



Statutory Planning Committee

Notice is hereby given that the next meeting of the
Statutory Planning Committee will be held on:

Tuesday 28 June 2011
10.00 am

Level 2, Room 2.39
140 William Street
Perth



Tony Evans
Secretary

Statutory Planning Committee

Membership:

Member	Representation – <i>Planning and Development Act 2005</i>	Term of office ends
Mr Gary Prattley	Chairman Section 10(1)(a) or Schedule 2 clause 4 (2)(a)	20/4/2013
Mayor Carol Adams	Local Government nominee Schedule 2 clause 4 (2)(f)	1/2/2012
Mr Ian Holloway	Urban and regional planning representative Schedule 2 clause 4 (2)(e)	1/2/2012
Ms Sue Burrows	Nominee of the Director General, Department of Planning nominee Schedule 2 clause 4 (2)(b)	Ex-officio
Cr Corinne MacRae	WAPC Nominee Schedule 2 clause 4 (2)(g)	1/2/2012
Ms Elizabeth Taylor	Community representative Schedule 2 clause 4 (2)(d)	1/2/2012
Vacant	Regional Minister nominee Schedule 2 clause 4 (2)(c) or Schedule 2 clause 4 (3)	

Quorum: 4

In accordance with the WAPC Standing Orders 2009, 3.7 - Quorum for meetings:

- (2) A quorum for a meeting of a committee is at least 50% of the number of offices (whether vacant or not) of members of the committee.

Role:

Schedule 2(4)(4) of the *Planning and Development Act 2005*

The Statutory Planning Committee is the WAPC's regulatory decision-making body and performs such of the statutory planning functions of the Commission under the *Planning and Development Act 2005* and Part II of the *Strata Titles Act 1985* as are delegated to the Statutory Planning Committee under section 16 and such other functions as are delegated to it under that section. These functions include approval of the subdivision of land, approval of leases and licenses, approval of strata schemes, advice to the Minister for Planning on local planning schemes and scheme amendments, and the determination of certain development applications under the Metropolitan Region Scheme.

Delegated Authority

- 2.1 Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of a region scheme.
- 2.2 Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of a region scheme and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of a region scheme have been complied with.
- 2.3 Power to determine whether or not proposals and the ongoing implementation of a region scheme comply with conditions (if any) applied pursuant to sections 48F and 48J of the *Environmental Protection Act 1986*.
- 2.4 Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under a region scheme requiring such determination.
- 2.5 Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan River Trust in whole or in part in relation to the approval of development of land within the Riverbank or Development Control Area as defined under the *Swan and Canning Rivers Management Act 2006* where the determining authority is the WAPC.
- 2.6 All functions of the WAPC as set out in -
 - (i) Sections 14(a), 14(c), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 134, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216 of the Act;
 - (ii) Town Planning Regulations 1967;
 - (iii) Regulations 21, 22, 24 and 27 of the Planning and Development Regulations 2009;
 - (iv) *Strata Titles Act 1985* or the provisions of a strata or survey-strata scheme;
 - (v) Strata Titles General Regulations 1996;
 - (vi) Section 52 and section 85 of the *Land Administration Act 1997*;
 - (vii) Section 40 of the *Liquor Control Act 1988*;
 - (viii) *Perry Lakes Redevelopment Act 2005*.
- 2.7 Power to determine requests for variations to plans of subdivision where WAPC approval is required pursuant to the provisions of an approved local planning scheme.
- 2.8 Power to provide comment on and grant approval to plans known generally as outline development plans, structure plans and similar plans, and to planning policies and similar documents or amendments thereto, requiring the approval or endorsement of the WAPC pursuant to the provisions of a local planning scheme.
- 2.9 Power to provide comments or advice on behalf of the WAPC to a local government or a redevelopment authority where a provision of a local planning scheme or a redevelopment scheme requires comments from the WAPC.

- 2.10 Power to execute and accept the benefit of easements in gross, covenants in gross, records on title and other instruments for dealings in land for subdivisions, strata subdivisions and developments in accordance with any applicable policy and legislation.
- 2.11 Power to make recommendations to the Minister for Planning in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with WAPC policy.
- 2.12 Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to section 38(1) of the *Environmental Protection Act 1986* and to refer such proposal to the Environmental Protection Authority.
- 2.13 Power to waive or clear conditions affixed as conditions of approval.
- 2.14 Power to endorse diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part 11 of the Act and the *Land Administration Act 1997*.
- 2.15 Power to advise the Minister for Planning on any appeal or matter arising therefrom pursuant to Part 14 of the Act.
- 2.16 Power to defend and otherwise deal with applications for review lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.
- 2.17 Power to defend, respond, appeal and otherwise deal with legal proceedings.
- 2.18 Power to prepare and approve, subject to the prior approval of the Minister for Planning, policies relating to planning matters and/or the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.

This meeting is not open to members of the public.

RELEVANT INFORMATION FOR MEMBERS

Disclosure of interests

In accordance with the *Planning and Development Act 2005* and Part 6 of the Standing Orders 2009, members of Committees (and certain employees) are required to disclose the following types of interests that they have or persons closely associated to them, have:

- direct and indirect pecuniary interests (financial);
- proximity interests (location); and
- impartiality interests (relationship).

A “**direct pecuniary interest**” means a relevant person’s interest in a matter where it is reasonable to expect that the matter if dealt with by the board or a Committee, or an employee in a particular way, will result in a financial gain, loss, benefit or detriment for the person.

An “**indirect pecuniary interest**” means a relevant person’s interest in a matter where a financial relationship exists between that person and another person who requires a board or Committee decision in relation to the matter.

A “**proximity interest**” means a relevant person’s interest in a matter if the matter concerns -

- (i) a proposed change to a planning scheme affecting land that adjoins the person’s land;
- (ii) a proposed change to the zoning or use of land that adjoins the person’s land; or
- (iii) a proposed development, maintenance or management of the land or of services or facilities on the land that adjoins the person’s land.

An “**Impartiality interest**” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the member having the interest and includes an interest arising from kinship, friendship, partnership or membership of an association or an association with any decision making process relating to a matter for discussion before the board or a Committee.

Members disclosing any pecuniary or proximity interests for an item can not participate in discussion or the decision making procedure relating to the item and must leave the meeting room during the discussion of the item. Members disclosing an impartiality interest in an item must also leave the room during the discussion or the decision making procedure relating to the item unless the Committee, by formal resolution, allows the member to remain. The reason to allow a member to remain must be stated in the formal resolution and will be minuted.

Disclosure of representations

Where a member has had verbal communication with or on behalf of a person with an interest in a matter which is before a meeting, the member is to disclose the interest.

Where a member is in receipt of relevant written material (including email) from or on behalf of a person with an interest in a matter which is before a meeting, the member is to table the material at the meeting for the information of members and relevant employees.

ORDER OF BUSINESS

- 1. Declaration of opening**
- 2. Apologies**
- 3. Members on leave of absence and applications for leave of absence**
- 4. Disclosure of interests**
- 5. Declaration of due consideration**
- 6. Deputations and presentations**
- 7. Announcements by the Chairperson of the board and communication from the WAPC**
- 8. Confirmation of minutes of 14 June 2011**
- 9. Reports (see attached index of reports)**
- 10. Confidential items (see attached index of reports)**
- 11. General business**
- 12. Items for consideration at a future meeting**
- 13. Closure - next meeting to be held on 12 July 2011**

Statutory Planning Committee

Minutes

of ordinary meeting 7428
held on Tuesday 14 June 2011

Attendance

Members

Mr Gary Prattley
Mayor Carol Adams
Ms Sue Burrows

Mr Ian Holloway
Cr Corinne MacRae
Ms Elizabeth Taylor

WAPC Chairman (Presiding Member)
Local Government nominee
Nominee of the Director General, Department of
Planning
Professional representative
WAPC nominee
Community representative

Officers

Ms Kylie Beach
Ms Hannah Clowes
Ms Natalie Cox
Mr Garry McKeown
Ms Cath Meaghan
Mr Frank Ness
Mr Dan Stevens

Department of Planning

Senior Planning Officer Schemes and Appeals
Senior Project Planner Metro Planning Southwest
Senior Project Planner
Planning Director Metro Planning Southwest
Director Southern Regions Planning
Senior Project Planner
Planning Manager

Presenters

Mr Kim Clifton
Mr Faryar Gorjy
Mr Shahyar Gorjy
Mr Mathew Hatton
Mr Aaron Lohman
Ms Belinda Moharich
Mr Greg Rowe
Mr Steve Walker

Department of Planning

Landowner (Item 6.1)
Yaran Property Group / Grove 20 Pty Ltd (Item 6.2)
Yaran Property Group / Grove 20 Pty Ltd (Item 6.2)
Yaran Property Group / Grove 20 Pty Ltd (Item 6.2)
Greg Rowe and Associates (Item 6.1)
Flint Moharich (Item 6.2)
Greg Rowe and Associates (Item 6.1)
Yaran Property Group / Grove 20 Pty Ltd (Item 6.2)

Committee Support

Ms Christina Sanders

Committee Secretary - Department of Planning

7428.1 Declaration of Opening

The Presiding Member declared the meeting open at 10.05 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

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7428.2 Apologies

Nil.

7428.3 Members on Leave of Absence and Applications for Leave of Absence

Ms Burrows has made an application for a leave of absence for the Statutory Planning Committee meetings to be held on 28 June, 12 July and 26 July 2011.

Mayor Adams has made an application for a leave of absence for the Statutory Planning Committee meetings to be held on 12 July and 26 July 2011.

7428.4 Disclosure of Interests

Member/Officer	Minute No.	Page No.	Nature of Interest
Mayor Carol Adams	9.1 and 10.1	4, 8	Impartiality
Cr Corinne MacRae	10.3	10	Impartiality

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

In accordance with clause 6.10(7) of the Standing Orders 2009, members of the Statutory Planning Committee agree that the members listed above, who have disclosed an impartiality interest, are permitted to participate in discussion and voting on the items.

The motion was put and carried.

7428.5 Declaration of Due Consideration

No declarations were made.

Moved to Item 7.

7428.6 Deputations and Presentations

7428.6.1 Subdivision to Create 17 Lots for Intensive Agriculture Purpose, Lots 12, 22, 24 and 19022 Jones Road and Lot 50 Westdale Road, Beverley (Item 10.6)

Presenter Greg Rowe – Greg Rowe & Associates
 Aaron Lohman – Greg Rowe & Associates
 Kim Clifton – Landowner

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Mr Lohman presented background on the subdivision on behalf of Mr Clifton and requested that the Statutory Planning Committee approve the proposal and conclude the proceedings at the State Administrative Tribunal.

Moved to item 10.6

7428.6.2 **Create 28 Survey Strata Lots for Residential Purpose Including Common Property and Public Open Space: Little Grove, Albany (Item 10.5)**

Presenter Belinda Moharich – Flint Moharich
Faryar Gorjy – Yaran Property Group / Grove 20 Pty Ltd
Steve Walker - Yaran Property Group / Grove 20 Pty Ltd
Shahyar Gorjy - Yaran Property Group / Grove 20 Pty Ltd
Mathew Hatton - Yaran Property Group / Grove 20 Pty Ltd

Ms Moharich provided background on the survey strata lots at Little Grove, Albany and Mr Gorjy provided a powerpoint presentation to provide further background. A copy of the presentation has been placed on file.

Moved to Item 10.5

7428.7 **Announcements by the Chairperson of the Board and communication from the WAPC**

Nil.

Moved to Item 6.1.

7428.8 **Confirmation of Minutes**

7428.8.1 **Minutes of the Statutory Planning Committee meeting held on 24 May 2011**

Resolved

Moved by Ms Taylor, seconded by Ms Burrows

- 1. To amend the second paragraph of item 10.1 of the minutes of the Statutory Planning Committee meeting of 24 May 2011 to read "Mr Holloway voted against this item" in lieu of "Mr Holloway advised that he would abstain from voting on this item";*

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2. *That the minutes of the Statutory Planning Committee meeting held on 24 May 2011 as amended, be confirmed as a true and correct record of the proceedings.*

The motion was put and carried.

Moved to Item 6.2.

7428.9 Reports

7428.9.1

Latitude 32 Industrial Zone : Hope Valley-Wattleup District Structure Plan Submissions and Request for Approval

File: SPN/0054/1
Agenda Part: A
Reporting Officer: Manager Planning Metro South West

Mayor Adams disclosed an interest.

Member	Nature of Interest
Mayor Adams	Impartiality

Resolved

Moved by Ms Taylor, seconded by Ms Burrows

The Western Australian Planning Commission resolves to:

1. *note the receipt of the proposed District Structure Plan (DSP) for the Latitude 32 Industrial Zone and note the submissions received in response to advertising of the DSP.*
2. *approve the DSP subject to the following modifications:*
 - (i) *incorporate the Flinders Precinct Local Structure Plan, and make consequential changes to the text and map annotations to make it clear that the previously approved (Precinct) Structure Plan for the Flinders Precinct is to be regarded as a Local Structure Plan.*
 - (ii) *modify the extent of the Kwinana Intermodal Freight Terminal Rail reservation to incorporate only the train terminal and rail spurs, as identified in the*

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2007 GHD - Meyrick report, and to modify the eastern boundary of the identified rail spurs area to align with the western boundary of Moylan Road, consistent with Attachment 5 (a) & (b).

- (iii) *modify the DSP map as follows:*
- a. *remove the blue hatching of the North-South distributor road (on and off ramps to proposed Rowley Road) and show the proposed on and off ramps as 'Primary Regional Road', with any additional land potentially required for the construction of these ramps, and located outside the existing road reservation, to be shown as 'Proposed additional Primary Regional Road'.*
 - b. *Include an annotation within the legend for the 'Primary Regional Road' and 'Other Regional Road' reservations, as shown in colour white.*
 - c. *Remove reference to Land Use Precincts and replace with Land Use Types (e.g. Transport Industry, General Industry, Local Commercial Centre, Rural, Light Industry/Business Park).*
 - d. *Include an annotation within the legend for the Resource Recovery Site.*
 - e. *Remove the expired Planning Control Area over Long Swamp.*
 - f. *Remove the expired Planning Control Area over Rowley Road.*
 - g. *Remove reference to Planning Control Areas within the legend.*
 - h. *Modify the 'Infrastructure and Reserves' reservation to 'Rail Reserve', consistent with the Master Plan.*
 - i. *Remove the 'Master Plan' and 'District Structure Plan' headings within the legend.*
 - j. *Remove the 'Infrastructure and Reserves' sub heading under the 'Master Plan' heading within the legend.*
 - k. *Include the additional 'Light Industry' zoning to the northern and eastern boundaries of the northernmost section of the DSP Map, as per Attachment 8.*

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- The motion was put and carried.***

7428.9.2 Porongurup Rural Village Structure Plan: Endorsement of Local Structure Plan

Resolved

That the Western Australian Planning Commission resolves to:

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- IV. *submission of a Fire Management Plan in accordance with the Commission's relevant planning policy prior to the lodgement of any subdivision and/or development application within the Structure Plan area;*
 - V. *modifications in accordance with Plantagenet Shire's Schedule of Modifications (Attached); and*
 - VI. *to address concerns raised in some submissions that vacant lots would create problems with respect to visual impacts from "for sale" signs, overgrown lots and fire hazards which would be exacerbated if many lots were created and not built on, the local government to give consideration to amending the Structure Plan to include a requirement which sets the maximum number of lots to be created at any one time, and the minimum number of lots to be built on prior to the creation of any more lots.*
2. *advise the Plantagenet Shire Council of its decision accordingly.*

The motion was put and carried.

7428.9.3

City Beach Farmers Market

File: 31-50008-2

Agenda Part: G

Reporting Officer: Planning Officer - Metro Central

Cr MacRae disclosed an impartiality interest.

Member	Nature of interest
Cr MacRae	Impartiality

Resolved

Moved by Mr Holloway, seconded by Ms Burrows

That the Western Australian Planning Commission resolves to approve the application for a City Beach Farmers Market to be held at Kapinara Primary School, Catesby Road, City Beach, subject to the following conditions and advice:

Conditions:

1. *This approval is limited to a period of 12 months.*

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2. *The preparation, implementation and monitoring of a traffic access and parking management plan in consultation with the Town of Cambridge, to the satisfaction of the Western Australian Planning Commission.*
3. *Operating times are limited to Saturdays from 8.00 am to 12.00 pm.*
4. *Set up (including deliveries) and removal by stall holders is limited to an hour before and an hour after trading hours.*

ADVICE TO APPLICANT

1. *The applicant is advised that approval to this development does not negate the need to comply with Health Regulations, the Environmental Protection (Noise) Regulations 1997, the Food Act 2008 and all other relevant Acts, Regulations and Town of Cambridge Local Laws. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required, and to commence and carry out development in accordance with all relevant laws.*
2. *The applicant is advised that, if the markets are to continue past the lifetime of this approval, a fresh planning application should be submitted at least 2 months before the expiry of this approval to allow sufficient time for the statutory authorities to assess and determine the application.*

Ms Taylor and Cr MacRae voted against the motion.

The motion was put and carried.

Moved to Item 8.1

7428.10 Confidential Items

**7428.10.1 Latitude 32 Industrial Zone
Proposed Master Plan Amendment No. 4 - Submitted For Final Approval**
File: DP10/00528/1
Agenda Part: A
Reporting Officer: Manager Metro Planning South West

Mayor Adams disclosed an impartiality interest.

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Member
Mayor Adams

Nature of Interest
Impartiality

THIS ITEM IS CONFIDENTIAL

7428.10.2 City of Cockburn - Local Planning Scheme Amendment - For Final Approval

File: TPS/0382/1
Agenda Part: B
Reporting Officer: Planning Manager- Schemes, Strategies and Amendments

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.4.

7428.10.3 Plantagenet TPS 3: Amendment 49 - For Final Approval

File: TPS/0196/1
Agenda Part: E
Reporting Officer: Executive Director

THIS ITEM IS CONFIDENTIAL

Moved to Item 10.1

7428.10.4 City of Nedlands – Town Planning Scheme No. 2 – Amendment No. 192 – For Final Approval – Further Modifications

File: TPS/0281/1
Agenda Part: E
Reporting Officer: Executive Director

THIS ITEM IS CONFIDENTIAL

Moved to Item 11.1

7428.10.5 Create 28 Survey Strata Lots for Residential Purpose including Common Property and Public Open Space

File: 930-10
Agenda Part: G
Reporting Officer: Planning Manager

THIS ITEM IS CONFIDENTIAL

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7428.10.6 Subdivision to Create 17 Lots for Intensive Agriculture Purposes

File: 142724

Agenda Part: H

Reporting Officer: Executive Director Regional Planning & Strategy

THIS ITEM IS CONFIDENTIAL

Moved to item 9.1

7428.11 General Business

7428.11.1 Development Assessment Panels

Cr MacRae queried the approval process required for such major projects as the car parking allocation for the Queen Elizabeth II parking allocation and noted there would be other such projects. She questioned whether a dual approval process would be needed involving both the Commission and the relevant Development Assessment Panel.

Ms Burrows and the Chairman noted that they would need to consider this and would take the question on notice.

7428.11.2 Submissions

Ms Burrows explained for Members' benefit the reasons why the names of those who had provided submissions when invited publicly by the Department of Planning were sometimes shown in the reports and sometimes not. She noted that, in the case of the public website reports, for privacy reasons the residents' names are not reproduced unless the local government has provided them in a public submission table. However, if a government corporation has provided a submission, they will be listed.

In the case of confidential items, all names are listed for the Minister's benefit.

She noted that she would be advising report writers accordingly.

