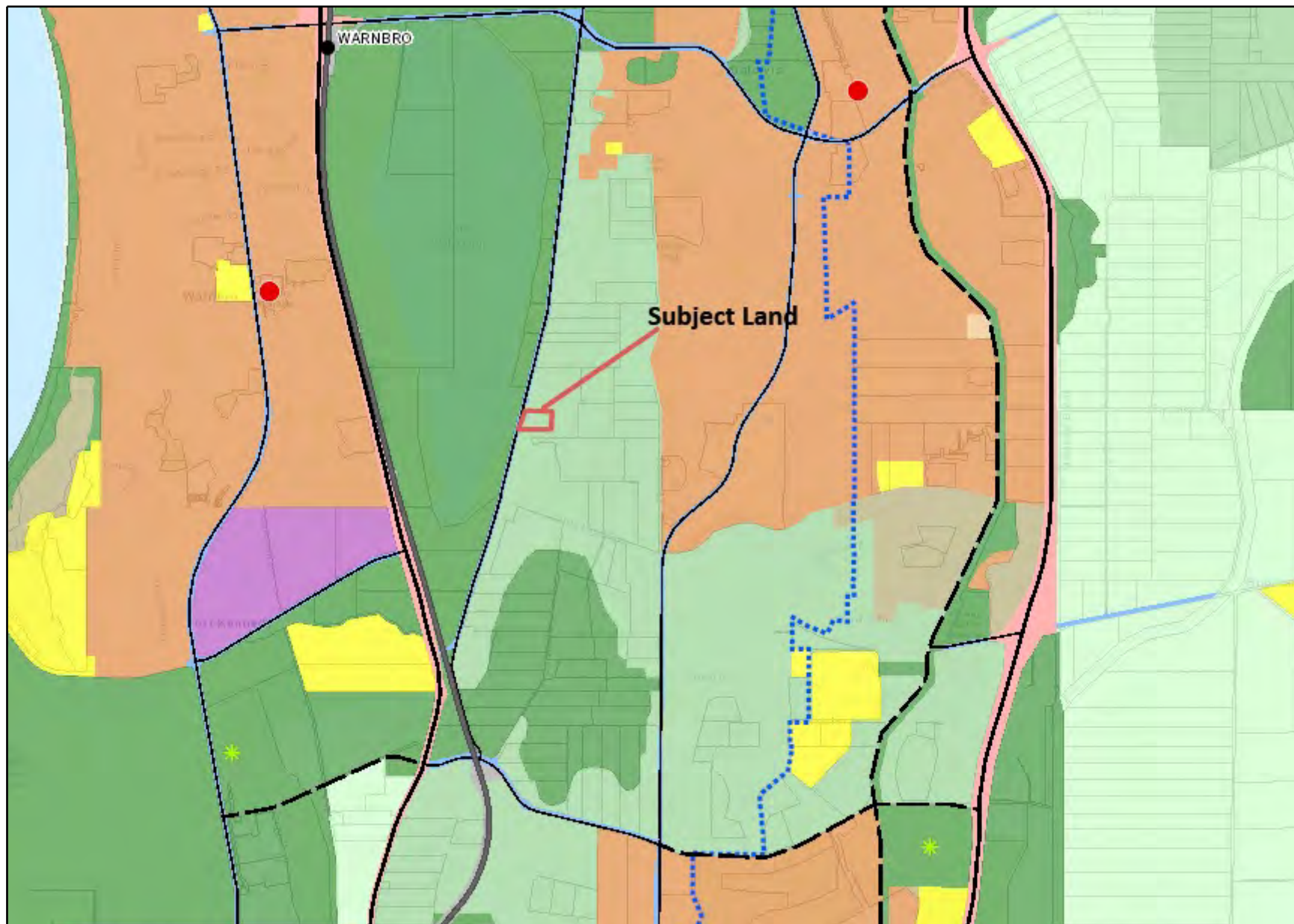
|                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Should you have queries or require further information please contact Vic Andrich on 9388 4999 or <a href="mailto:ehinfo@health.wa.gov.au">ehinfo@health.wa.gov.au</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              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| 3. Mr Ron de Blank<br><b>Department of Fire &amp; Emergency Services<br/>Rural Fire Division</b> | PO Box P1174<br>PERTH WA 6844                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>I refer to your email dated 23 January 2019 regarding the submission of a Bushfire Management Plan (BMP) (Version 1.1), prepared by Bushfire Prone Planning and dated 13 August 2018, for the above development application. The BMP is accompanied by a Bushfire Emergency Plan, prepared by Bushfire Prone Planning (Version 1.1), dated 3 August 2018. The BMP is also accompanied by a report titled 'Planning Report Revision 2 – No. 1447–1547 Mandurah Road Baldivis' dated 20 December 2018 for the above development application.</p> <p>It should be noted that 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 that 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><b>Assessment</b></p> <p>1. Policy Measure 6.5 a) Preparation of BAL contour map</p> <table border="1"> <thead> <tr> <th>Issue</th><th>Assessment</th><th>Action</th></tr> </thead> <tbody> <tr> <td><b>Vegetation classification</b></td><td> <p><b>Vegetation exclusions.</b></p> <p>DFES accepts the exclusion of non-vegetated areas including roads, footpaths and buildings. However, no evidence of an enforceable mechanism to support the exclusions applied to Vegetation area 11, to the north of Lot 2 (managed as "low threat" in perpetuity) is provided.</p> <p>Alternatively, the vegetation classification should be revised to apply the worst case scenario as per AS 3959.</p> </td><td>Modification required.</td></tr> <tr> <td><b>BAL Contour Map</b></td><td> <p><b>BAL ratings / inputs</b></p> <p>The indicative BAL ratings cannot be validated. The inputs (i.e. actual separation distances) need to be included in the BMP to demonstrate the methodology applied to determine the BAL outputs within the Contour Map. This would generally be provided in a table.</p> </td><td>Modification required.</td></tr> <tr> <td><b>BAL assessment</b></td><td> <p><b>APZ – insufficient information</b></p> <p>Page 29 of the BMP identifies management of Mandurah Road verge is required. The verge is not located within the boundaries of the site. An APZ should at a minimum be of sufficient size to ensure the potential radiation heat impact of a fire does not exceed BAL-29. An APZ should also be contained solely within the boundaries of the lot in which a building is situated, except in circumstances where the neighbouring lots will be managed in a low fuel state on an ongoing basis. 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| No.3 – cont...                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>2. Policy Measure 6.5 c) Compliance with the Bushfire Protection Criteria</p> <table border="1"> <thead> <tr> <th>Element</th><th>Assessment</th><th>Action</th></tr> </thead> <tbody> <tr> <td>Location and Siting &amp; Design</td><td> <b>A1.1 –not demonstrated</b><br/> The BAL ratings cannot be validated, as the vegetation classification inputs require clarification/modification as per the above table. </td><td>Modification/clarification required.</td></tr> <tr> <td>Vehicular Access</td><td> <b>A3.5 – comment</b><br/> Private driveways should comply with all the requirements of A 3.5 (Table 6, column 3) of the Guidelines. While the BMP states that the internal driveway will meet the Guidelines, DFES notes that the site contains steep gradients. The decision maker is to ensure that the gradient requirements of Table 6 are met. </td><td>Comment. Decision maker to ensure compliance with this element can be achieved.</td></tr> </tbody> </table> <p>3. Policy Measure 6.6.1 Vulnerable land uses</p> <table border="1"> <thead> <tr> <th>Issue</th><th>Assessment</th><th>Action</th></tr> </thead> <tbody> <tr> <td>Bushfire Emergency Evacuation Plan (EEP)</td><td> It is noted that a "Bushfire Response and Evacuation Plan" has been prepared for the purposes of addressing the policy requirements.<br/> The following issues were noted in our assessment: <ul style="list-style-type: none"> <li>The EEP describes a "Nominated Emergency Assembly Location" and a "Nominated Bushfire Place of Last Resort". However there is no detail to specify if the building will be fit-for-purpose.