7428.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
7416	Directions 2031	Planning Director – Directions 2031 to brief the Committee after release of WA Tomorrow 2011	July/August 2011

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7428.13 Closure

The next ordinary meeting is scheduled for 10 am Tuesday 28 June 2011.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 10.25 am.

PRESIDING MEMBER _____

DATE _____

Unconfirmed

INDEX OF REPORTS

Item	Description
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9. REPORTS

C SUBDIVISIONAL / STRATA / DEVELOPMENTS (Subdivisions / Amalgamations (includes Structure Plans, Outline Development Plans) (Officers in attendance)

- 9.1 DEVELOPMENT APPLICATION (24-1780-3), CONSTRUCTION OF A 30M MONOPOLE TO ACCOMMODATE 3-OFF PANEL ANTENNAS FUTURE TURRET & GROUND LEVEL EQUIPMENT SHELTER, LOT 622 LEDGER ROAD, GOOSEBERRY HILL

G DEVELOPMENTS / SUBDIVISIONAL / SURVEY STRATA (includes revised plans, reconsiderations, State Administrative Tribunal appeal and Structure Plans)

- 9.2 WAPC ENDORSEMENT OF THE POINT GREY OUTLINE DEVELOPMENT PLAN
- 9.3 DEVELOPMENT APPROVAL FOR MINERAL SAND MINE: LOT 62 HOPELAND ROAD, LOT 59 WESTCOTT ROAD AND LOT 300 ATKINS ROAD, NORTH DANDALUP.
- 9.4 ADOPTION OF THE WICKHAM SOUTH DEVELOPMENT PLAN

10. CONFIDENTIAL

B LOCAL PLANNING SCHEMES / LOCAL PLANNING SCHEME AMENDMENTS

- 10.1 CITY OF GERALDTON-GREENOUGH - TOWN PLANNING SCHEME NO. 3 (WAGGRAKINE GUIDED DEVELOPMENT SCHEME) - REQUEST FOR REPEAL.
- 10.2 CITY OF FREMANTLE - LOCAL PLANNING SCHEME NO. 4 AMENDMENT NO. 40 - FOR FINAL APPROVAL

**E MINOR LOCAL PLANNING SCHEMES / LOCAL PLANNING
SCHEME AMENDMENTS** (includes local planning strategies and local
interim development orders)

- 10.3 SHIRE OF MURRAY - LOCAL PLANNING SCHEME
AMENDMENT 258 - FOR FINAL APPROVAL
- 10.4 CITY OF ALBANY - LOCAL PLANNING SCHEME
AMENDMENT NO. 306 - FOR FINAL APPROVAL
- 10.5 CITY OF ALBANY - LOCAL PLANNING SCHEME
AMENDMENT NO 304 - FOR FINAL APPROVAL
- 10.6 CITY OF ALBANY - LOCAL PLANNING SCHEME
AMENDMENT - FOR FINAL APPROVAL
- 10.7 AMENDMENT NO. 4 TO THE SHIRE OF IRWIN LPS
NO. 5 FOR FINAL APPROVAL

ITEM NO: 9.1

DEVELOPMENT APPLICATION (24-1780-3), CONSTRUCTION OF A 30M MONOPOLE TO ACCOMMODATE 3-OFF PANEL ANTENNAS FUTURE TURRET & GROUND LEVEL EQUIPMENT SHELTER, LOT 622 LEDGER ROAD, GOOSEBERRY HILL

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Director - Metropolitan North East
AUTHORISING OFFICER: A/Executive Director - Perth, Peel and South West
Planning Strategy

AGENDA PART: C

FILE NO: 24-1780-3

DATE: 21st June 2011

ATTACHMENT(S): Attachment 1 - Development Plans
Attachment 2 - Zoning Plan
Attachment 3 - Schedule of Submissions
Attachment 4 - Site Selection Information

REGION SCHEME ZONING: Mrs: Parks & Recreation

LOCAL GOVERNMENT: Shire of Kalamunda

LOCAL SCHEME ZONING: Parks And Recreation

LGA RECOMMENDATION: Refusal

REGION DESCRIPTOR: Perth Metro North East

RECEIPT DATE: 18th January 2011

PROCESS DAYS: 58

APPLICATION TYPE: Development

DESCRIPTION OF PROPOSAL: Construction Of A 30m Monopole To
Accommodate 3-Off Panel Antennas Future Turret
& Ground Level Equipment Shelter.

CADASTRAL REFERENCE: Ledger Road, Gooseberry Hill

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve development application 24-1780-3 for a 30m monopole to accommodate an antenna, a turret and ground level equipment shelter at Lot 622 Ledger Road, Gooseberry Hill subject to the following conditions and advice:

CONDITIONS

1. ***This approval relates to Drawing No's P8311B-P1 (Rev 02), P8311B-P2 (Rev 02) and P8311B-P3 (Rev 02) prepared by Aurecon and date stamped 18 January 2011 by the Department of Planning (attached).***
2. ***Prior to commencement of site works an Environmental Management Plan addressing construction and operational impacts of the development is to be approved by the Shire of Kalamunda on advice from the Department of Environment and Conservation and the Department of Water. Development thereafter must be carried out in accordance with the approved Environmental Management Plan.***
3. ***No building materials, rubbish or other matter shall be deposited on the adjacent land reserved for Parks and Recreation in the Metropolitan Region Scheme during or after construction of the development.***

ADVICE TO APPLICANT

1. ***All development must comply with the provisions of the Health Regulations, Building Code of Australia, Public Building Regulations, and all other relevant Acts, Regulations and Local Laws.***
2. ***The Department of Water advises that the proposed development is located within the Middle Helena Catchment public drinking water source area (PDWSA) and is managed for Priority 1 (P1) source protection. P1 source protection areas are defined to ensure there is no degradation of the water resource.***
3. ***The Department of Environment and Conservation advises that clearing of native vegetation is prohibited, unless clearing is authorised by a clearing permit obtained from the Department of Environment, or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of native vegetation Regulations).***

SUMMARY:

The proposed development is for the construction of telecommunications equipment including a 30m monopole to accommodate an antenna, a future turret and ground level equipment shelter at Lot 622 Ledger Road, Gooseberry Hill. The application is required to be determined by the WAPC as the subject land is reserved for 'Parks and Recreation' (P&R) under the Metropolitan Region Scheme (MRS). The WAPC is the sole determining authority for the application.

The proposal has been forwarded to the Statutory Planning Committee for determination in accordance with the Instrument of Delegation (DEL 2008/06) Powers of Officers, Schedule 7 (7.1), given that it is recommended that the WAPC approve the application, which is at variance to the recommendation of the Shire of Kalamunda who oppose the development.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

P and D Act Part 10 (S 162)

Strategic Plan

Strategic Goal:

Goal 2: Planning.

Outcomes:

Effective Delivery of Integrated Plans.

Strategies:

Implement State and Regional Planning priorities.

Policy

Number and / or Name:

- Statement of Planning Policy No.5.2 *Telecommunications Infrastructure* (SPP5.2)
- Development Control Policy 1.2 - *Development Control - General Principles*
- Development Control Policy 5.3 *Use of Land Reserved for Parks and Recreation*

INTRODUCTION

Optus is proposing to construct a new telecommunications base station at Lot 622 Ledger Road, Gooseberry Hill. The installation will include a 30m monopole to accommodate an antenna mounted on a turret. The total height including the future turret mount is approximately 34 metres. An associated ground level equipment shelter is also proposed. The development will be located within a secure fenced compound (**Attachment 1** - Development Plans). The facility will specifically provide mobile phone coverage to residents and businesses in Gooseberry Hill and surrounding areas.

The *Telecommunications Act 1997* allows telecommunications facilities to be installed without any permit if they are 'low-impact', but provides that a new stand-alone mast or a mast on a building that is more than 5m high is not a low-impact facility. The main effect of the Act is to require the installation of non-exempt telecommunications facilities to comply with State and local planning and environmental procedures.

The registered proprietor of the land is the State of Western Australia (Department of Regional Development and Lands) with the Shire of Kalamunda being the Primary Interest Holder. Optus are proposing to lease the subject land from the State. Excision of the land for leasing purposes will require the approval of the State and the Shire.

The application is required to be determined by the Western Australian Planning Commission (WAPC) as the subject land is reserved for 'Parks and Recreation' (P&R) under the Metropolitan Region Scheme (MRS) and the proposed development does not constitute "permitted development" under clause 16 of the MRS (**Attachment 2** - Zoning Map). The proposal is situated to the east of land reserved in the MRS as 'Public Purposes Primary School' and which accommodates the Gooseberry Hill Primary School.

As the land is reserved under the MRS, the WAPC is the sole determining authority of the application. Clause 30 of the MRS requires the WAPC to have regard to the following factors when determining a development application:

- i) the purpose for which the land is zoned or reserved under the Scheme;
- ii) the orderly and proper planning of the locality; and
- iii) the preservation of amenities of the locality.

CONSULTATION

The Shire of Kalamunda initially advertised the proposals for public comment for a period of 14 days. Subsequently, a further period of advertising for 45 days was allowed for further comment from nearby landowners and those associated with the Gooseberry Hill Primary School. During the advertising period 229 objections and 35 non-objections were received by the Shire. A petition was also received which contains 840 signatures opposing the proposal. The objections and comments can be summarised as the following:

- The tower being visually intrusive on nearby residential properties by virtue of its location and appearance.

- The radiation levels emitted from the proposed tower potentially being unacceptably high and having an impact on the health of residents and the school community in the long term.

- The acceptable levels of radiation people can be exposed to, being unknown.

- The proposed tower being closer than 500m to sensitive land uses as stipulated under Local Planning Policy DEV26 — Radio, Television and Communication Facilities/Masts.

- The Department of Education advised that it would prefer that the tower be located further from the school site due to the current level of community concern.

- The Department of Water advised that the subject property falls within a Public Drinking Water Source Area and that best management practices should be followed at all times.

The Shire considered the application at its Ordinary Council Meeting on the 18 April where it resolved to recommend that the application be refused on the following grounds:

"a) Council's Local Planning Policy DEV 26— Radio, Television and Communication Facilities/Masts requires mobile phone towers to be at least 500m from sensitive land uses. The proposed mobile phone tower shall be 170m from Gooseberry Hill Primary School, which constitutes a 66 per cent reduction in the required 500m distance.

b) The significant community objection to a possible unacceptable impact on the health of the local community with respect to radiation emissions from the proposed mobile phone tower.

c) The likely impact on the amenity of the locality as it is visually Intrusive in the bushland setting by virtue of its location, height and appearance."

A Schedule of Submissions is provided at **Attachment 3**.

The Department of Water raises no objection to the proposal.

The Department of Environment and Conservation (DEC) raises no objection subject to conditions.

WAPC Property Management Services raises no objection to the proposal.

COMMENT

WAPC DC Policy 1.2 'Development Control - General Principles'

WAPC DC Policy 1.2 '*Development Control - General Principles*' describes the general principles by which the WAPC will assess applications for its approval to commence development. With regard to land reserved under the MRS, DC 1.2 states that a principal objective is to ensure that the use of reserved land is not prejudiced by the development application, with the WAPC's decision being influenced by the proposal's scale, purpose, duration and impact (4.1.2).

WAPC DC Policy 5.3 'Use of Land Reserved for Parks and Recreation'

Where land is reserved for Parks and Recreation (P&R) under a regional planning scheme the provisions of Policy No. DC 5.3 will be applied. The policy establishes that the use of P&R Reserved Land shall be restricted to that which is consistent with furthering the enhancement of the reserve and facilitating its use for recreational or conservation purposes. This implies a presumption against any commercial proposals which do not enhance public access to and enjoyment of a reserve.

Statement of Planning Policy No.5.2 'Telecommunications Infrastructure' (SPP5.2)

SPP5.2 states that it is important that planning policies ensure that facilities are designed and installed in a manner that protects the visual character and amenity of local areas, and that they provide for the effective and efficient roll-out of networks and avoid lengthy and litigious approval procedures.

The policy also states, on the matter of health issues associated with exposure to electromagnetic emissions arising from mobile phones:

" Research undertaken by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) has reported that environment radiofrequency levels near base stations for the digital mobile phone network are extremely low. The ARPANSA study reported that the highest daily average level was well below one per cent of the Australian Communications Authority's public exposure limits and concluded that "given the very low levels recorded and the relatively low power of these types of transmitters, it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research.""

Planning Bulletin No 46 'Applications for Telecommunications Infrastructure' (PB46)

PB46 identifies the considerations which should be taken into account in considering applications for the development of telecommunications facilities. These considerations include:

- the social and economic benefits of affordable and convenient access to modern telecommunications-based services for people and businesses throughout the State;
- continuity of supply of telecommunication services;
- protection of the environment;
- safeguarding visual amenity and streetscape;
- public safety; and
- co-ordination with other services.

The Bulletin advises that the overall aim should be to find the appropriate balance between sometimes conflicting objectives by the application of sound planning principles.

Health Issues

As referred to under SPP5.2, telecommunications facilities and particularly mobile phone facilities, are of increasing concern to the public because of the perceived effects of electromagnetic energy (EME) (sometimes termed electromagnetic radiation (EMR)) on human health and the visual impact of mobile phone towers on amenities. In respect of public safety concerns, PB46 advises that the Health Department of Western Australia considers there is currently no health basis for restricting either the siting of mobile telephone towers or ground level access to them (Clause 5).

The relevant industry code for the deployment of base stations is produced by the Australian Communications Industry Forum and is known as the ACIF Code. The Code requires the 'carrier' (Optus in this instance) to minimise emissions through site design measures including the turning off of transmitters when sites are not in use. The applicant advises that the system to be used, automatically adjusts power to minimise emissions and automatically switches the transmitter off when no data is sent.

In addition, the ACIF code requires the carrier to conduct a site EMR assessment in accordance with the ARPANSA prediction methodology. The subject application is supported by such an assessment which estimates that the maximum cumulative radiofrequency electromagnetic energy level at 1.5 metres above ground level around the proposed base station to be 0.24% of the public exposure limit recommended by ARPANSA.

Co-location and Alternative Sites

Additional information has been sought from the applicant regarding the potential for the proposed telecommunications equipment to be co-located on existing infrastructure and / or possible alternative sites. The applicant has confirmed that

work has previously been undertaken in this regard (**Attachment 4**) and has indicated:

- They were unable to identify suitable co-location opportunities that met the radio frequency requirements of its customers in this locality; and
- Three alternative sites were investigated for the development all of which were considered to be less favourable on technical and amenity grounds.

It was found that the subject site achieved the best physical separation from residential and other sensitive land uses whilst also being able to deliver an effective telecommunications service to the area, compared with the other sites assessed.

CONCLUSION

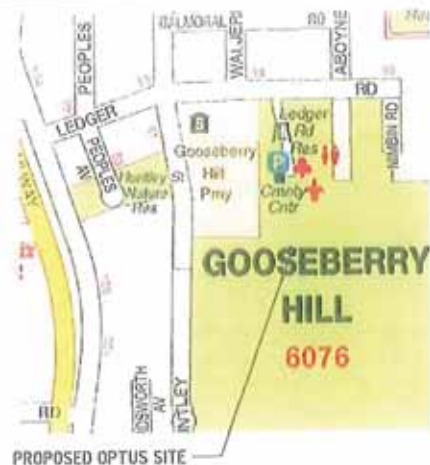
It is considered that the proposed facility subject of the application will enhance the quality and continuity of telecommunication services for social, recreational and business use in the locality and is in accordance with SPP 5.2.

In regard to the MRS, it is considered that:

- i) The development will not compromise the recreational or conservation purposes of the P&R reserve and as such does not conflict with the purpose for which the land is Reserved under the MRS.
- ii) The development will be situated in a relatively isolated location and will not have an adverse impact on the amenity of the locality; and, as such
- iii) The development accords with the orderly and proper planning of the locality.

Conditional approval is recommended.

A3



LOCALITY MAP

REFER UBD AUSTRALIAN CITY STREETS
VERSION 6 (2009), MAP: 273, GRID: K13

SITE ADDRESS

RESERVE 27154, LEDGER ROAD
GOOSEBERRY HILL, WA 6076

NOTES:

1. BASIS OF DESIGN
 - SITE INSPECTION DATE (30/07/2010)
2. PANEL ANTENNAS
 - 3-OFF PANEL ANTENNAS (2.63m LONG)
 - SECTOR 1 - 50°, SECTOR 2 - 170°, SECTOR 3 - 320°
 - MOUNTED ON ANTENNA TURRET
3. NETWORK LINK
 - FIBRE OR LEASED LINE.
 - TO BE CONFIRMED BY OPTUS.
4. STRUCTURE
 - NEW 30m HIGH MONOPOLE WITH TURRET MOUNT EXTENSION.

5. EQUIPMENT SHELTER
 - PHASE B (3m x 2.5m) "PAPERBARK"
 - SUPPORTED ON BORED PIERS.
6. CABLE LADDER
 - 600mm WIDE HORIZONTAL CABLE LADDER
 - TO HAVE GALVANISED STEEL COVERS
 - FEEDERS TO RUN VERTICALLY INSIDE MONOPOLE
7. PAINTING
 - REQUIREMENTS TO BE CONFIRMED
8. SITE ACCESS
 - ACCESS VIA EXISTING DRIVEWAY OFF LEDGER ROAD AND EXISTING ACCESS TRACK TO SITE (4WD ONLY)
9. ANTENNA ACCESS
 - ANTENNAS TO BE ACCESSED VIA STEP-PEGS AND 'LAD-SAF' BY COMPETENT AND QUALIFIED PERSONNEL
10. ELECTRICAL POWER SUPPLY
 - DETAILS TO BE ADVISED

NOTE:
THIS DRAWING IS DIAGRAMMATIC ONLY
AND SHOULD NOT BE SCALED.
DIMENSIONS, CO-ORDINATES, AND LEVELS
SHOWN ARE NOMINAL AND SUBJECT TO
CONFIRMATION BY SURVEYOR.

EXISTING SCHOOL BUILDING

EXISTING SCHOOL OVAL

LOT 420

LOT 622
D35723
R27154

EXISTING CARPARK

EXISTING BUILDING

EXISTING ACCESS TRACK

PROPERTY BOUNDARY (TYP)

EXTENT OF VEGETATION (TYP)

EXISTING LARGE TREE

PROPOSED OPTUS VEGETATION COVER/SCREENING AROUND ENTIRE COMPOUND

PROPOSED OPTUS INSTALL

OVERALL SITE LAYOUT PLAN

NTS (1000)

FOR APPROVAL

Rev	Date	Revision Details	By	App	Ver	App
02		COORDINATES UPDATED	3	BSW		
01		ISSUED FOR APPROVAL	3	BSW		

aurecon

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Email: perth@optus.com.au

Client:

'yes' OPTUS

Agenda Page 39

Project:

MOBILE NETWORK AUSTRALIA
SITE No:- P8311
GOOSEBERRY HILL
LEDGER ROAD, GOOSEBERRY HILL

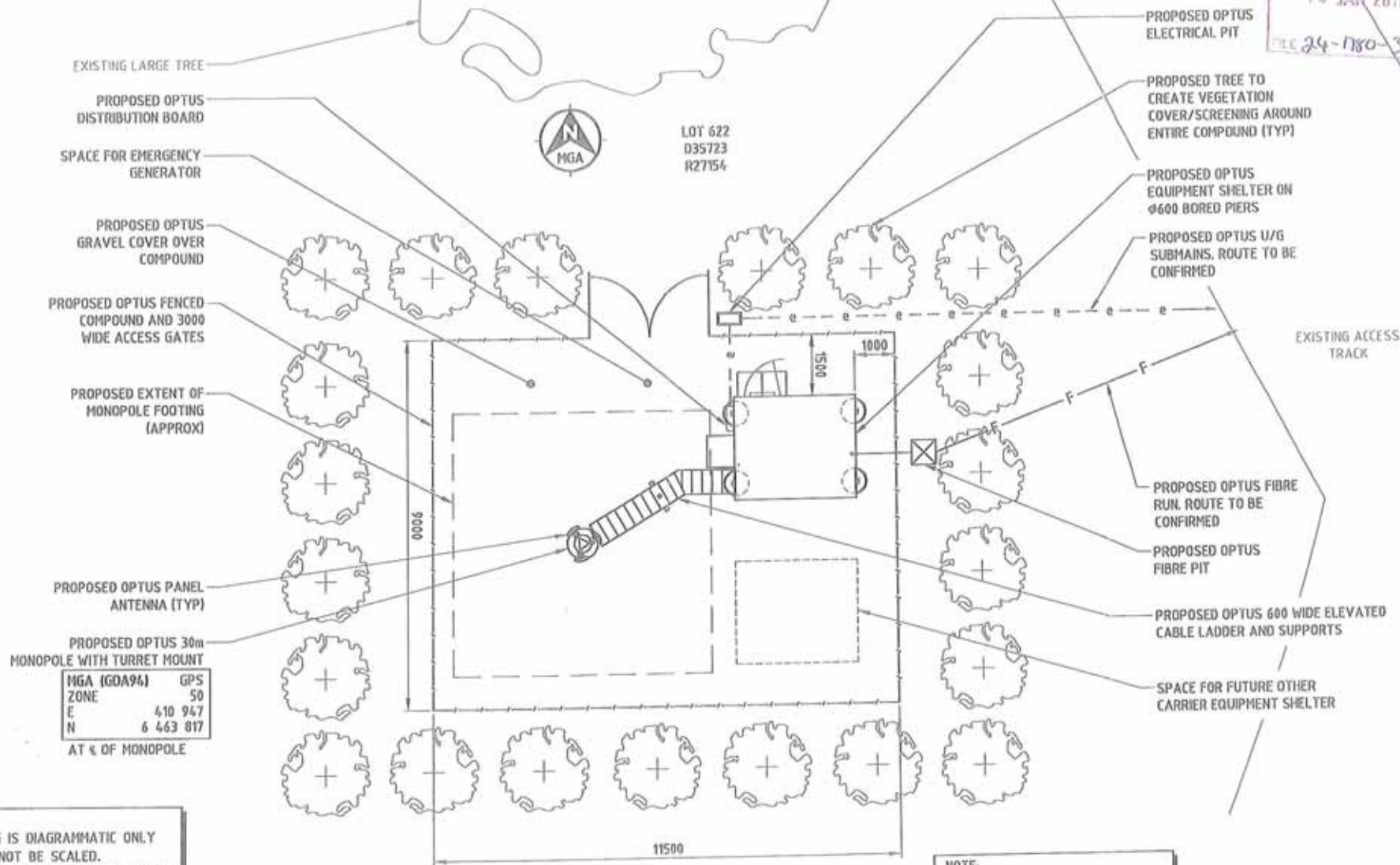
Drawing Title:

DRAFT OVERALL SITE LAYOUT

Designed	Drawn	Scale
TS	BGW	AUG '10
Verified		NTS
Approved		Project No: 204472
Drawing No	Revision	
P8311B-P1	02	

20 10 0 10 20 30 40 50mm

A3



NOTE:
THIS DRAWING IS DIAGRAMMATIC ONLY
AND SHOULD NOT BE SCALED.
DIMENSIONS, CO-ORDINATES, AND LEVELS
SHOWN ARE NOMINAL AND SUBJECT TO
CONFIRMATION BY SURVEYOR.

NOTE:
EXISTING VEGETATION MAY REQUIRE
REMOVAL TO ACCOMMODATE OPTUS
COMPOUND

DETAIL 1
NTS (100) P1

FOR APPROVAL

Rev	Date	Revision/Details	By	By	App
02		COORDINATES UPDATED		BSM	
01		ISSUED FOR APPROVAL		BSM	

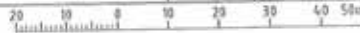
aurecon
Aurecon Australia Pty Ltd ABN 64 005 139 673 Telephone: +61 8 9223 1000
Level 1 Sepinus Row Square 256 Adelaide Terrace Perth Western Australia 6000 Australia Facsimile: +61 8 9223 1005
Email: perth@au.aurecongroup.com.au

'yes' OPTUS

Client: **MOBILE NETWORK AUSTRALIA**
Project: **SITE No:- P8311**
GOOSEBERRY HILL
LEDGER ROAD, GOOSEBERRY HILL

Drawing Title: **DRAFT DETAILED SITE PLAN LAYOUT**

Designed YS	Drawn BGW	Date AUG '10
Verified	Scale NTS	Project No. 204472
Approved	Project No. 204472	Revision P8311B-P2 02



N:\OPTUS\CAD\UITES\P8311-P8311\GOOSEBERRY HILL\WAP00TH INFILL FOR APPROVAL\CANDIDATE B\PH311B GOOSEBERRY HILL_DSL.TWG



Photo 3 – Existing access track looking south.



Photo 4 – Existing access track looking north towards the sporting oval and community hall.

18 JAN 2011
24-1780-3

14

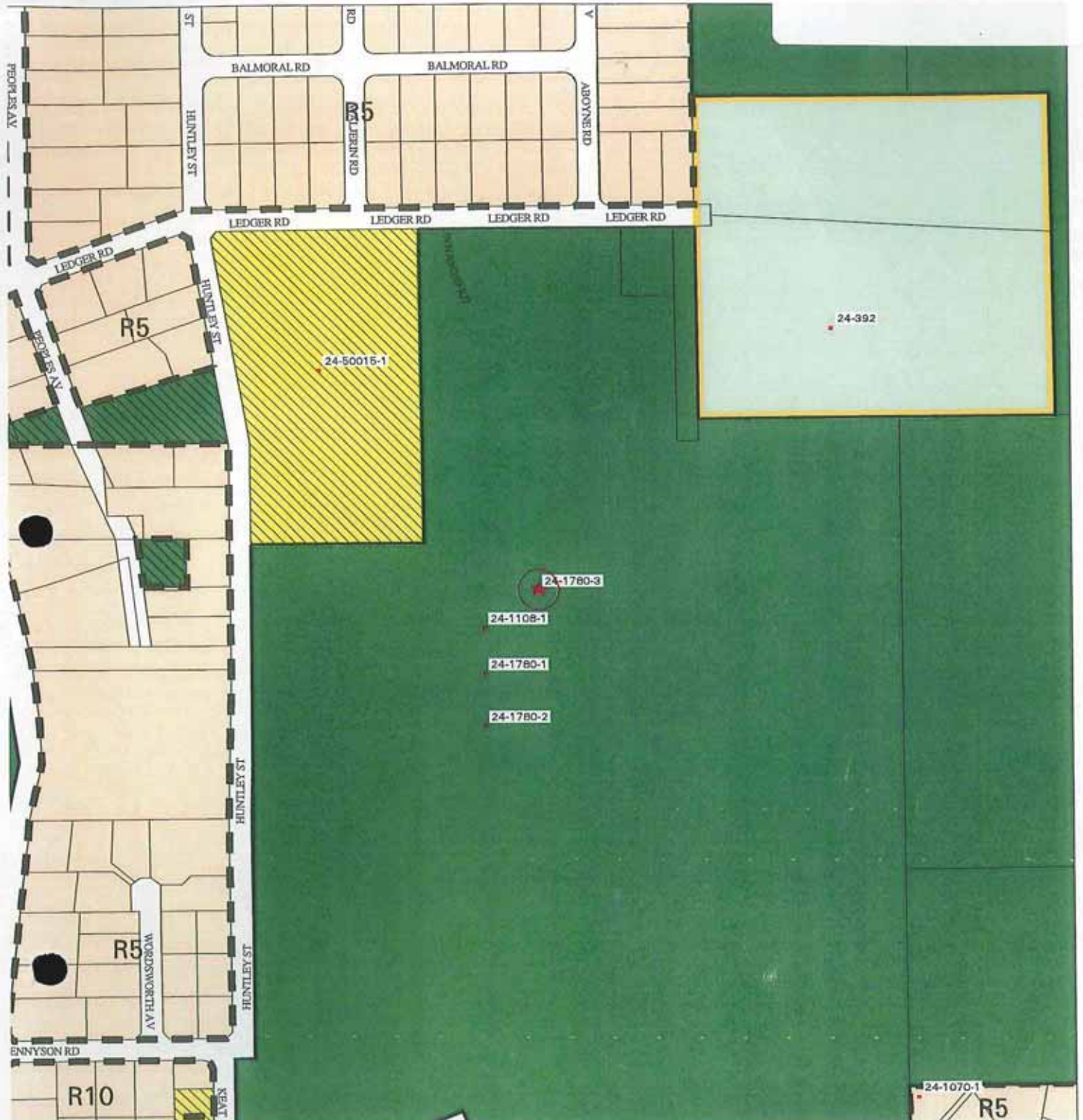
ATTACHMENT D - Site Photos



Photo 1 – Existing Access track adjacent to Proposed site location



Photo 2 – Proposed site location looking West



Development Application 24-1780-3 (MGA ref 410986mE 6463805mN Zone 50)

This data is to be used for the processing of subdivision applications only.

- | | |
|--------------------------------|------------------------|
| PARKS & RECREATION | LOCAL OPEN SPACE |
| CADASTRAL BOUNDARY | PUBLIC PURPOSES CHURCH |
| WESTNET ENERGY GAS PIPELINE | |
| DEVELOPMENT APPLICATION | |
| R CODE BOUNDARY | |
| RESIDENTIAL | |
| RURAL CONSERVATION | |
| PUBLIC PURPOSES PRIMARY SCHOOL | |

132043D.eps

Proposed Mobile Phone Tower - Lot 622 (42) Ledger Road, Gooseberry Hill

Submission Table

	Comment	Staff Comment
1.	<p>Objection</p> <p>a) I would prefer to have no mobile phone reception.</p> <p>b) Too close to the school and community building.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
2.	Objection	Noted.
3.	<p>Objection</p> <p>a) Why danger the lives of people, surely this tower can be built away from "suburba", in the forest.</p> <p>b) High levels of radiation are harmful to people's health and well being.</p> <p>c) As ratepayers another consideration is the value of our properties, will Council compensate ratepayers with loss?</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Not a planning consideration.</p>
4.	<p>Objection</p> <p>a) We find it astounding that the tower is proposed to be 180m from the Gooseberry Hill Primary School. The long term effects of EMR are not fully known however several studies have indicated that children under the age of 16 are five times more likely to develop brain tumours as a result of mobile phone use.</p> <p>b) I am sure, given the area of the Reserve an alternative solution can be found.</p>	<p>a) Noted. The studies referred to by the submitter apply to mobile phone use and not towers.</p> <p>b) Noted.</p>
5.	Objection	

	<p>a) Whilst I am willing to acknowledge mobile phone coverage could be better in the hills, I am not prepared to risk our children's health or future.</p> <p>b) It should be noted that this proposed tower is in breach of the Shire's own Local Planning Policy (not less than 500m from schools etc.).</p> <p>c) The carrier has breached the Telecommunications Industry Code by not providing any signage or extensive community consultation due to the community sensitive location.</p> <p>d) The Reserve was never intended to be used for such commercial development.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) The proposed tower is not determined under the Telecommunications (Low Impact Facilities) Determination 1997 as being a low impact facility and therefore requires planning approval. In such cases the codes expect public consultation to occur through the planning application process by the Shire.</p> <p>d) Noted.</p>
6.	<p>Objection</p> <p>a) Concerned that the Shire is breaching their policy on mobile phone towers.</p> <p>b) My children went to Gooseberry Hill Primary School and I would be very angry as a parent if this tower went ahead.</p> <p>c) I do not want to look at a phone tower.</p> <p>d) We live in a beautiful area and this will affect the values of our properties.</p>	<p>a) There is no indication how the Shire is allegedly breaching their mobile phone policy.</p> <p>b) Noted.</p> <p>c) Noted.</p> <p>d) The potential effect on property values is not a planning consideration.</p>
7.	<p>Objection</p> <p>a) The vast majority of parents have expressed concerns on this proposal based on the long term health and safety risks.</p> <p>b) The consultation period has been</p>	<p>a) Noted.</p> <p>b) The application was advertised by</p>

	<p>totally inadequate for such a highly technical, scientific and emotive issue that has potential impacts on the long term health and safety of our children.</p> <p>c) The inconsistencies with the Australian Standards, Council Policies that suggest a minimum of 500m from sensitive areas such as schools.</p> <p>d) A number of parents have indicated that they would remove their children from the school if the tower is built.</p> <p>e) The plans do not consider the newly completed building at the school, built under the Building the Education Revolution (BER) Programme, which is closer than 180m.</p> <p>f) The carrier has failed to consider the current use of the school oval as an outdoor classroom for all children.</p> <p>g) We strongly believe that other alternative sites are available.</p>	<p>the Shire for a total of 59 days. With regards to advertising mobile phone tower applications, LPP DEV26 stipulates that such proposals are to be advertised at least three weeks prior to any Council meeting.</p> <p>c) Noted.</p> <p>d) Noted.</p> <p>e) The plans submitted and advertised show the proposed tower being 180m from the school's assembly/arts building. According to the Shire's records this is the last building at the school approved by the Department of Treasury and Finance under the BER Programme, and will be approximately 170m from the proposed tower.</p> <p>f) Noted.</p> <p>g) Noted.</p>
8.	Objection	Noted
9.	Objection	Noted
10.	Objection	
	<p>a) Find a site in the middle of nowhere.</p> <p>b) It is unnecessary to place it so close to the community.</p>	<p>a) Noted</p> <p>b) Noted</p>
11.	Objection	
	a) Please put the health of our children and community before	a) Noted.

	<p>profit.</p> <p>b) Our Australian Standards are out dated and behind most other countries.</p> <p>c) I urge Council to adhere to its own Policy.</p> <p>d) Please give due respect and consideration to the effort put into the rehabilitation of Ledger Road Reserve.</p>	<p>b) Noted.</p> <p>c) Noted.</p> <p>d) Noted.</p>
12.	Objection	Noted
13.	<p>Objection</p> <p>a) Unknown health impact to vulnerable school children.</p> <p>b) The proposed tower is within the Council's own guidelines of not having such installations within 500m of schools.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
14.	Objection	Noted
15.	Objection	Noted
16.	<p>Objection</p> <p>There must be other site away from the school.</p>	Noted.
17.	Objection	Noted
18.	<p>Objection</p> <p>Please find an alternative location for the tower.</p>	Noted.
19.	<p>Objection</p> <p>a) The proposal does not comply with the Shire's Policy which recommends a distance of 500m.</p> <p>b) Literature from the Australian Radiation Protection and Nuclear Safety Agency (ARPNSA) states that there is uncertainty.</p> <p>c) A growing number of doctors, physicists and health officials foresee a public health crisis.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>

	d) Our children should not be forced to act as guinea pigs.	d) Noted.
20.	Objection Unsightly and unknown risk. Unwelcomed in the community.	Noted.
21.	Objection	Noted.
22.	Objection a) Children absorb radiation at much high rates than adults. b) Recent scientific and medical studies suggest there are serious health impacts for all people living and working within a 500m radius of these facilities. c) The tower is in breach of the Shire's Policy.	a) Noted. b) Noted. c) Noted.
23.	Objection a) Children absorb radiation at much high rates than adults. b) Recent scientific and medical studies suggest there are serious health impacts for all people living and working within a 500m radius of these facilities. c) The tower is in breach of the Shire's Policy. d) I am disgusted that the Shire would consider putting the health of the children at risk by considering a structure of this type. e) Surely a consultation process should have been undertaken by the carrier.	a) Noted. b) Noted. c) Noted. d) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. e) The proposed tower is not determined under the Telecommunications (Low Impact Facilities) Determination 1997 as being a low impact facility and therefore requires planning approval. In such cases the Mobile Phone Network Industry Codes expect public consultation

		to occur through the planning application process by the Shire.
24.	<p>Objection</p> <p>a) Children absorb radiation at much high rates than adults.</p> <p>b) Recent scientific and medical studies suggest there are serious health impacts for all people living and working within a 500m radius of these facilities.</p> <p>c) The tower is in breach of the Shire's Policy.</p> <p>d) I am disgusted that the Shire would consider putting the health of the children at risk by considering a structure of this type.</p> <p>e) Surely a consultation process should have been undertaken by the carrier.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p> <p>d) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe.</p> <p>e) The proposed tower is not determined under the Telecommunications (Low Impact Facilities) Determination 1997 as being a low impact facility and therefore requires planning approval. In such cases the Mobile Phone Network Industry Codes expect public consultation to occur through the planning application process by the Shire.</p>
25.	<p>Objection</p> <p>a) Children absorb radiation at much high rates than adults.</p> <p>b) Recent scientific and medical studies suggest there are serious health impacts for all people living and working within a 500m radius of these facilities.</p> <p>c) The tower is in breach of the Shire's Policy.</p> <p>d) I am disgusted that the Shire would consider putting the health of the children at risk by considering a structure of this type.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p> <p>d) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe.</p>

	e) Surely a consultation process should have been undertaken by the carrier.	e) The proposed tower is not determined under the Telecommunications (Low Impact Facilities) Determination 1997 as being a low impact facility and therefore requires planning approval. In such cases the Mobile Phone Network Industry Codes expect public consultation to occur through the planning application process by the Shire.
26.	Objection If this tower goes ahead we will be sending our children to a different school.	Noted.
27.	Objection	Noted.
28.	Objection There must be a safer location than near the primary school.	Noted.
29.	Objection a) I do not want the tower near the school. b) It is not so important to have mobile phone coverage in this area.	a) Noted. b) Noted.
30.	Objection a) An inquiry should be conducted to find out who has allowed this to be proposed and to even get to this stage. b) Shame on those people who are only interested in their profit margins.	a) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. b) Noted.
31.	Objection a) If studies conducted are not enough reasons to have the tower moved 500m from the school and residential areas, what do we have to do? b) Using a school oval as a buffer area is unacceptable.	a) Noted. b) Noted.

32.	<p>Objection</p> <p>a) I don't want to go to school near a tower as I might get cancer from radiation.</p> <p>b) I think it could be put in the middle of the bush.</p> <p>c) One of the classrooms is 180m, if you go no the oval we will be closer than 500m.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
33.	<p>Objection</p> <p>a) I don't want to go to school near something which I could be harmed by.</p> <p>b) You are supposed to have it 500 metres or more away from residents and schools.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
34.	<p>Objection</p> <p>a) I had a mobile phone with the carrier and couldn't get reception, but I didn't care.</p> <p>b) The radiation levels will increase if the carrier installs transmitters off the proposed tower.</p>	<p>Noted.</p> <p>Noted.</p>
35.	<p>Objection</p> <p>a) I don't want this tower near the school.</p> <p>b) The carrier has not provided any data or information to support this location.</p>	<p>a) Noted.</p> <p>b) Refer to the Officer Comments section of the report.</p>
36.	Objection	Noted.
37.	<p>Objection</p> <p>a) The tower will be within 500m of the school.</p> <p>b) The long term effects of radiation are yet to be established.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
38.	Objection	Noted.