</li> </ul> </td><td>Comment.</td></tr> </tbody> </table> <p><b><u>Recommendation – not supported modifications required</u></b></p> <p>It is critical that the bushfire management measures within the BMP are refined, to ensure they are accurate and can be implemented to reduce the vulnerability of the development to bushfire. The proposed development is not supported for the following reasons:</p> <ol style="list-style-type: none"> <li>The development design has not demonstrated compliance to Element 1: Location and Element 2: Siting and Design.</li> </ol> <p>As this planning decision is to be made by a Joint Development Assessment Panel please forward notification of the decision to DFES for our records.</p> <p>If you require further information, please contact Craig Scott on telephone number 6551 4032.</p> | Element | Assessment | Action | Location and Siting & Design | <b>A1.1 –not demonstrated</b><br>The BAL ratings cannot be validated, as the vegetation classification inputs require clarification/modification as per the above table. | Modification/clarification required. | Vehicular Access | <b>A3.5 – comment</b><br>Private driveways should comply with all the requirements of A 3.5 (Table 6, column 3) of the Guidelines. While the BMP states that the internal driveway will meet the Guidelines, DFES notes that the site contains steep gradients. The decision maker is to ensure that the gradient requirements of Table 6 are met. | Comment. Decision maker to ensure compliance with this element can be achieved. | Issue | Assessment | Action | Bushfire Emergency Evacuation Plan (EEP) | It is noted that a "Bushfire Response and Evacuation Plan" has been prepared for the purposes of addressing the policy requirements.<br>The following issues were noted in our assessment: <ul style="list-style-type: none"> <li>The EEP describes a "Nominated Emergency Assembly Location" and a "Nominated Bushfire Place of Last Resort". However there is no detail to specify if the building will be fit-for-purpose.</li> </ul> | Comment. |
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| 4. Mr Simon Luscombe<br><b>Department of Planning, Lands and Heritage</b> | Locked Bag 2506<br>PERTH WA 6001                                                                                                                                                                                                                                                                                                                                                                                                         | <p>Further to your email dated 24 January 2019, the following comments are provided by the Infrastructure Planning and Policy (IPP) Directorate. This proposal seeks approval for a lifestyle village/park home comprising 67 chalets.</p> <p><b>Land Requirements</b></p> <p>The site abuts Mandurah Road, the subject section of which is classified as an Other Regional Road (ORR) within the Metropolitan Region Scheme (MRS), also reserved as Category 2 per Plan Number SP694/4. The site is not affected by the ORR reservation for Mandurah Road per Land Requirement Plan No. 1.5008.</p> <p><b>Transport Impact Statement</b></p> <p>The above report, prepared by KCTT dated September 2018, states that Mandurah Road accommodates 7,386 vehicles per day (approximately 50% of capacity for a single carriageway road). The site when fully developed, is anticipated to generate 332 vehicles per day with 29 vehicles in the PM peak hour period, when reciprocity calculations are applied. The proposal meets Austroads' requirements for safe intersection sight distance (sight lines) of 181 metres in both directions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |         |            |        |                              |                                                                                                                                                                          |                                      |                  |                                                                                                                                                                                                                                                                                                                                                    |                                                                                 |       |            |        |                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                          |          |