39.	Objection	Noted.
40.	Objection	Noted.
41.	Objection We strongly believe from reports from around the world that such a device is dangerous to humans.	Noted.
42.	Objection a) The demand for mobile phone reception in the area must be low. b) Putting a tower near the school is foolish and short sighted. c) The health risks are yet to be proven.	b) Not a planning consideration. b) Noted. c) Noted.
43.	Objection	Noted.
44.	Objection	Noted.
45.	Objection	Noted.
46.	Objection a) The tower is in breach of the Shire's Policy. b) The carrier's decision was taken on narrow economic grounds regardless of the risks to residents and additional disruption.	a) Noted. b) Noted.
47.	Objection Not close to our school or homes.	Noted
48.	Objection	Noted
49.	Objection a) The effects of EMR on developing brains is not known. b) I am not prepared to take the risk for my son or the community.	a) Noted. b) Noted
50.	Objection a) The precautionary principle should be applied to this application. b) We need to adopt technology which emits lower levels of	a) Noted b) Noted

	<p>radiation.</p> <p>c) If constructed at all, the tower must be moved further away.</p> <p>d) The effects are just not that well understood.</p>	<p>c) Noted</p> <p>d) Noted</p>
51.	<p>Objection</p> <p>We cannot take risks with children.</p>	Noted
52.	Objection	Noted
53.	<p>Objection</p> <p>a) I can't believe this is being considered.</p> <p>b) It has breached the Shire's Policy of not being outside of a 500m radius.</p>	<p>a) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe.</p> <p>b) Noted.</p>
54.	<p>Objection</p> <p>a) If the tower is built it will be the beginning of the end for Kalamunda as we know it.</p> <p>b) The health risk is something I do not understand.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
55.	<p>Objection</p> <p>a) Not knowing the long terms effects of radiation transmitted from the tower I would be deeply concerned that Council would agree to erecting a tower near a school.</p> <p>b) Should Council allow the development of the tower at the subject property I would need to find an alternative school.</p>	<p>a) Noted.</p> <p>b) The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration.</p>
56.	<p>Objection</p> <p>a) I have grave concerns should this</p>	a) Noted.

	<p>go ahead.</p> <p>b) Is well within the Shire's location policy.</p> <p>c) The health consequences are not fully realised.</p>	<p>b) Noted.</p> <p>c) Noted.</p>
57.	<p>Objection</p> <p>To date no convincing arguments have been put forward by the carrier.</p>	Noted.
58.	<p>Objection</p> <p>a) The effect of mobile phone towers are not fully known.</p> <p>b) This is not the time to make a short sighted economic decision. This is the time to stand up against big businesses.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
59.	<p>Objection</p> <p>What is more important than the safety of our kids?</p>	Noted.
60.	<p>Objection</p> <p>a) Emissions from such a tower pose potential health risks to the school, scout hall and residents in proximity to the site.</p> <p>b) Consider relocating the tower to a safer location.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
61.	<p>Objection</p> <p>a) The proposed site is highly unsuitable due to its proximity to the school and Residential areas.</p> <p>b) Impacts of radio frequency radiation from the antenna.</p> <p>c) The effects on health and wellbeing from mobile phone base stations.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>

62.	<p>Objection</p> <p>The tower should be put in an area where there are no schools or residential areas.</p>	Noted.
63.	<p>Objection</p> <p>We have both lived in Gooseberry Hill all of our lives and we do not like the idea of a tower near the school for radiation and cancer reasons.</p>	Noted.
64.	<p>Objection</p> <p>a) I find it amazing and extremely disappointed that this can be even considered.</p> <p>b) Safety is paramount for the children attending the school.</p> <p>c) So often residents submit proposals for everyday structures and are bombarded by rules and regulations regarding streetscape appeal and yet such a monstrosity of a tower is going forth.</p>	<p>a) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe.</p> <p>b) Noted.</p> <p>c) The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration.</p>
65.	<p>Objection</p> <p>a) Clearly there is a Federal Government misdemeanour in the requirements of telecommunication. As the planned facility is high impact and not low impact, there is no obligation for the carrier to conduct extensive community consultations.</p> <p>b) The community respects that technology travels at a greater speed than amendments to policies can occur however, the consultation process on which the carrier has subrogated their responsibility to the Shire is inadequate.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>

	c) We appeal to you to reject this proposal.	
66.	<p>Objection</p> <p>a) Phone coverage in the area is presently adequate, indeed sound.</p> <p>b) Installations with towers adjacent to schools are not permitted by advanced nations.</p> <p>c) State and Local Governments have a duty of care to citizens, especially children.</p> <p>d) Which entity will receive benefit of fees, rentals and other incomes?</p> <p>e) I find the timing/delivery method of survey questionable, being near Christmas and not posted.</p> <p>f) Did the WA Education Department and Gooseberry Hill Primary School each receive an invitation to comment following briefing in respect of health issues.</p>	<p>a) Noted.</p> <p>b) In other countries such as England mobile phone towers can be considered on school grounds subject to the radiation levels being acceptable to the independent regulator (OfCom) and local government.</p> <p>c) Noted.</p> <p>d) Not a planning consideration.</p> <p>e) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe.</p> <p>f) The Department of Education and Gooseberry Hill Primary School were given opportunity to comment on the proposal, and it is understood that the applicant and carrier met with them to address any concerns they may have.</p>
67.	<p>Objection</p> <p>a) Dr George Carlo, who use to run a multi-million dollar research program for the mobile phone industry before going public regarding the dangers posed by mobiles, uses the analogy of putting a frog in water. If you put a frog in boiling water, it will jump out. However, if you put a frog in cold water and gradually heat the water, you can cook the frog because the frog's body will adjust to the slight changes in temperature and it will not notice</p>	<p>a) Noted.</p>

	<p>it is being cooked. Well, the same thing might be happening to unsuspecting public.</p> <p>b) It has taken 50 years to finally take seriously the threat of global warming. David Suzuki said in the 1970s that we only had 40 years left if development continued at the same place. He was right – but Governments did not act, now we are paying the price. It has been the same with tobacco.</p> <p>c) Whilst not proposing that the wireless world should be switched off tomorrow, I believe that we must heed independent scientists on the dangers of non-thermal radiation before populations are further damaged. There are problems in this area of research due to the volatile and invisible nature of what is being examined, however this is no excuse to bury our heads in the sand.</p> <p>d) A study reported on 16th of July 2007 stated that people are so dependent upon their mobiles that they could not in any way envisage having to live without them. This, though, is an illusion, for there was no demand for this technology prior to its creation, except by the companies that stood to make a profit.</p> <p>e) Groups in the UK and Europe have suggested that lowering exposure limits or using more fibre optic cabling and by sitting antennas away from residential areas and schools.</p> <p>f) It is extraordinary that in Australia telecommunication carriers can still install antennas on roofs of shops, churches, schools and other public buildings without permission from local owners, local councils or those</p>	<p>b) Noted.</p> <p>c) Noted.</p> <p>d) Noted.</p> <p>e) Noted.</p> <p>f) Noted.</p> <p>g) Noted.</p> <p>h) Noted.</p>
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	<p>nearby, in spite of regular protests.</p> <p>g) This technology has been rolled out the world over without any prior warning or any recourse to protest.</p> <p>h) Nevertheless in Europe and the US wireless-free zones are now being created, along with materials and buildings as a shield against EMR.</p> <p>i) If the effects showing up now after only 15 years are anything to go by, and if levels continue to increase as they are bound to do with the further development of wireless technology, what sort of effects on the human being can we expect in the future years?</p> <p>j) In view of current data, it is not hard to envisage worldwide, irreversible damage on all levels, including those of a more subtle nature as indicated by the Egyptian study, if the issue is not taken more seriously by governments.</p> <p>k) Recommendation is that The "<i>Telecommunications Act</i>" is amended in accordance with the Precautionary Principle, ie: that antennas should not be erected in residential areas or in the vicinity of schools and child care centres.</p>	<p>i) Noted.</p> <p>j) Noted.</p> <p>k) No relevant to the subject application.</p>
68.	<p>Objection</p> <p>It maybe an advantage for mobile phone use but not in the suggested location.</p>	Noted.
69.	<p>Objection</p> <p>Since we have little mobile phone coverage I am thrilled to be having a phone tower but not in the proposed location.</p>	Noted.

70.	<p>Objection</p> <p>a) I feel that a better site could be proposed.</p> <p>b) There are so many studies out there regarding the increase of health risks near phone towers that it seems ludicrous to put one near the school.</p> <p>c) Some argue that the evidence relating to radiation from phone towers is not concrete but it is better to be cautious and prudent than sorry.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
71.	<p>Objection</p> <p>I strongly object to it.</p> <p>Note: documents from the EMF Safety and Health website were provided with the submission which outlined the apparent health risks associated with cell towers.</p> <p>The website states that towers produce substantial electromagnetic radiation, and that few studies have specifically concentrated on cancer risk.</p>	<p>Noted.</p>
72.	<p>Objection</p> <p>a) We write requesting that the proposal either be declined or be deferred until adequate community consultation is undertaken.</p>	<p>a) The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration.</p> <p>The application was advertised in accordance with Local Planning Policy DEV26, which involved a local public notice in a paper circulating the District, a sign being erected on the subject property and the proposal being referred to affected landowners within a 500m radius of the</p>

	<p>b) We note that Commonwealth and State Government agencies generally minimise the risks associated with electromagnetic exposure and that they largely dismiss concerns regarding negative health impacts from mobile phone towers.</p> <p>c) We seek reassurance from our Shire that you will thoroughly investigate community concerns and guarantee that residents in close proximity to the tower will not become another asbestos type generation.</p>	<p>proposed tower, for comment.</p> <p>b) Noted.</p> <p>c) Noted.</p>
73.	<p>Objection</p> <p>Too close to the school.</p>	Noted.
74.	Objection	Noted.
75.	Objection	Noted.
76.	<p>Objection</p> <p>a) Too close to the school.</p> <p>b) Too close to the Residential area.</p> <p>c) Will be an eye sore</p> <p>d) Keep the locality as a natural setting.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p> <p>d) Noted.</p>
77.	<p>Objection</p> <p>a) There has been no public consultation.</p> <p>b) It is too close to the school.</p> <p>c) It needs to go further into the Reserve.</p>	<p>a) The application was advertised in accordance with Local Planning Policy DEV26, which involved a local public notice in a paper circulating the District, a sign being erected on the subject property and the proposal being referred to affected landowners within a 500m radius of the proposed tower, for comment.</p> <p>b) Noted.</p> <p>c) Noted.</p>
78.	<p>Objection</p> <p>I am very concerned about the proximity</p>	Noted.

	of this tower to the school and local playgrounds.	
79.	<p>Objection</p> <p>a) It is truly criminal and mind boggling that the Shire would even consider placing a radiation emitting device anywhere near children.</p> <p>b) The long term health affects are unknown.</p> <p>c) Our 'home in the forest' should not become 'home of the mobile tower forest'.</p>	<p>a) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration.</p> <p>b) Noted.</p> <p>c) Noted.</p>
80.	<p>Objection</p> <p>a) It is too close to the school.</p> <p>b) Tell the developers to seek another location.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
81.	<p>Objection</p> <p>a) In Australia we have a standard which is based on safe levels of emissions for adults (not children) and these standards are wrong.</p> <p>b) Children should not be exposed to radiation.</p> <p>c) Research based on the EMR Australia is showing that the long term effect of mobile phone towers is causing a range of health issues.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
82.	<p>Objection</p> <p>a) Too close to the school.</p> <p>b) We should look after the future (such as the children).</p>	<p>a) Noted.</p> <p>b) Noted.</p>

	c) If the tower is approved I would like to see other carriers use the same tower to reduce further towers on the property in future.	c) Noted.
83.	<p>Objection</p> <p>a) Any noise emitted.</p> <p>b) Any lights emitted.</p> <p>c) Any radiation emitted.</p> <p>d) What is the community need for the tower?</p> <p>e) Why was this site chosen?</p> <p>f) Is a Shire Reserve, is this use allowed?</p> <p>g) No mention of being near a community hall.</p>	<p>a) No.</p> <p>b) No.</p> <p>c) Refer to the Officer Comments section of the report.</p> <p>d) The need for development is not a planning consideration.</p> <p>e) Refer to the Details section of the report.</p> <p>f) The subject property is a Regional Reserve, therefore the Shire is not the determining authority for any development on it. The WA Planning Commission will assess and determine the proposal based on its merits.</p> <p>g) A locality plan was provided with information of the proposed tower during the advertisement period.</p>
84.	<p>Objection</p> <p>Should not proceed without more environmental and social impact details.</p>	Refer to the Officer Comments section of the report.
85.	<p>Objection</p> <p>a) Poor technology accepted by people at the cost of society.</p> <p>b) Visually ugly.</p> <p>c) Far too close to the school.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
86.	<p>Objection</p> <p>Too close to the school and to where we live.</p>	Noted.
87.	<p>Objection</p> <p>Should not be built so close to the school.</p>	Noted.

88.	Objection	Noted
89.	Objection <ul style="list-style-type: none"> a) I am extremely concerned about the tower's proximity to the school. b) Nearly every school day morning I take my class for a bush walk and we walk near to this area. c) I ask that you reconsider the location of the proposed tower. 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) Noted.
90.	Objection	Noted
91.	Objection	Noted
92.	Objection	Noted
93.	Objection <ul style="list-style-type: none"> a) I am amazed that the proposed mast is being situated so close to the primary school. b) There is sufficient evidence that the radiation does have potential adverse health affects. c) I believe that with the forest density it could be located elsewhere, some distance away from the school, 180m is too close. 	<ul style="list-style-type: none"> a) Noted. Refer to the Officer Comments section of the report. b) Noted. c) Noted.
94.	Objection	Noted
95.	Objection <ul style="list-style-type: none"> a) I would prefer that the tower be relocated for health reasons. b) Better still do not have a phone tower at all. c) Even though there are two sides to the argument, until there is conclusive evidence that the radiation does not damage human cells it would be best not to install. 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) Noted.
96.	Objection <ul style="list-style-type: none"> a) Due to the amount of research highlighting the potential harmful side effects I strongly oppose. 	<ul style="list-style-type: none"> a) Noted.

	b) Technological progress should not be put ahead of the health of our children.	b) Noted.
97.	<p>Objection</p> <p>a) I feel disheartened and suspicious at the timeframe for response.</p> <p>b) There is much controversy surrounding electromagnetic fields.</p> <p>c) Keep this tower as far from the school and homes as possible.</p>	<p>a) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The application was received in November and as a consequence was required to advertise it in December. The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration. The application was advertised in accordance with Local Planning Policy DEV26.</p> <p>b) Noted.</p> <p>c) Noted.</p>
98.	<p>Objection</p> <p>a) Concerns for health of staff and children at the school.</p> <p>b) I have the misfortune of living near one and don't want to also work near one.</p>	<p>a) Noted</p> <p>b) Noted.</p>
99.	Objection	Noted
100.	<p>Objection</p> <p>a) There is not enough information about the impacts of phone towers on health.</p> <p>b) Should be placed further away from the populated area.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
101.	<p>Objection</p> <p>a) Whilst I believe emissions from phone towers are currently</p>	<p>a) Noted.</p>

	<p>thought to be of minor health concern this has not been proved with long term health studies.</p> <p>b) There is plenty of room in the Reserve to relocate the tower.</p> <p>c) Move it to the centre of the Reserve or further to the south.</p>	<p>b) Noted.</p> <p>c) Noted.</p>
102.	<p>Objection</p> <p>We object to the tower being so close to a school.</p>	Noted.
103.	<p>Objection</p> <p>a) We strongly oppose the close proximity of the tower to the school.</p> <p>b) The Shire needs to acknowledge that the carrier has not met its mandatory obligations under the mobile phone network Industry Code.</p>	<p>a) Noted.</p> <p>b) The proposed tower is not determined under the Telecommunications (Low Impact Facilities) Determination 1997 as being a low impact facility and therefore requires planning approval. In such cases the codes expect public consultation to occur through the planning application process by the Shire.</p>
104.	<p>Objection</p> <p>a) Any proposed tower should be setback a minimum distance from schools by at least 400m.</p> <p>b) It is not acceptable to put the health of staff and children at risk.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
105.	<p>Objection</p> <p>a) It would be irresponsible to put children's health at risk.</p> <p>b) There has been a lot of research done on the effects of spending time near phone towers and they all show that it is not good for you.</p> <p>c) I would not feel good about sending my children to spend their day close to a tower.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>

106.	<p>Objection</p> <p>a) Not an appropriate site for construction.</p> <p>b) We moved up here for a cleaner change in April, looks like we may have to move once again if this goes ahead.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
107.	Objection	Noted
108.	<p>Objection</p> <p>a) Too close to the school.</p> <p>b) With 100% proof that the tower would not cause health issues we cannot support the proposal.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
109.	<p>Objection</p> <p>Too close to the school.</p>	Noted.
110.	Objection	Noted.
111.	<p>Objection</p> <p>a) I object on the grounds of health.</p> <p>b) There is sufficient evidence about the effects of radio waves.</p> <p>c) Should this be approved there is the possibility of other providers to add to an established facility.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Should the subject application be approved by the WA Planning Commission and similar proposals be received for the same property, they will each be assessed on their merit.</p>
112.	<p>Objection</p> <p>a) Too close to the school grounds.</p> <p>b) The tower should be moved away from the school.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
113.	<p>Objection</p> <p>a) The period and timing for community comment is unacceptable.</p>	<p>a) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The application was received in November and as a consequence was required to advertise it in December. The Shire is not the</p>

	<p>b) To assist the community in making a decision workshops are necessary.</p> <p>c) No reasons provided for this choice of location.</p> <p>d) From what we have learnt about ARPANSA standards for radiation levels, it sets limits only on the gross effect of tissue heating and does not consider subtle effects on cell membrane permeabilities or biochemical effects because there are not understood enough.</p>	<p>determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration. The application was advertised in accordance with Local Planning Policy DEV26.</p> <p>b) Noted.</p> <p>c) Refer to the Officer Comments section of the report.</p> <p>d) Noted.</p>
114.	Objection	Noted.
115.	<p>Objection</p> <p>Too close to the school and will be a safety and health issue.</p>	Noted.
116.	<p>Objection</p> <p>Too close to the school and will be a safety and health issue.</p>	Noted
117.	<p>Objection</p> <p>Safety of phone towers has not been determined.</p>	Noted.
118.	Objection	Noted
119.	<p>Objection</p> <p>Too close to the school. I would support it if 600m from the school.</p>	Noted
120.	<p>Objection</p> <p>a) As the long term effects of</p>	<p>a) Noted</p>

	<p>emissions are unknown, having the tower in such close proximity to a school and local playgroup is unwise.</p> <p>b) There must be a better location than the one proposed.</p>	<p>b) Noted.</p>
121.	<p>Objection</p> <p>Long term effects unknown therefore a greater safety distance between the tower and the school should be mandatory.</p>	<p>Noted</p>
122.	Objection	Noted
123.	Objection	Noted
124.	<p>Objection</p> <p>Should not be cited near schools. We must protect the children's health.</p>	<p>Noted.</p>
125.	<p>Objection</p> <p>a) Seems short sighted to put a tower close to a school.</p> <p>b) Surely there would be other sights the tower could be relocated to.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
126.	<p>Objection</p> <p>a) I do not want the various groups using the community hall to glow in the dark.</p> <p>b) The school uses the bush area for healthy exercise.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
127.	<p>Objection</p> <p>I am worried about the radiation which may affect my health.</p>	<p>Noted.</p>
128.	<p>Objection</p> <p>a) There is no need to place the tower near the school or homes.</p> <p>b) I don't know if placing the tower</p>	<p>a) Noted.</p> <p>b) Noted.</p>

	180m from the school is going to cause harm to the children.	
129.	Objection Due to radiation near the school and the aesthetics.	Noted.
130.	Objection	Noted.
131.	Objection	Noted.
132.	Objection	Noted.
133.	Objection	Noted.
134.	Objection a) The tower must be further away from the school. b) Concerned that other carriers will follow. c) Concerned about the radiation which is going to be emitted.	a) Noted. b) Should a similar application be received it will be assessed on its merit. c) Noted.
135.	Objection a) The Australian Communications Industry Forum Industry Codes (ACIFIC) outlines the obligations of carriers, particularly in relation to radiation exposure and community consultation. Optus have pledged to this code. b) With a distance of 180m to the primary school, the community is of the opinion that this community sensitive location has not been adequately considered. c) The community has been denied the opportunity of full consultation. The community has received no notification of any intended or proposed consultation, in accordance with clause 5.4 and 5.5.	a) Noted. b) Noted, however the submitter is not representing the community as a whole and some residents within close proximity to the proposed location of the tower are in favour of the application. c) The application was advertised in accordance with Local Planning Policy DEV26 – Radio, Television and Communication Facilities/Masts, involving a local public notice in a paper circulating the District, a sign being erected on the subject property and the proposal being referred to affected landowners for comment whose property fell within a 500m radius of the proposed tower. Clause 5.4 and 5.5 of the ACIFIC

	<p>d) In this regard the carrier must comply with 5.5.6 of the code (consultation requirements), and the carrier must also provide the Council with a report about the responses received from those notified and the results of any other consultation conducted under the plan by the carrier.</p> <p>e) Non compliance to this code cannot be ignored in the assessment of this application as it is fundamentally designed to protect the health and safety of those residents such as in Gooseberry Hill.</p> <p>f) It is of further concern that the EMR measurements provided to the WA Planning Commission may not comply with the Australian Radiation Protection and Nuclear Safety Agency Standard due to the Radiofrequency (RF) field patterns being influenced by the local plane conditions.</p> <p>g) Any person familiar with Gooseberry Hill will agree that the RF field pattern is likely to be influenced by local ground plane conditions.</p> <p>h) The concerns for health and safety are a priority for consideration.</p> <p>i) The location is unacceptable.</p>	<p>do not apply to infrastructure that requires planning approval. The proposed tower is not determined under the Telecommunications (Low Impact Facilities) Determination 1997 as being a low impact facility and therefore requires planning approval. In such cases the codes expect public consultation to occur through the planning application process.</p> <p>d) Not applicable to subject application. Refer to response to previous comment.</p> <p>e) Agreed, however the Carrier has complied with the requirements of the ACIFIC.</p> <p>f) The property is relatively flat therefore the topography of the land would not have significantly influenced the field patterns obtained for the purpose of the report provided by the applicant.</p> <p>g) Refer to response to previous comment.</p> <p>h) Agreed.</p> <p>i) Noted.</p>
136.	Objection	

	<p>a) It is well documented the dangers posed to humans from electromagnetic fields and radiation.</p> <p>b) A proposal for the tower in such close proximity to a school is absurd.</p> <p>c) There is sufficient property to locate the tower a greater distance.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
137.	<p>Objection</p> <p>a) The tower is too close to permanent residents such as ourselves.</p> <p>b) The tower will set up an electromagnetic field which is harmful to humans.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
138.	<p>Objection</p> <p>a) Children should not be put at risk no matter how small the risk.</p> <p>b) By advertising this application at this busy time of year when people are time poor, one wonders if this was a deliberate act in the hope many people would not get their objections in on time.</p>	<p>a) Noted.</p> <p>b) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The application was received in November and as a consequence was required to advertise it in December. The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration. The application was advertised in accordance with Local Planning Policy DEV26.</p>
139.	<p>Objection</p> <p>a) Due to the close proximity of the tower to the school.</p>	<p>a) Noted. Refer to the Officer Comments section of the report.</p>

	b) Our hills area is already visually scarred and disfigured by unsightly high cable towers.	b) Noted.
140.	<p>Objection</p> <p>a) The tower is too close to the school.</p> <p>b) Not enough research has been done on the health affect of EMR.</p> <p>c) How many more will be allowed for other carriers.</p> <p>d) Children's and community health is more important than mobile signals.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) No decision has been made on the subject tower therefore it is not known whether the Minister for Planning will allow it.</p> <p>d) Noted.</p>
141.	<p>Objection</p> <p>a) Do not want the tower near the school.</p> <p>b) I also frequently walk in the area.</p> <p>c) Even though we have limited mobile service in Gooseberry Hill I would rather go without, than have a mobile phone tower in an area so close to children.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
142.	Objection	Noted.
143.	Objection	Noted.
144.	<p>Objection</p> <p>a) I am very unhappy about the time frame given to concerned residents and members of the community.</p> <p>b) I have researched the effects of EMF/EMR exposure and it is horrifying.</p> <p>c) The tower is too close</p>	<p>a) The application was advertised in accordance with Local Planning Policy DEV26 – Radio, Television and Communication Facilities/Masts.</p> <p>b) Noted.</p> <p>c) Noted.</p>
145.		

	<p>Objection</p> <p>The tower is dangerous to humans, consequently why would you have one near a school.</p>	Noted.
146.	Objection	Noted.
147.	<p>Objection</p> <p>a) I understand the need for phone coverage in the area, I do not believe the proposal has been sufficiently thought through.</p> <p>b) At this point the research is not favourable</p>	<p>a) Noted.</p> <p>b) Noted.</p>
148.	Objection	Noted.
149.	<p>Objection</p> <p>Have you seen the studies on EMR & Cancer?</p>	Noted.
150.	<p>Objection</p> <p>a) This is not something we would be happy to have near our house, I definitely object.</p> <p>b) This is clearly not worth any risk to our most precious children.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
151.	<p>Objection</p> <p>a) This is not needed so close to a school environment.</p> <p>b) There are restrictions on towers within 400km</p>	<p>a) Noted.</p> <p>b) No such restrictions exist in State Government legislation or the Mobile Phone Network Industry Codes for the type of infrastructure proposed.</p>
152.	<p>Objection</p> <p>a) The health and safety of our children and community are going to be at great risk.</p> <p>b) Move it further away.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
153.	Objection	Noted.

154.	Objection Poses great risk to school students & residents in area.	Noted.
155.	Objection	Noted.
156.	Objection	Noted.
157.	Objection Just not near the school	Noted.
158.	Objection	Noted.
159.	Objection a) Concern over proximity to school children. b) Implications on health due to amount of exposure.	a) Noted. b) Noted.
160.	Objection Why next to school grounds when so much space is available?	Refer to the Officer Comments section of the report.
161.	Objection	Noted.
162.	Objection	Noted.
163.	Objection I strongly object to the proposal of a mobile phone tower anywhere near the school.	Noted.
164.	Objection a) To erect a mobile phone tower near a school, children's playground and a scout hall is irresponsible. b) An area that is extensively used by young children should be free of any transmission towers. c) I am strongly opposed to giving this permission.	a) Noted. b) Noted. c) Noted.
165.	Objection	Noted.
166.	Objection	Noted.
167.	Objection a) I will withdraw my children from the school, I object entirely.	a) Noted

	b) International standards are 400 metres plus, not 180m as proposed.	b) No such restrictions exist in State Government legislation or the Mobile Phone Network Industry Codes for the type of infrastructure proposed.
168.	Objection	Noted.
169.	Objection	Noted.
170.	Objection	Noted.
171.	Objection	Noted.
172.	Objection <p>a) We need a mobile phone tower, but further away from the school.</p> <p>b) It is dangerous to our health and the children, and our children are our future, so we need to think of them as our future.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
173.	Objection <p>a) We need the tower but at a more appropriate location.</p> <p>b) The tower could damage the student's health which is a major concern, not safe!.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
174.	Objection <p>I realise that we need a mobile phone tower, however I object to the phone tower being located so close to the school where approx 360 students attend.</p>	Noted.
175.	Objection <p>I realise that a tower needs to be put up but not at that site, move it away from the school.</p>	Noted.
176.	Objection <p>Appreciate the need for a mobile phone tower, but concerns with the close proximity to the school, in light of the danger for young children and staff, for such prolonged periods.</p>	Noted.

177.	<p>Objection</p> <p>a) 180 metres is not a safe distance from the electromagnetic field zone emitted from the mobile phone tower, no matter what the Government requirements may say.</p> <p>b) They got it wrong look at DDT; Lead in paint, asbestos tobacco.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
178.	<p>Objection</p> <p>a) It is not appropriate at all that close to a school.</p> <p>b) No decision should be made without all the facts being laid out at a community forum.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
179.	<p>Objection</p> <p>I can't believe that it is common sense to have the peak EME level occurring within the school grounds is needs to be further away.</p>	<p>Noted.</p>
180.	<p>Objection</p> <p>Not necessary, property de valuing, visual – eye sore.</p>	<p>The affect on property values is not a planning consideration.</p> <p>Refer to the Officer Comments section of the report with regards to the potential visual impacts.</p>
181.	<p>Objection</p> <p>Although we do not live in Gooseberry Hill, we strongly oppose to the proposed mobile phone tower as we have a child attending the school.</p>	<p>Noted.</p>
182.	<p>Objection</p> <p>a) We are very concerned that the tower will only be 180m from the school and even closer to the playground</p> <p>b) Children need to be protected from</p>	<p>a) Noted.</p> <p>b) Noted.</p>

	possible harmful signals, it is the Shire's duty to site towers like these no where near schools or playgroups.	
183.	Objection	Noted.
184.	Objection	Noted.
185.	Objection <ul style="list-style-type: none"> a) Demonstrates negligence b) Demonstrates a lack of duty of care c) The tower must be relocated 	Noted.
186.	Objection <p>Will make further comments confirming my objection when I know precisely what the owners of said property, parks and recreation decide to do.</p>	Noted.
187.	Objection <ul style="list-style-type: none"> a) I have rarely been against any proposal as much as I am against this one. b) There is complete disregard for human safety; there has always been controversy about cancer. 	Noted. Noted.
188.	Objection <ul style="list-style-type: none"> a) I would support relocation of the tower. b) The timing of your publication period is most curious, given both school and early childhood programs end in mid December. c) There are potentially a few risks associated with short term exposure to mobile phone towers. 	<ul style="list-style-type: none"> a) Noted. b) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration. c) Noted.
189.	Objection <p>Radiation emissions will affect school</p>	Noted.

	children, residents walking their dogs in the oval, children playing on equipment.	
190.	<p>Objection</p> <p>a) My wife and I have lived in the Shire for 12 years and have felt comfortable with Council's decisions in that time.</p> <p>b) I do not have enough knowledge of the affects DF Magnetic emissions.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
191.	<p>Objection</p> <p>a) Please think about our children</p> <p>b) Reports have indicated that a tower like this near the school can have an effect on their health.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
192.	<p>Objection</p> <p>a) A tower like this should never be built near a school, our children are precious and do not have a voice, please hear our voice.</p> <p>b) Reports show that a tower such as this so close to the primary school can cause health problems.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
193.	<p>Objection</p> <p>a) We object most vehemently to the proposed Optus Tower.</p> <p>b) Tests have revealed a greatly higher proportion of disorders ranging from nose bleeds to cardiac problems and brain tumours.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
194.	Objection	Noted.
195.	<p>Objection</p> <p>a) There is a risk of entry to the site of trail bikes and cars.</p> <p>b) I am sure I don't have remind the council of problems we had before the area was gated, and we don't want to return to those</p>	<p>a) Not applicable to the application.</p> <p>b) Not applicable to the application.</p>

	<p>problems.</p> <p>c) I am sure Optus will also want to protect their property</p>	<p>c) The proposed compound where the tower is to be located will be fenced and gated.</p>
196.	<p>Objection</p> <p>Gooseberry Hill Primary School is my school and this mast is too close tell Optus to move it away please thank you.</p>	<p>Noted.</p>
197.	<p>Objection</p> <p>I am a student at Gooseberry Hill Primary School, the mast is too close to my school please don't let Optus put the mast up there.</p>	<p>Noted.</p>
198.	<p>Objection</p> <p>a) My children attend Gooseberry Hill Primary School, new buildings are within a couple hundred metres of the proposed mast, and school grounds even closer.</p> <p>b) There is plenty of worldwide evidence that radiation emitting devices should not be sited this close to schools</p> <p>c) I object on the following grounds, common sense, Optus lack of concern for children, Optus consideration of shareholders over communities.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p>
199.	<p>Objection</p> <p>This is too close to the Primary School.</p>	<p>Noted.</p>
200.	<p>Objection</p> <p>a) I strongly object to the proposed mobile phone tower.</p> <p>b) If this is allowed I would strongly consider withdrawing my children from the Primary School.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
201.	<p>Objection</p> <p>a) We object strongly to the</p>	<p>a) Noted.</p>

	<p>proposed mobile phone tower, at this short distance from our property.</p> <p>b) It seems ridiculous to exposure young children to health risks.</p> <p>c) We have been advised that the value of our property would be reduced substantially.</p>	<p>b) Noted.</p> <p>c) Not a planning consideration.</p>
202.	<p>Objection</p> <p>a) I object to firstly the timing of this submission time being a very busy time of year for families.</p> <p>b) I object to a mobile phone tower being placed so close to not only a primary school but a Community facility where playgroups scouts and other youth Community groups.</p>	<p>a) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration.</p> <p>b) Noted.</p>
203.	<p>Objection</p> <p>a) At such short notice it is not possible to provide any technical research and findings in support of arguments against the tower at this stage, but it is brought to the Council's attention in this submission and there is a significant amount of information available freely regarding the dangers of electromagnetic radiation.</p> <p>b) The output from this commercial interest is not being contained within the confines of the area proposed for this development; rather it being emitted through the air into the entire local Community.</p>	<p>a) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration.</p> <p>b) Noted.</p>

	<p>c) There are too many arguments freely available in support of and opposed level of emission from this commercial output. However it can be said that these producers are not a low output. The signal from a tower can easily be picked up from locations across the city.</p> <p>d) Producers such as Optus, do not support just telephone communications through these towers, but are now moving to transferring broadband data through these towers wirelessly direct to mobile and computing devices</p> <p>e) Once this site is established as a communications point, the regulation of the output will fall out of the ability of the Shire to control this, the Community represented by Local Council will not be able to reverse It's decision.</p> <p>f) As a resident of the locality in which the tower is being proposed, I wish the council take my concerns into account and treat the Local Community's concerns on their merit with appropriate weighting for local peoples to which we have selected you to represent us, also to all Councillor's from other localities within the Shire, that you work on making decisions on our behalf with our support and comment as a whole for all people in this Shire.</p> <p>g) It is not a suitable device for close proximity to a residential zoning and should be rejected.</p>	<p>c) Noted.</p> <p>d) Noted. Should any additional infrastructure be proposed it will be assessed on its merit.</p> <p>e) Noted.</p> <p>f) Noted.</p> <p>g) Noted, however the WA Planning Commission, and not the Shire, are the determining authority.</p>
204.	<p>Objection</p> <p>a) I cannot state strongly enough our objection to the proposed mobile phone tower being erected at Ledger Reserve.</p>	<p>a) Noted.</p>

	<p>b) We also object to the timing of the notification to residents and landowners in the vicinity and the limited time allowed to comment on the proposal.</p> <p>c) Studies have shown that even low levels of radiation are harmful to human health.</p> <p>d) Mobile phone towers are unsightly and a fire hazard, and have an effect on people's property values.</p>	<p>b) The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration.</p> <p>c) Noted.</p> <p>d) Noted. The affect on property values is not a planning consideration.</p>
205.	<p>Objection</p> <p>a) As a local resident I am concerned a mobile phone tower known to emit electromagnetic radiation would even be considered to be placed in a position so close to residents, a primary school, playgroup and a Community Hall.</p> <p>b) It should be realised that the proposed site in the Ledger Road Reserve is an area that is frequently utilised by the local community for bushwalking and dog exercising.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
206.	<p>Objection</p> <p>I think this is too close to a residential area and particularly too close to a school where there are children spending all day in proximity of this antenna.</p>	<p>Noted.</p>
207.	<p>Objection</p> <p>a) A large body of evidence relating to negative health effects, both actual and psycho-somatic to residents</p>	<p>a) Noted.</p>

	<ul style="list-style-type: none"> b) Too close (far too close) to Gooseberry Hill Primary School c) Too close to the hospital 	<ul style="list-style-type: none"> b) Noted. c) Noted.
208.	<p>Objection</p> <ul style="list-style-type: none"> a) Our family has not been given the minimum 3 weeks consultation as set out under policy. b) The proposal explicitly contravenes the policy that sets out such a facility "Should not be located within 500m from sensitive areas that include residential, child care centres, schools and other similar uses as determined by Council on an individual basis". c) The sign the Council has erected is located in an unsuitable location. 	<ul style="list-style-type: none"> a) The application was advertised in accordance with Local Planning Policy DEV26 which stipulates that such an application is to be advertised a minimum of three weeks prior to any Council meeting on the subject. No specific advertisement period timeframe is mentioned. b) Noted. c) The sign advertising the application is positioned at the entrance to the property, which is also near to the school entrance, in order to get maximum public exposure.
209.	<p>Objection</p> <ul style="list-style-type: none"> a) As a long time ratepayer of Kalamunda Shire (44 years) and the grandparents of two little girls who attend Gooseberry Hill Primary School, we strongly oppose to the erection of a mobile telephone tower so close to the school. b) As a real estate agent in Kalamunda I am sure there are lots of more appropriate places to install such a tower. 	<ul style="list-style-type: none"> a) Noted. b) Noted.
210.	<p>Objection</p> <ul style="list-style-type: none"> a) If the Shire is concerned enough to advise residents within 500 metres what is the rationale for 	<ul style="list-style-type: none"> a) Noted.