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|                                               |         | <p><b>Recommendation</b></p> <p>IPP has no objection to the proposal on regional transport planning grounds subject to the following recommendations:</p> <ul style="list-style-type: none"> <li>Two new crossovers are proposed to service the development. This is contrary to Policy D.C. 5.1 WAPC Vehicular Access which seeks to minimise the number of new crossovers onto regional roads and rationalise existing access arrangements. Therefore a single access point should service the site and any redundant crossovers should be decommissioned;</li> <li>Clarification is required regarding the turning treatment for the access point servicing the development, given that traffic volumes to the site will increase e.g. basic treatment or auxiliary lane may be required. Refer to Austroads warrants for turning lanes (p. 97 of Volume 4 Guide to Road Design, Intersections and Crossings 2017);</li> <li>Due regard should be given to WAPC Policy SPP 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning which seeks to minimise the adverse impact of transport noise on proposed developments. Main Roads WA traffic counts show the subject section of Mandurah Road as accommodating approximately 7,386 vehicle movements per day. Table A.1 Estimated outdoor noise level for road and rail screening assessments, shows that for rural roads accommodating greater than 5,000 vehicles per day, a distance of 100 metres from the edge of the carriageway results in a noise impact of approximately 57 decibels. As such, the proponent should demonstrate that the development will meet noise targets set out in Table 1 of WAPC SPP 5.4;</li> <li>P14 of the Transport Impact Statement states that internal roads within the development will comprise Access Streets D with a 6 metre wide cross section. Liveable Neighbourhoods shows Access Streets D with a cross section of 14.2 metres. 6 metres meets Liveable Neighbourhoods' standards for laneways which allows sufficient width for vehicles to pass safely, while also allowing room for pedestrians or recreational cyclists;</li> <li>With respect to trip generation, RTA's most recent surveys for housing for seniors shows a slightly higher trip rate than that reflected within KCTT's Transport Impact Statement. For the clubhouse/shops component of the development, trip generation calculations from the adopted trip rate would generate a higher number of vehicular trips than that presented on p12 (36.4 trips per 100m<sup>2</sup> of GFA for a 4000m<sup>2</sup> clubhouse = 1456 trips per day, rather than 102 trips reduced to 51).</li> </ul> <div style="display: flex; justify-content: space-around; align-items: flex-end;">   </div> <p>Land Requirement Plan No: 15008</p> |





## Legend

### Key Public Facilities

- Proposed Open Space - Sport

### Rail Stations

- Existing

### Activity Centres

- District Centre

### Rail - Public Transport

- Passenger Rail - Existing

### Existing Regional Roads

- Primary Distributor

- Integrator Arterial

### Proposed Regional Roads

### Existing Region Scheme Road R

- Integrator Arterial - Existing

- Primary Distributor - Existing

### Peel-Harvey Coastal Plain Catch (SPP 2.1)

### Framework Landuses

- Railway
- Urban
- Urban Deferred
- Urban Expansion
- Industrial
- Rural Residential
- Rural

### Notes:

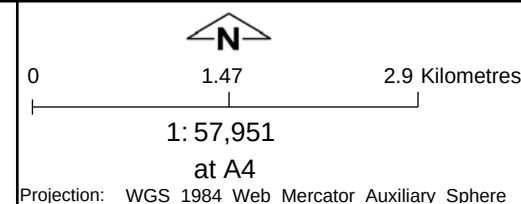
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Map was produced using DPLH's InQuery.

## South Metro Peel Sub-Regional Planning Framework

**DPLH BUSINESS USE ONLY**

Internal Spatial Viewer



Date produced: 02-May-2019