	<p>this distance and how does any risk relate to the Gooseberry Hill School, which we understand is approximately 180m from the tower?</p> <p>b) In general our understanding of the findings of research which has been conducted on the risks to animal/human life of electromagnetic radiation from power lines, radio towers etc, has been conflicting and inconclusive.</p> <p>c) We request that you have the Shire provide information on anticipated additions or future towers by other providers.</p> <p>d) A possible alternative location for the tower would be on top of the hill across Piesse Brook from the currently proposed site, near the existing power lines.</p> <p>e) We have been given to understand that the Shire has been aware of the proposal for some months, yet has only made the information generally available for public comment in a limited way, within the last two weeks, with a short consultation period in the run up to Christmas, when many people will be less likely to become aware and have time to provide input.</p>	<p>b) Noted.</p> <p>c) To date it is not known whether the same, or other carriers will want to install additional telecommunication infrastructure.</p> <p>d) Noted.</p> <p>e) The application was advertised in accordance with Local Planning Policy DEV26 which stipulates that such an application is to be advertised a minimum of three weeks prior to any Council meeting on the subject. No specific advertisement period timeframe is mentioned.</p>
211.	<p>Objection</p> <p>a) The tower is too close to the school grounds.</p> <p>b) We are concerned about the health of the children in the community.</p>	<p>a) Noted.</p> <p>b) Noted. Refer to the Officer Comments section of the report.</p>
212.	<p>Objection</p> <p>The proposed mobile phone tower is too close to Gooseberry Hill Primary School, the oval and school buildings.</p>	<p>Noted.</p>

213.	<p>Objection</p> <p>a) There has been strong Community interest and involvement in the development of the Ledger Road reserve from the 1970s. This interest has been supported by the Kalamunda Shire Council and its Officers.</p> <p>b) In 1994 a Management Plan for the Reserve was prepared for the Kalamunda Shire Council. Acting on this plan a group of residents met and planned with the active assistance of the Kalamunda Shire, a program of rehabilitation of the landfill area.</p> <p>c) It is quite apparent that the same consideration has not been given to the comfortable enjoyment of the users of the reserve.</p> <p>d) The Ledger Road Group is not opposed to the establishment of a communications tower in the Gooseberry Hill area. We recognise that communications beyond the escarpment are poor. We however believe there are other locations in the area which may be more suitable and less of an impact upon the bush land of Ledger Road.</p> <p>e) This will lead to unwanted destruction of the bush in this area. Several stands of mature trees will be removed.</p> <p>f) The tower will be serviced by underground cable runs for electrical power and a fibre run, routes of which are to be confirmed.</p> <p>g) A colour is proposed for the equipment hut, light beige (paperbark), hardly a colour that is comfortable with the environment. No colour for the tower is suggested.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p> <p>d) Noted.</p> <p>e) Noted.</p> <p>f) The applicant has advised that all cabling is to run at the edge of the existing access track, therefore no additional clearing should be required.</p> <p>g) The applicant has advised that the tower will be galvanised steel. The pole can be coloured green to fit in with the surrounding area.</p> <p>h) Noted.</p>
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	<p>h) The close proximity of the site to the primary school, the halls where playgroups, scouts and clubs meet on a regular basis throughout the year, the grassed play area and the nearby bush utilised by cubs and scouts for a variety of activities make the proposed location if not unacceptable, questionable.</p>	
214.	<p>Objection</p> <p>a) The proposed location will have an adverse impact on the amenity and wellbeing of local residents (per clause 1a). The proximity to Gooseberry Hill Primary School is just 180m.</p> <p>b) The timing for the Council meeting on this matter has not been made public and we contend the clause applies to the minimum required notice period to residents and landowners in any event. The Shire's call for public submissions (6 December 2010) on this application afforded 15 days and not the 21 days prescribed in this policy at closing date 21 December 2010.</p> <p>c) The Local Government is required to have due regard to those matters listed in the relevant Town Planning Scheme. Such consideration should include the Local Governments assessment of the extent to which the particular proposal is consistent with these guidelines and statement of Planning Policy No. 5.2: Telecommunications Infrastructure</p> <p>d) Optus have not adhered to the requirements of this Code and have been put on notice by ACIF that this is a serious matter and warrants detailed consideration and clarification.</p>	<p>a) Noted.</p> <p>b) The application was advertised in accordance with Local Planning Policy DEV26 which stipulates that such an application is to be advertised a minimum of three weeks prior to any Council meeting on the subject. No specific advertisement period timeframe is mentioned.</p> <p>c) Agreed.</p> <p>d) A letter dated 15 December 2010 from the Australian Communications and Media Authority to the submitter, has been provided to the Shire, as a consequence of the submitter claiming that the carrier has failed to undertake consultation with the community in accordance with the ACIF Code. The Officer has stated that the matter could be</p>

		<p>more effectively dealt with by Optus directly as the body responsible for handling complaints, and therefore the submitter's concerns have been forwarded to the carrier. The carrier has not been put on notice by the Authority.</p> <p>It should be noted that the ACIF Code only requires the Carrier to consult with the community should planning approval not be required (such as if the infrastructure is determined to be low impact, which the tower is not).</p> <p>e) Refer to the Officer Comments section of the report.</p>
	e) There are considerable community concerns regarding the potential health risks from electromagnetic radiation, particularly for children. Without any scientific evidence to disprove the effects of EMR, the Council must act as if there is potential for serious harm.	
215.	Objection	Noted.
216.	<p>Objection</p> <p>a) Short distance from our property.</p> <p>b) We are concerned about the health risks.</p> <p>c) We have also been advised that our property's value will reduce substantially.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Not a planning consideration.</p>
217.	Objection	Noted
218.	Objection	Noted
219.	<p>Objection</p> <p>a) The close proximity to residential housing, a community hall and the school.</p> <p>b) The health hazards of such infrastructure surely should not be brushed under the carpet.</p>	<p>a) Noted.</p> <p>b) Refer to the Officer Comments section of the report.</p>
220.	Objection	

	I find it outrageous that you would even entertain the idea of allowing such a tower to be constructed so close to the school.	The Shire has a statutory obligation to deal with applications that it receives, and within a reasonable timeframe. The Shire is not the determining authority in relation to this application. The determining authority is the WAPC. The Shire's role is to assess the application, report to the Council and forward the Council's recommendation to the WAPC for their consideration.
221.	<p>Objection</p> <p>a) Safety aspects unknown.</p> <p>b) I also object because of the many times the access gate has been left open by contractors.</p> <p>c) The Reserve is supposed to be for passive recreation.</p>	<p>a) Refer to the Officer Comments section of the report.</p> <p>b) Not a valid planning consideration.</p> <p>c) Noted.</p>
222.	<p>Objection</p> <p>a) Health and safety fears due to proximity to school.</p> <p>b) We are not being advised how many other carriers will be using the facility.</p> <p>c) The timing of the issue.</p>	<p>a) Noted. Refer to the Officer Comments section of the report.</p> <p>b) This is not known at present but if another application is used for additional infrastructure on the property, it will be assessed on its merit.</p> <p>c) The application was advertised in accordance with Local Planning Policy DEV26 which stipulates that such an application is to be advertised a minimum of three weeks prior to any Council meeting on the subject. No specific advertisement period timeframe is mentioned.</p>
223.	<p>Objection</p> <p>a) I would question the validity of the carrier's statistics.</p>	<p>a) The applicant provided an Environmental Electromagnetic Energy Report for the proposed tower, in accordance with State Planning Policy 5.2, which confirms that the tower will comply with the Australian</p>

	<p>b) People haven't been given the correct time to offer relevant submissions. This is another example of the short time span for public comment and perfect timing in line with a busy festive season.</p>	<p>Communications and Media Authority regulatory requirements with respect to electromagnetic energy exposure levels. It will be the WA Planning Commission's responsibility to determine whether the report is acceptable.</p> <p>b) The application was advertised in accordance with Local Planning Policy DEV26 which stipulates that such an application is to be advertised a minimum of three weeks prior to any Council meeting on the subject. No specific advertisement period timeframe is mentioned.</p>
224.	<p>Objection</p> <p>a) Far too close to the school.</p> <p>b) The need for access by authorities to a mobile phone tower would mean more traffic.</p> <p>c) We have worked very hard over the past 8 years to restore a big area of vegetation on the old rubbish tip site. It would be a real shame to see our efforts spoiled by possible misuse of the Reserve.</p>	<p>a) Noted.</p> <p>b) Access to the proposed infrastructure would not be required on a frequent basis therefore traffic volumes will not significantly increase.</p> <p>c) Noted.</p>
225.	Objection	Noted
226.	<p>Objection</p> <p>No tower</p>	<p>Noted</p>
227.	<p>Objection</p> <p>a) The effects of radiation cannot be accurately measured.</p> <p>b) I don't see the need for the tower to be in the proposed location.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
228.	<p>Objection</p> <p>a) Proximity of the tower to the school.</p> <p>b) Has unknown health consequences.</p>	<p>a) Noted.</p> <p>b) Noted.</p>

229.	<p>Objection</p> <p>Near the school, please consider another location.</p>	Noted.
230.	<p>Comment on the proposal</p> <p>The Department acknowledges the right of Federal bodies and telecommunication organisations to install telecommunication infrastructure in accordance with relevant legislation and guidelines. However, given the current level of community concern, the Department would prefer that the communication infrastructure be located further from the school site.</p>	Noted.
231.	No objection	Noted
232.	<p>No objection</p> <p>I am highly supportive of the planned development. Ledger Road is a mobile blackspot which this should hopefully address.</p> <p>I also note that the planned tower is far away from residents.</p>	Noted.
233.	No objection	Noted
234.	No objection	Noted
235.	<p>No objection</p> <p>If this proposal goes ahead we should finally be getting a decent mobile phone reception.</p>	Noted.
236.	<p>No objection</p> <p>Only native trees to be planted around the compound.</p>	Noted.
237.	No objection	Noted.
238.	No objection	Noted.
239.	<p>No objection</p> <p>If we want good mobile coverage unfortunately additional masts are required.</p>	Noted.

240.	No objection Delighted.	Noted.
241.	No objection a) The mobile reception is poor in this area. b) The area is well concealed view and the streetscape. c) The tree screening is essential.	a) Noted. b) Noted. c) Noted.
242.	No objection	Noted.
243.	No objection	Noted.
244.	No objection a) I have no objection if the tower blends with the environment. b) If the level of radiation complies. c) If multiple carriers are permitted to use the same tower.	a) Noted. The applicant is attempting to address this by planting additional vegetation and using colours which blend with the surroundings. b) Refer to the Officer Comments section of the report. c) Carriers are encouraged to co-locate with other infrastructure in accordance with Local Planning Policy DEV26.
245.	No objection	Noted.
246.	No objection Finally a mobile phone tower in Gooseberry Hill	Noted
247.	No objection	Noted
248.	No objection About time. I assume that Telstra will also share this tower.	Noted. No application has been received for other carriers to use the same tower. If received it will be assessed on its merit.
249.	No objection	Noted
250.	No objection a) We have very poor mobile phone coverage in and around our home.	a) Noted. b) It is currently not known whether

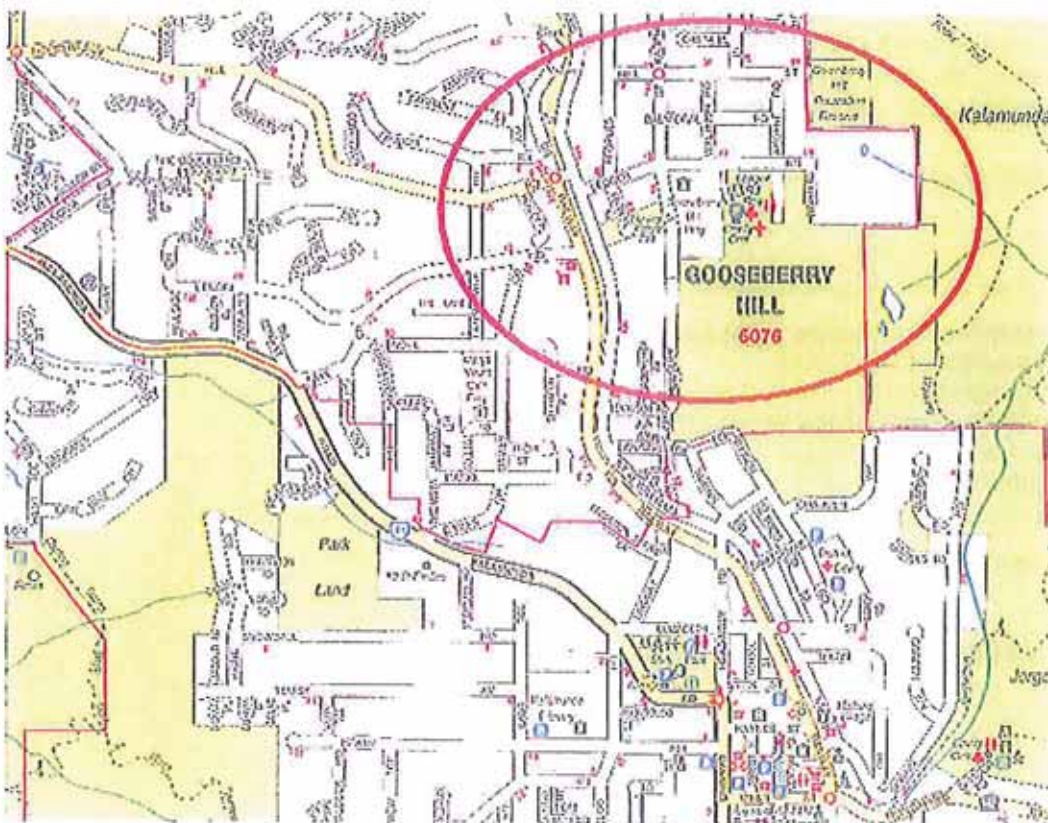
	<p>b) Will the proposed tower be used by other carriers?</p> <p>c) This tower will reduce the need for other carriers to install other towers.</p>	<p>other carriers will be using the subject tower if approved by the WA Planning Commission, however Local Planning Policy DEV26 – Radio, Television and Communication Facilities/Masts stipulates that carriers are encouraged to co-locate.</p> <p>c) Agreed.</p>
251.	<p>No objection</p> <p>a) It should become a multi-company tower.</p> <p>b) The mobile phone reception is poor in the area.</p> <p>c) The proposed location is good as it is far away from houses, however you should ensure it is hidden well.</p>	<p>a) It is currently not known whether other carriers will be using the subject tower if approved by the WA Planning Commission, however Local Planning Policy DEV26 – Radio, Television and Communication Facilities/Masts stipulates that carriers are encouraged to co-locate.</p> <p>b) Noted.</p> <p>c) Noted. The applicant is proposing to plant additional landscaping around the facility.</p>
252.	<p>No objection</p> <p>a) I think the proposed tower is great. The current mobile phone coverage in our area is a joke.</p> <p>b) This is 2010 and we still do not have coverage in an upmarket area.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
253.	<p>No objection</p> <p>The proposal will be of benefit to me as mobile phones do not operate effectively at my address.</p>	<p>Noted.</p>
254.	<p>No objection</p> <p>a) Last week's fire emergency highlights the need to immediately upgrade the mobile network in Gooseberry Hill.</p>	<p>a) Noted.</p> <p>b) Noted. No record could be found</p>

	b) I contacted Telstra and was appalled to be told that they have tried to upgrade the service but have been refused by Council.	of a mobile phone tower application having been considered by Council previously.
255.	<p>No objection</p> <p>a) The fire at Gooseberry Hill demonstrates the urgent need for a tower and mobile phone coverage. Had the power gone off we would have had no phone, no radio, no television and therefore no fire evacuation alerts.</p> <p>b) While I would prefer the tower to be located further into the Reserve, the need for mobile phone coverage is desperate.</p>	<p>a) Noted.</p> <p>b) Noted.</p>
256.	No objection	Noted
257.	No objection	Noted.
258.	No objection	Noted
259.	No objection	Noted.
260.	<p>No objection</p> <p>I do hope none of those opposing the tower, whose children go to the school, are not giving their children a mobile phone for Christmas.</p>	Noted.
261.	No objection	Noted.
262.	<p>Comment</p> <p>a) The top of Gooseberry Hill certainly needs mobile reception, we have terrible reception.</p> <p>b) 180m to a school building seems closer than normal people will be comfortable with.</p> <p>c) If council supports this proposal/ location as better alternatives then I support it as the area needs a tower.</p> <p>d) Will Telstra also share this tower? They also have poor reception.</p>	<p>a) Noted.</p> <p>b) Noted.</p> <p>c) Noted.</p> <p>d) It is not known whether other carriers currently propose to co-locate their infrastructure on the tower should it be approved by the WA Planning Commission.</p>

263.	<p>No objection</p> <p>The hills are sadly lacking a phone service. I would gladly welcome a tower in Gooseberry Hill.</p>	Noted.
264.	No objection	Noted

I refer to our telephone conversation this morning in relation to the abovementioned development application and the WAPC's request for additional information regarding the site selection process and the alternative sites that were considered. Please find below the additional information as requested:

Optus' objective for this site is to improve the depth of mobile coverage levels and the quality coverage experienced in the suburb of Gooseberry Hill, including in-building and on-street services. The area is currently experiencing poor coverage quality. The search area within which a site is required to address the coverage issues experienced in the locality is shown in the plan below:



In investigating its ability to meet customer demand in this area, Optus has considered opportunities to co-locate on existing structures and/or public utilities. Optus and its consultants searched for opportunities to co-locate the required infrastructure on existing towers and masts but were unable to identify suitable opportunities that met the radio frequency requirements of its customers in this locality.

The site below was considered for a 'low-impact' option but was less appropriate both from a community sensitive and operational perspective.

- 167 Railway Road, Gooseberry Hill - low impact rooftop option on the Shops at the corner of Lenori

Road and Railway Road, close proximity to residences.

Optus also considered two alternative options for a new mobile phone tower were:

- Lot 7782 Railway Road, Gooseberry Hill - Nature strip 15m monopole, between Girrawheen Drive & William Street
- 21 Nimbin Road, Gooseberry Hill - Rear carpark, Public Open Space (DEC Reserve), doesn't achieve as extensive buffers as the site at 42 Ledger Road. The site is in close proximity to a residential dwellings and Optus would be required to constructed a taller structure as the site is located further to the target coverage area.

Before lodging the Development Application, Optus thoroughly investigated the sites outlined above for the most appropriate and technically feasible location to service the Gooseberry Hill area. From these initial investigations a candidate was selected that best fulfilled the radio frequency, planning, property and engineering discipline requirements as well as taking into account anticipated community and local council concerns.

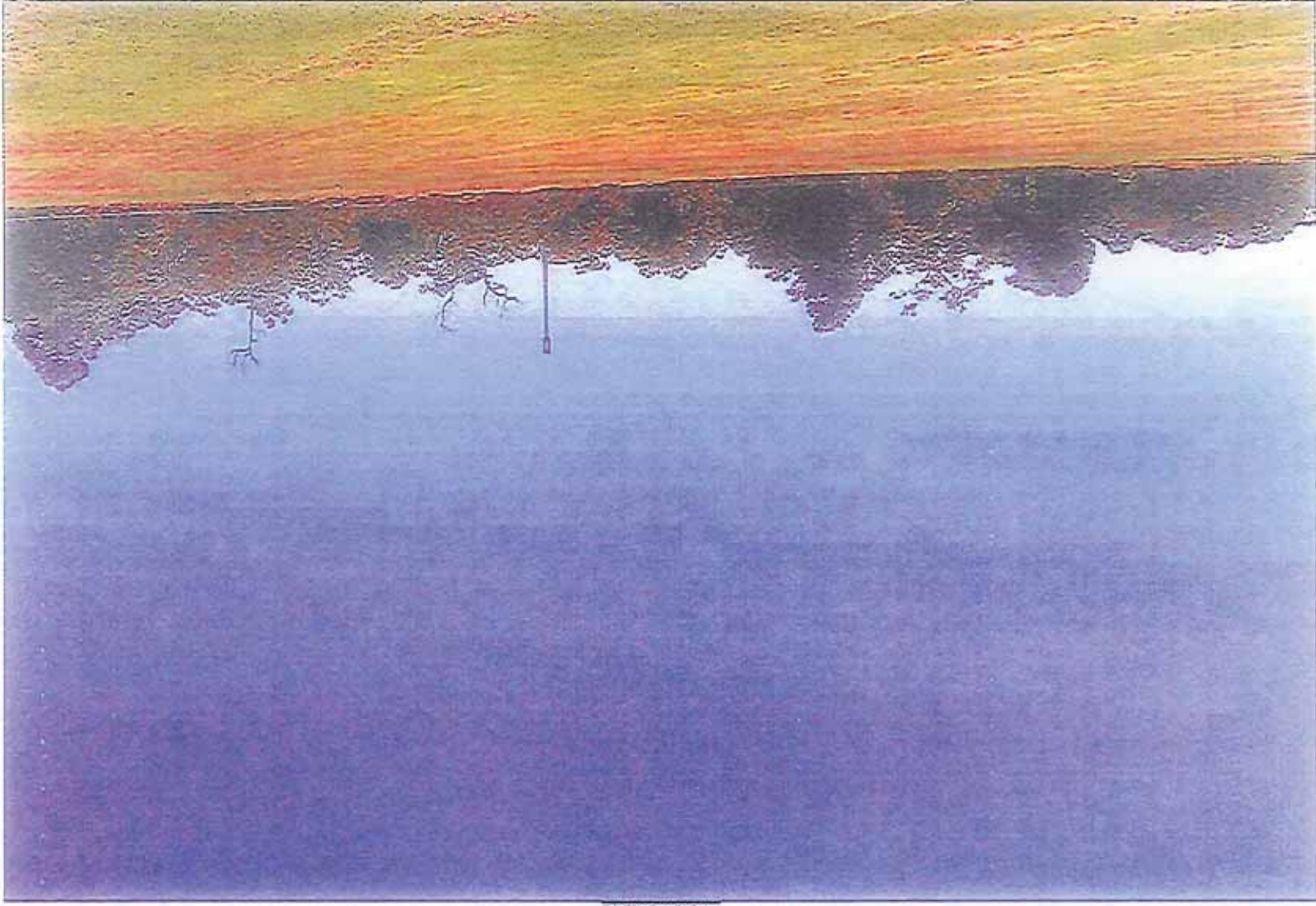
The preferred candidate was the site within the DEC reserve at 42 Ledger Road, Gooseberry Hill. The site is Reserved "Parks and Recreation" under the Metropolitan Region Scheme. It presents an opportunity to achieve as much of a visual and physical separation from residences and other sensitive land uses as practical (eg Gooseberry Hill Primary School & Community Hall) while being close enough to be able to achieve the technical requirements of delivering an effective telecommunications service to the area.

I have attached for your information a map of the alternative sites considered and a photomontage of the proposed monopole facility. The view is from the primary school looking south-east. I trust the above provides a clear outline of the Optus site selection process and how the current candidate was selected.

Should you require clarification, please feel free to contact me.

Alternative Sites Map





Photomontage

In response to your email below, I wish to elaborate on the site selection consideration for Lot 7782 Railway Road, Gooseberry Hill and why it was not an appropriate option.

Our Client initially considered that a 15m monopole option at the abovementioned address could meet its coverage objective. However, further planning considerations identified that the site does not achieve appropriate separation from the surrounding residential properties. The residential properties would be within 40-50m of the site.

In addition, from a mobile coverage objective, the site did not achieve the coverage that the Ledger Road site would offer. Lot 7782 Railway Road is situated at the lower side of the ridge and the coverage would generally be towards the western side of the site and not towards the eastern areas of Gooseberry Hill.

As a result, the preferred candidate was the site within the DEC reserve at 42 Ledger Road, Gooseberry Hill. The site presents an opportunity to achieve as much of a visual and physical separation from residences and other sensitive land uses as practical (eg Gooseberry Hill Primary School & Community Hall) while being close enough to be able to achieve the technical requirements of delivering an effective telecommunications service to the area.

I trust the above provides clarification to your query, please feel free to contact me should you have any other questions.

Regards,

ITEM NO: 9.2

WAPC ENDORSEMENT OF THE POINT GREY OUTLINE DEVELOPMENT PLAN

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager – Peel Region
AUTHORISING OFFICER:	Director – Peel Region
AGENDA PART:	G
FILE NO:	SPN/0255/1
DATE:	14 June 2011
ATTACHMENTS:	Attachment 1 – Schedule of Modifications, Attachment 2 – Location Plan, Attachment 3 – Point Grey ODP & Attachment 4 – Schedule of Submissions
REGION SCHEME ZONING:	Urban, Rural & Regional Open Space
LOCAL GOVERNMENT:	Shire of Murray
LOCAL SCHEME ZONING:	Special Development, Public Recreation/Conservation
LGA RECOMMENDATION:	Support subject to modifications
REGION DESCRIPTOR:	Peel Sub-region
RECEIPT DATE:	4 January 2011
PROCESS DAYS:	117
APPLICATION TYPE:	Local Structure Plan
CADASTRAL REFERENCE:	Lots 137, 138, 139, 672, 738, 1132 and 1133 at Point Grey

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

- 1. approve the Point Grey Outline Development Plan (November 2010) in accordance with Clause 6.8.8 of the Shire of Murray Town Planning Scheme No. 4, subject to the schedule of modifications as attached (Attachment 1 – Schedule of Modifications);***
- 2. advise the Shire of Murray of its decision accordingly.***

SUMMARY:

The key points relating to this report are as follows:

- The Shire of Murray seeks the Western Australian Planning Commission's (WAPC) approval of the Point Grey Outline Development Plan (ODP) (**Attachment 2 – Location Plan & Attachment 3 – Point Grey ODP**);
- The ODP covers an area of 275 hectares and is designed around a proposed mixed use activity centre which includes a marina concept. The proposed marina is the subject of a separate environmental assessment;
- The site is proposed to be serviced by a private water and wastewater provider, with the option for connection to Water Corporation infrastructure should the private sector provider not be viable;
- A Climate Change Vulnerability Assessment (CCVA) has been prepared for the site and was subject to a peer review. The assessment was required to focus on the potential impacts resulting from sea level rise, this was used to determine the appropriate foreshore widths for the ODP area; and
- It is recommended that the ODP be approved by the WAPC, subject to modifications to the plan as per **Attachment 1 – Schedule of Modifications**. The modifications were agreed to by the proponent on 13 May 2011 and by the Shire on 27 May 2011.

BACKGROUND:

In 1997, an amendment accompanied by an ODP was lodged with the Shire of Murray. This proposal covered a larger area of approximately 1,200 ha. The ODP included an offshore marina and golf course facilities.

In August 1999, the scheme amendment to facilitate the development and approval of an ODP for the subject site was granted environmental approval subject to the conditions imposed by Ministerial Statement 519, relating to the requirement for management plans to be prepared. This approval excluded the marina, which was identified as requiring a separate referral to the Environmental Protection Authority (EPA) under section 38 of the Environmental Protection Act.

In March 2003, the Peel Region Scheme (PRS) was gazetted with the subject site zoned Urban Deferred. This area of land was approximately one third the area covered by the original ODP and amendment considered by the Council in 1997.

During the development of the PRS, the Western Australian Planning Commission (WAPC) considered it was appropriate to maintain the foreshore land proposed for the marina in the Rural zone as the design for the marina needed to be finalised and environmental approval was required.

In April 2009, the Urban Deferred zoning was lifted by the WAPC. Part of the WAPC resolution relating to the lifting of the Urban Deferred zoning under the PRS was the requirement for a peer reviewed study into the effect of climate change on the proposed urban development.

In October 2010, the Shire of Murray resolved to support a modified amendment and ODP which proposed a reduced area of 296 ha to be zoned Special Development which conformed more closely with the area zoned Urban under the PRS. The marina portion of the proposal has changed substantially from the original proposal submitted in 1997 (from an off-shore to on-shore marina) and as such the area required for any marina has been reduced, the golf course has also been removed from the revised ODP. As part of its consideration the Shire requested a review of Ministerial Statement 519 and the conditions imposed. The amendment and ODP were forwarded to the Commission for further processing in January 2011.

In March 2011, Ministerial Statement 860 was released by the Minister for Environment and Water which set out the alterations of Statement 519 (dated 2 August 1999). This statement required conditions 1-10 from Statement 519 to be deleted and Amendment 104 (as amended) be implemented.

In March 2011, the public review period for the Public Environmental Review of the Point Grey Marina proposal commenced. The public review period closed in April 2011.

In May 2011, Amendment 104 to TPS4 was approved by the Minister for Planning.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section: Shire of Murray TPS4
6.8 Special Development Zone

Strategic Plan

Strategic Goal: Planning
Outcomes: Planned Local Communities developing a sense of place
Strategies: Encourage innovation in the design of our communities

Policy

Number and / or Name: Directions 2031 and Beyond
Liveable Neighbourhoods
State Planning Policy 3.0 'Urban Growth and Settlement'
Development Control Policy 2.5 'Special Residential Zones'

KEY ELEMENTS OF PLAN:

The ODP is designed to ultimately provide for approximately 3400 dwellings and includes an urban centre, primary school and proposed marina, noting that the marina is subject to environmental approval being granted.

The ODP has been designed to incorporate flexibility in the density and lot layout with minimum dwelling yields being secured through the provisions of Schedule 7 of TPS4. This flexibility allows subdivision designs to respond to vegetation, topography and market demand and eliminates the need for minor design changes to undergo a formal ODP modification process. There is a general pattern of higher densities around the town centre and marina precinct and lower densities toward the edge of the ODP area.

PLANNING CONTEXT:

The subject land is mostly zoned Urban under the Peel Region Scheme (PRS) and is surrounded on the west, north and east by a Regional Open Space (ROS) reservation. Part of the subject land along the western foreshore is zoned Rural under the PRS, as outlined in the Background section of this report.

The Urban portion of the site and a 5 ha portion of the Rural area is zoned Special Development under TPS4. Within the Special Development zone, subdivision and development needs to accord with an ODP adopted by Council and approved by the WAPC.

Proposed land uses within the Urban portion of the site include various residential precincts, marina, urban centre, primary school and public open space. The 5 ha portion of the Rural area is proposed to be developed with larger residential lots, (i.e. minimum 2000 m², average 3000 m²).

Portions of the proposed ODP extend beyond the Special Development boundary into the Rural zone and ROS reservation under the PRS. Proposed land uses outside of the Special Development zone include a marina car parking/boat ramp area, public open space and eco-tourism site.

SUBMISSIONS AND CONSULTATION:

The Point Grey ODP and the corresponding scheme amendment were advertised concurrently for 42 days during May – July 2010. A total of 18 submissions were received, including twelve submissions registering no objections, four of support and two of objection. The issues raised are discussed in the Schedule of Submissions (**Attachment 4**).

The Shire resolved to approve the proposed ODP subject to modifications. The Shire's modifications have not yet been made and include:

-
- Addition of a provision providing for interpretation to recognise European heritage significance of site; and
 - Provision added to support two non-powered boat launch sites; and
 - Emergency road access be investigated for the subject site.

These changes are in response to submissions received during the advertising period and are minor changes that do not result in the material changes to the proposal and do not require readvertising.

DISCUSSION:

Public Open Space (POS)

The ODP states that POS will be provided at a rate of 10% of the residential development area in accordance with the requirements of Liveable Neighbourhoods. The current ODP design provides 42.4ha of POS which represents approximately 15.9% of the 267ha of the gross subdividable area. Approximately 18.6ha of POS is provided along the estuary foreshore (including 11.16 hectares for partial credit) as a response to the Climate Change Vulnerability Assessment provided by the applicant, as discussed in more detail under the heading 'Climate Change Considerations'.

Environmental Considerations

The review of Ministerial Statement 519 resulted in conditions previously imposed being removed as they were either added as requirements of the amendment and incorporated into Schedule 7 of TPS4 or were no longer relevant due to the reduction in the scope of the ODP. Under TPS4 the following management plans are required to be prepared by the proponent and approved prior to the adoption of the ODP:

- Access Road Management Plan;
- Fire Management Plan; and
- Local Water Management Strategy.

All of the above management plans have been approved by the relevant agencies specified in TPS4.

Climate Change Considerations

The site's proximity to the Peel-Inlet potentially exposes future development to the effects of climate change, including sea level rise and storm surges. The Climate Change Vulnerability Assessment (CCVA) prepared for the site makes recommendations based on a number of predicated sea level rise scenarios including 0.9 metres by 2110. Recommendations of the assessment include a minimum foreshore reserve width of 26 metres on the western shore and 44 metres on the eastern shore. A minimum habitable floor level of +2.8 metres AHD for any future development on the site has been recommended to mitigate the effect of flooding and it is appropriate to include this requirement as a development principle on the ODP. The CCVA has been peer reviewed and endorsed by Coastal Zone

Management Pty Ltd and is supported by the Climate Change and Coastal Planning section of the Department of Planning (DoP).

Specific recommendations of the CCVA are reflected in the ODP. The CCVA has resulted in the introduction of foreshore POS with the widths along the eastern and western foreshores based on the recommendations provided in the assessment and the width of the existing regional open space implemented through the Peel Region Scheme. Other recommendations of the CCVA such as minimum development levels will be implemented at later stages of the planning process. The CCVA provides a good basis to determine the required widths of the foreshore reserves.

Servicing Considerations

The subject land is capable of being serviced by Water Corporation infrastructure, provided all associated costs are borne by the proponent. However, due to the remoteness of Water Corporation's infrastructure, the proponent has formed a private company that will be responsible for providing potable water supply and wastewater disposal services for the initial stages of the development, subject to the necessary licence(s) being granted by the Economic Regulation Authority. An application to ERA was lodged in January 2011 and is awaiting determination. Other required licences and approvals include a Department of Environment and Conservation works approval, approval from the Department of Health for the third pipe system which provides private dwellings with recycled water for garden reticulation and a ground water extraction licence from the Department of Water. The proponent has obtained the approvals from the Department of Health and the Department of Environment and Conservation.

The details of the private service provider are included within the Local Water Management Strategy (LWMS), which has been approved by the Department of Water. Potable water for the initial stages of the development will be supplied from the Upper Leederville Aquifer. This water supply will be treated on site to remove metals followed by membrane filtration with additional disinfection (UV and chlorine), before distribution through the development's water supply network. Wastewater will be recycled within a purpose built facility on site, and utilised in irrigation for both POS and private gardens. The water treatment facility is intended to be located in the central T3 Sub-Urban precinct and this location is supported by the Department of Environment and Conservation. Due to the technology being proposed and the specific design structure to house the equipment, no odour and noise buffers will be required.

In the event that the proponent does not obtain the required licences for the private servicing arrangements, the layout of the ODP would not require modification as the exact location of the water supply and wastewater infrastructure is not specifically indicated on the ODP. However, a notation should be added to specify that private water and wastewater infrastructure is intended to be located in the central T3 Sub-Urban precinct and will employ technologies that do not require odour and noise buffers. The notation should also mention that such infrastructure shall not be located within public open space areas.

The intended location of drinking water bores should also be identified on the ODP.
Marina Village Centre

The ODP is focused on the activity centre illustrated as a Marina Village Precinct. The marina component has not received environmental approval. A provision is included in Schedule 7 of TPS4 that requires the final configuration and size of any marina to be subject to the outcome of a section 38 environmental assessment and should a marina not be given approval the marina village precinct would be subject to a redesign to facilitate an alternative 'water focused' activity centre development. This redesign will require the town centre to remain focused on the Harvey Estuary and potentially require additional investigation into a reduced level of access to the estuary that would be considered environmentally acceptable.

The ODP requires an Activity Centre Plan to be prepared for the Village Centre Precinct prior to subdivision. This Activity Centre Plan will establish the densities, development standards, the extent of commercial net lettable area and land use permissibility to facilitate the creation of a mixed use centre to provide for local and tourism functions.

Vehicular Access

The vehicle access to the site is currently via a single access road of Greenlands Road and Carrabungup Road. This alignment runs along remnant wetland at the southern end of Robert Bay. The proponent has prepared an access road management plan to the satisfaction of the Shire of Murray. This management plan has addressed the design of the access road, including the realignment of the access road away from Robert Bay and the wetland. The principal access to the ODP area will be in the centre adjacent to the linear POS, instead of along the eastern foreshore. This realignment has benefits including the even distribution of traffic through the development and reducing traffic adjacent to the Robert Bay wetland and key water bird habitat.

A provision should be added to require the proponents and the Shire of Murray to enter into a legal agreement to ensure the upgrading of existing access roads, including any necessary land acquisition, is undertaken to the Shire's satisfaction in a manner that relates to development staging.

Developer Contributions

Specific developer contributions are addressed through the provisions of Schedule 7 of TPS4 introduced through Amendment 104. These contributions include the following:

- Negotiation with Main Roads WA in regard to the extent of funding contributions if any, for the upgrade of the Greenlands Road and Forrest Highway interchange;
- Entering into a legal agreement with the Shire of Murray to address the long term funding arrangements for the on-going maintenance and asset

replacement related to the marina, should a marina be granted environmental approval; and

- The Development of a Community Assessment and Infrastructure Study. This study is designed to monitor and measure the provision of community infrastructure and identify responsibilities and financial contributions where appropriate.

The contributions will be implemented either via the creation of a Development Contribution Area or a voluntary agreement in accordance with SPP 3.6.

MODIFICATIONS:

Housing Diversity Principles

The ODP proposes four basic development zones of differing density ranging from a special residential density of R5 to an urban centre with residential densities ranging from R50 to R100. The majority of the residential development area is a combination of R15 and R25 residential densities.

To assist in the implementation of this flexibility it would be appropriate to combine the 'T3 Sub Urban' and 'T4 Urban' development zones to create one development zone with a density range of R15 to R25. This will allow the density to respond to site conditions during the detailed design stage. The overall density for the site will be controlled by the density targets of 15 dwellings per site hectare and 25 to 30 dwellings per site hectare with in 400 metres of the activity centre set in Schedule 7 of TPS4. These targets are consistent with the recommendations of Liveable Neighbourhoods.

Other Considerations

The colours used to illustrate regional open space and T2 Rural (General and South West Precinct) should be modified to allow these areas to be clearly distinguished between each other and areas of public open space.

A provision should be added to identify that should a marina not be granted environmental approval, this portion of the ODP would be subject to a redesign to facilitate an alternative town centre. It is recommended that the spatial identification of the 'Eco-Tourism site' be modified to be represented by a generic shape. This is more reflective of the concept that has not been supported with detailed information to allow for an assessment of the intensity and extent of any development to be considered. It should be noted that an eco-tourism development in this location was also featured in the original ODP. As part of their assessment of the ODP and Amendment 104 the EPA noted that any development within the foreshore reserve including the eco-tourism site may require a referral to the EPA should it be considered that the development would have an effect on the environment.

The use 'eco-tourism' is not a defined use in the Shire's TPS4 and the site should be identified by an appropriate use that is defined. TPS4 defines '*Chalet Park*' as '*an*

area of land set aside for development by the erection of attached or detached self-contained holiday rental homes which are not designed for permanent residential accommodation'. This definition is the most appropriate within the Shire's scheme to facilitate the consideration of short stay accommodation on the subject site.

A provision should be added to specify that the Chalet Park and Marina Car-parking/boat ramp area fall outside the boundary of the Special Development zone and require separate consideration by the WAPC. These modifications provide a clearer method of conveying the information presented in the ODP and do not result in material changes that would require the ODP be readvertised.

CONCLUSION:

It is recommended that the Point Grey ODP be approved subject to the modifications.

Point Grey Outline Development Plan - Schedule of Modifications

1. Modify the Outline Development Plan by merging 'T3 Sub Urban (R15)' and 'T4 Urban (R20/25)' to create a single urban zone with a density between R15 and R25.
2. Modify the representation of eco-tourism site on the Outline Development Plan to a generic shape to better represent the preliminary nature of the concept.
3. The land use 'eco-tourism' is to be modified to 'Chalet Park' in order to reflect a land use that is clearly defined within Appendix 1 of TPS4.
4. Modify the colours used to illustrate Regional Open Space and T2 Rural (General and South West Precinct) to create a clear distinction between these zones and public open space.
5. The intended location of ground water bores for potential drinking water supply are to be illustrated on the ODP.
6. Include an additional notation under the heading Activity Centre Principles as follows:

'Should a marina not be granted environmental approval, the 'marina village precinct' is required to be redesigned to provide a mixed used activity centre that addresses and interacts with the Harvey Estuary to an environmentally acceptable level.'

7. An additional notation be added under the heading Parkland Principles as follows:

'A public open space schedule is to be provided with each subdivision application. This schedule is required to identify the percentage and area of open space being provided within the area subject to the application and within areas subject to previous subdivision approvals.'

8. An additional notation be added under the heading Community Design Principles as follows:

'Two launch sites for non-powered water craft are required to be provided to the satisfaction of the Shire of Murray.'

9. An additional notation be added under the heading Community Design Principles as follows:

'The proponent is to provide interpretative signage to recognise the European heritage significance of site within the design of public places within the ODP area to the satisfaction of the Shire of Murray.'

10. An additional notation be added under the heading Movement Network Principles as follows:

'Upgrading requirements for the access road are to be in accordance with the Access Road Construction Management Plan approved by the Shire of Murray. The implementation of this plan will be subject to an agreement between the proponent and the Shire of Murray including traffic volume triggers for the upgrading as a condition of subdivision approval for the first subdivision application over the ODP area.'

11. An additional notation be added under the heading Movement Network Principles as follows:

'Emergency road access to the site is required to be investigated by the proponent to the satisfaction of the Shire of Murray. The proponent is responsible for the implementation of emergency access as a condition of subdivision approval.'

12. An additional notation be added under the heading Community Design Principles as follows:

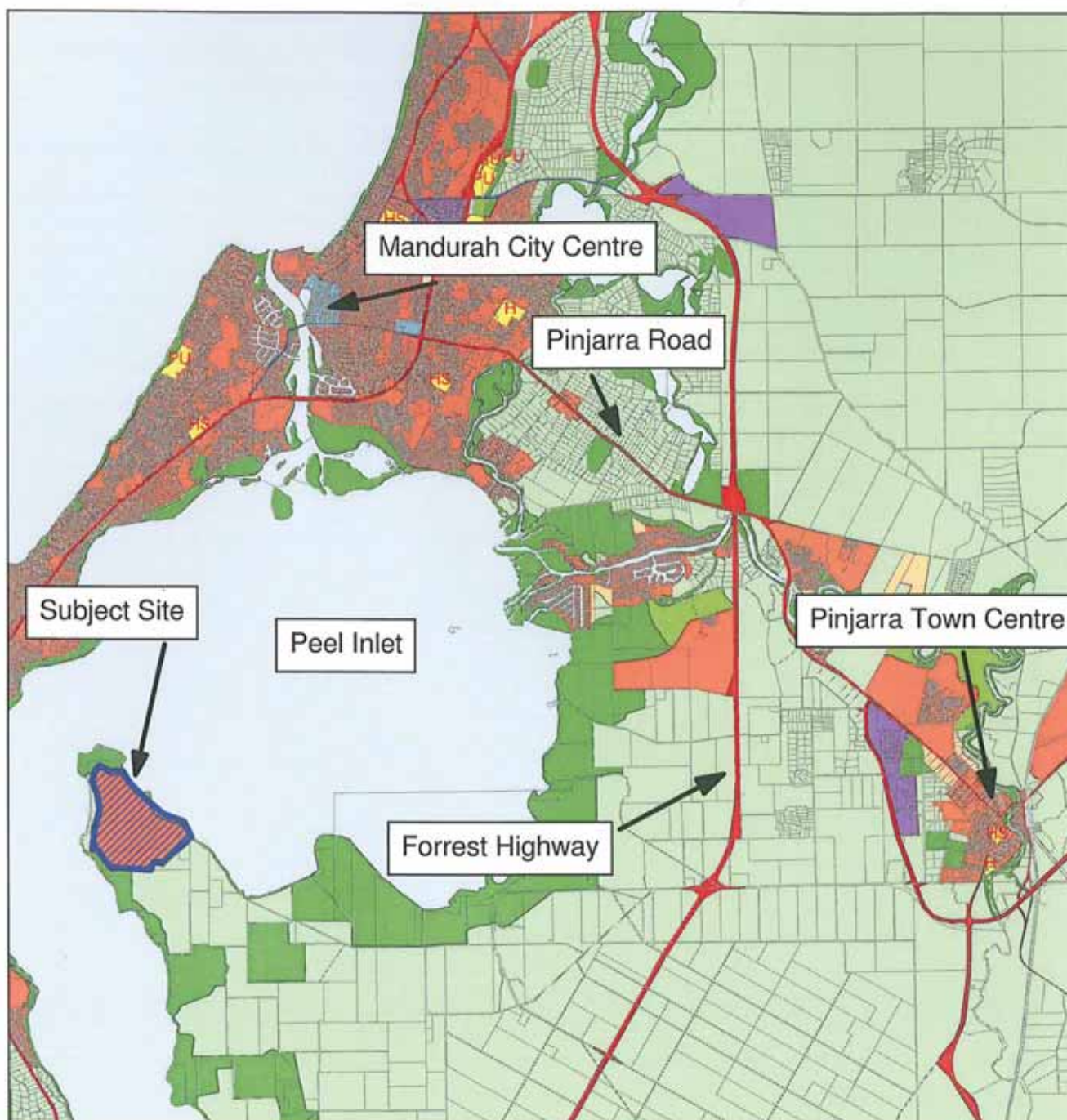
'Development within the ODP area is required to have a minimum finished floor level of 2.8m AHD.'

13. A notation be added on the ODP as follows:

'The chalet park and marina parking/boat ramp facilities fall outside of the Special Development zone, are indicative only, and require separate consideration by the WAPC.'

14. An additional notation be added to the ODP as follows:

'Water and wastewater infrastructure is intended to be located in the T3 Sub urban precinct and will employ technologies that do not require odour and noise buffers. This infrastructure shall not be located within public open space.'



Cadastre	RURAL	PP - HOSPITAL
URBAN	PRIMARY REGIONAL ROADS	PP - HIGH SCHOOL
URBAN DEFERRED	OTHER REGIONAL ROADS	PP - UNIVERSITY
REGIONAL CENTRE	REGIONAL OPEN SPACE	PP - SPECIAL USES
INDUSTRIAL	WATERWAYS	PP - PUBLIC UTILITIES
PRIVATE RECREATION	RAILWAYS	

Scale 1:125,000
0 2.5 km

Prepared by: cluxton
Prepared for:
Date: Friday, May 06, 2011 11:47
Plot identifier: P20110506_1146

DP INTERNAL USE ONLY



Government of Western Australia
Department of Planning

Attachment 2
Amendment 104
Location Plan

- ATTACHMENT 3**

Amendment 104 - Schedule of Submissions

No.	Submitter	Summary of Submission	Shire of Murray Comments/Recommendations	WAPC Comment/Recommendation
1	Department of Education	<ul style="list-style-type: none"> Department has reviewed document and notes provision for primary school and agrees with proposal for 5Ha site and reasons in establishing a primary school of that size. Department has received Stage 1 site investigation report from its consultants and confirms that site appears suitable location for school. Department will undertake geotechnical report on site once development plans available. 	<p>Submission relates to amendment and ODP. Department supports school site.</p> <p>Recommendation:</p> <p>Noted.</p>	Noted. Agree with Council's Comments
2	FESA	<ul style="list-style-type: none"> No objection 	<p>Submission relates to Amendment and ODP. No Objection.</p> <p>Recommendation:</p> <p>Noted.</p>	Noted. Agree with Council's Comments
3	Department of Water	<ul style="list-style-type: none"> ODP is required to be supported by approved Local Water Management Strategy (LWMS) to demonstrate and provide proof of concept of how subject area will address water use and management. Guidance provided of what LWMS should include. 	<p>Submission relates to Amendment and ODP.</p> <p>Draft LWMS prepared with Department of Water and Shire comments provided.</p> <p>Recommendation:</p> <p>LWMS should be approved prior to the WAPC adoption of ODP.</p>	Noted. Point Grey Development Local Water Management Strategy, Version 3 (ENV March 2011) has been supported by the Department of Water.
4	Water Corporation	<ul style="list-style-type: none"> Advised WAPC that it is premature to rezone the land 'Urban Development': <ul style="list-style-type: none"> Area is outside Water Corporation operating licence area for wastewater services and Water Corporation is not in a position to consider applying to the Economic Regulatory Authority (ERA) for operating licence for provision of sewer services to the area. Water Corporation is finalising long-term wastewater strategy for Greater Mandurah area, dependant on finalisation of WAPC's South Metropolitan & Peel Region Growth Strategy. Strategic planning will provide indication of long-term extent of urban landuse, influence overall volume of wastewater required to be treated and full extent of operating licence area required. Water Corporation N is not prepared to make ad-hoc applications for license extensions for this area in the interim. If an operating licence extension is granted by ERA, wastewater from Point Grey could be conveyed to existing Pinjarra WWTP. Water Corporation has had discussions with proponents in this regard; however Pinjarra WWTP does not have capacity to cater for ultimate proposal and significant upgrades will be required to the plant. Developers may be required to contribute to upgrade of Pinjarra WWTP. Connection to Water Corporation water scheme may be considered provided all costs are met by developer. Infrastructure must be compliant with Water Corporation standards and any upgrades to be at developer's cost. Drainage into Water Corporation operated rural drainage systems 	<p>Submission relates to Amendment and ODP.</p> <p>The Water Corporation advice regarding waste water services is incorrect. The Economic Regulation Authority has advises that it has approved amendments to the Water Corporation licence to enable sewerage services to Point Grey. All other comments noted.</p> <p>Recommendation:</p> <p>Reject.</p>	<p>Dismiss. The proponent is pursuing a private service arrangement for both potable and wastewater services. An application has made to the ERA to facilitate this outcome.</p> <p>In the event that a private service provider is deemed not to be viable the proponent has had discussions with Water Corporation in regards to connecting to Water Corporation infrastructure which is feasible based on the proponent funding the required works and contributing toward any required upgrades. This information has been included within the endorsed LWMS supported by the DoW.</p> <p>Agree with Council's comments.</p>

		<p>to SE of development would only be acceptable if no increase in overall flow to drains and not result in adverse impacts on drainage water quality.</p> <ul style="list-style-type: none"> – Normal headworks contributions will be required. – Water Efficiency Branch can assist with water efficiency measures. 		
5	Department of Indigenous Affairs	<ul style="list-style-type: none"> • Approval under section 18 of Aboriginal Heritage Act sought and obtained. No objection therefore raised. 	<p>Submission relates to Amendment. No Objection.</p> <p>Recommendation:</p> <p>Noted.</p>	Noted. Agree with Council's Comments
6	Public Transport Authority	<ul style="list-style-type: none"> • No objections. 	<p>Submission relates to Amendment. No Objection.</p> <p>Recommendation:</p> <p>Noted.</p>	Noted. Agree with Council's Comments
7	Western Power	<ul style="list-style-type: none"> • No objections. • All work to comply with Worksafe Regulation 3.64 - Guidelines for Work in the Vicinity of Overhead Power Lines. Any work in breach of minimum safe working distances requires submission of 'Request to Work Near Underground and Overhead Power Lines' form. 	<p>Submission relates to Amendment and ODP. No Objection.</p> <p>Recommendation:</p> <p>Noted.</p>	Noted. Agree with Council's Comments
8	Roberts Day (acting on behalf of Port Bouvard Ltd)	<ul style="list-style-type: none"> • Proposal seeks to modify amendment to extend Special Development zone over an approximate 5ha portion of land on western side of landholding to accommodate special residential with lot sizes around 2-4,000m² or a cluster subdivision with associated provisions relating to vegetation protection, foreshore and fire management, detailed planning. • Land has capability to sustain development as proposed –key environmental considerations have been identified and Environmental Assessment Report (EAR) outlines management requirements for preserving and limiting potential impact on vegetation. • Both existing Scheme provisions for 'Special Development' zone and provisions in proposed ODP provide required statutory land use controls. • Subject land has been identified in ODP for 'Special Residential' and fulfils statutory obligation for public advertising of proposal. • Details pertaining to structure of proposal (incl subdivision guide plan and statutory provisions) can be finalised during Council consideration and determination of submissions. 	<p>Submission relates to Amendment and ODP.</p> <p>Recommendation:</p> <p>Noted.</p> <p>Current rural zoning considered inappropriate in context of proposed amendment and ODP. Proposal supported with planning and management provisions.</p> <p>Recommendation:</p> <p>Modify amendment to extend Special Development zone and introduce relevant planning and management provisions.</p>	<p>This item relates to Amendment 104. The 5ha portion of land referred to in the submission was identified for low density residential in the advertised version of the ODP.</p> <p>The EPA considered this portion of the site as part of the review of Ministerial Statement 519. The EPA was satisfied that the vegetation on site had been adequately protected and no condition relating to vegetation protection was required. The EPA considered the amendment (as amended) and the ODP should be progressed. The region scheme zoning and proposed average lot size of 2000m² (R5) is consistent with the provisions of DC policy 2.5. Agree with Council's comments.</p>
9	Port Bouvard Ltd	<ul style="list-style-type: none"> • Port Bouvard Ltd has secured in-principle agreement from Water Corp to connect into its water and wastewater infrastructure, at Port Bouvard's cost. Water Corp infrastructure is some distance from Point Grey and does not represent the most sustainable solution for delivery of water services. • Alternative solutions which involve on-site wastewater treatment and re-use and initial groundwater abstraction for potable water supply should be considered and Port Bouvard has commenced detailed research into potential infrastructure outcomes. • Ultimately, the most sustainable infrastructure solution(s) will be chosen by the developer. 	<p>Submission relates to Amendment.</p> <p>Council considered this matter in September 2010 and resolved to provide in principle support. Proposal represents or Point Grey.</p> <p>Recommendation:</p> <p>Noted and supported.</p>	Noted. Agree with Council's Comments

10	Peel Heritage Adviser	<ul style="list-style-type: none"> Notes ODP identifies key sites of Aboriginal heritage significance and applicant is aware of obligations under the Act. Interpretation recognising significance of high European cultural heritage as one of first contact places in WA, prior to settlement of Swan River Colony (November 1829) is desirable. 	<p>Submission relates to Amendment and ODP.</p> <p>Aboriginal Heritage Act approvals already obtained. Provision in ODP to provide interpretation to recognise European heritage significance of site would contribute to heritage and sense of place outcomes for Point Grey and is supported.</p> <p>Recommendation:</p> <p>Modify ODP to provide provision for interpretation to recognise European heritage significance of site.</p>	<p>Agree with Council's Comments, this modification has not occurred in the version of the ODP submitted to WAPC and should form part of schedule of modifications.</p>
11	Nearby Landowners	<ul style="list-style-type: none"> Fully support DSA and ODP - Point Grey is beautifully located and many neighbouring landowners are keen to enjoy benefits of proposal. 1.12.4 – housing density and gradual incremental increase is commended but not at expense of adjoining landowners outside of amendment and ODP area – critical that density interface between proposed T2 Rural at R5/R10 promote and facilitate other forms of rural related activities to allow other types of cottage and light industry and other activities to create vibrant community and sought after destination for residents, visitors and tourists – Swan Valley given as example. Suggest Council consider allowing range of special rural to rural blocks to be created, ie: <ul style="list-style-type: none"> 2000 – 5000 sqm 5000 – 1Ha 1 – 2Ha 2 – 4Ha; and 4 – 10Ha to ensure retention of existing residents and landowners, particularly those seeking to scale down and remain in the district. Environmental – careful planning, design and well thought out engineering solutions to be carried out around ROS, marina and public spaces assoc with foreshore areas. ODP – concerned about sole reliance on vehicle access via Greenlands Road – in view of climate change and possible sea level rise may be appropriate to consider promoting secondary transport route based on existing road network. Hope private ownership of marina does not preclude public access or lead to membership only access. Public Transport Authority should be invited to provide input on how ease of access to the area by public transport can best be provided. Mindful of potential impacts on environment, community/social issues and suggest investigations and plans are subject to independent peer reviews through practising consultants and/or universities. Critical to provide some facilities and services up front to support pioneer residents and ensure sustainable vibrant community as the area matures and long into the future. Development should include range of affordable lifestyle products incl variety of lot sizes, densities, building materials, types, lifestyles etc. Critical to provide work opportunities for residents. 	<p>Submission relates to Amendment and ODP.</p> <p>The applicant's response is generally agreed. Provision should however be included in the ODP for the investigation of the possibility of an emergency access. This is consistent with requirements for other major estates in recent times such as Austin Cove although given the location on the point may prove impractical following closer investigation.</p> <p>Recommendation:</p> <p>Noted and Rejected as relevant except that a provision be included in the ODP aimed at investigating a suitable emergency access/egress to the development.</p>	<p>Dismiss. Comments related to the impact of residential development on land use outside the ODP area. These land uses will be subject to the provisions of the TPS4. Submission also requests Council's consideration for additional special residential development outside the ODP area.</p> <p>Dismiss comments related to the affects of climate change on the alignment of access road. This has been addressed through the preparation of the Access Road Management Plan considered and approved by Council.</p> <p>Note other comments relating to the requirement for employment, consideration over the environment and foreshore areas during detailed planning, timing of community facilities and public transport.</p> <p>Requirement for emergency access does not feature in the Fire Management Plan. It is recommended that the notation proposed by Council is added to the ODP.</p> <p>Agree with Council's comments.</p>

12	Private Submission	<ul style="list-style-type: none"> Submitter concerned that the single lane road with 12,000 vehicle movements per day will be insufficient when considering the recreation and tourism, regional growth. 	<p>Submission relates to the ODP.</p> <p>One of the draft Environmental provisions requires the provision of an Access Road Construction Management Plan to address the alignment, upgrading and staging of the access road from the Forrest Highway to the ODP area. Initial discussions have been held between the Applicant and Shire engineers with a agreement to the alignment and cross section design based on resident and visitor traffic volumes. The cross section includes provision of two 3.5 metre wide lanes, two metre wide paved shoulders together with intermittent overtaking lanes which is a similar design to the South Western Highway. This is considered sufficient to cater for the traffic volumes expected for Point Grey.</p> <p>Recommendation:</p> <p>Reject.</p>	Dismiss. Agree with Council's comments.
13	Department of Health	<ul style="list-style-type: none"> No objection, subject to: <ul style="list-style-type: none"> Provision of buffers as recommended under EPA guidelines. Mosquito management plan, should involve identifying breeding sites that will impact on subject land and management actions; new residents to be warned of mosquito-borne disease risk and potential for nuisance, via notification of property titles; and purchasers encouraged to install insect screens on windows, external doors and build screened outdoor enclosure. 	<p>Submission relates to Amendment and ODP.</p> <p>There are no known buffer requirements associated with the proposal.</p> <p>The draft EPA environmental provisions already include a requirement for the provision of a Mosquito Management Plan to be prepared and implemented to the satisfaction of the Shire of Murray, on advice from the Department of Environment and Conservation to adequately identify mosquito nuisance, public health risks and management strategies.</p> <p>Recommendation:</p> <p>Noted and Rejected as relevant.</p>	Noted. Agree with Council's comments.
14	Cardno (WA) Pty Ltd (on behalf of neighbouring landowners)	<ul style="list-style-type: none"> Overall supportive of DSA 104 and note ODP intended as guide to assist in identification of appropriate locations for housing types and density, permitting flexibility in delivery of diverse range of lot sizes in subsequent planning phases. General request for opportunities for neighbouring landowners to seek to modify ODP in future, as appropriate and flexibility for subsequent detailed planning phases, independent of proponent's timeframe for development. 	<p>Submission relates to Amendment and ODP.</p> <p>There is the ability to modify an ODP by separate application so long as the changes meet planning and other requirements. The ODP has been kept flexible to minimise the need to make</p>	<p>Noted. Comments relate to both the ODP and the Amendment and discussion of processes outside the consideration of the ODP which are provided for in TPS4.</p> <p>Upheld. Comments relating to the changes in the presentation of the ODP including colours of T2 general and T2 south-west have been recommended in the schedule of modification in the report.</p>

		<ul style="list-style-type: none"> Noted number of typographical errors in both documents. Detailed Area Plan (DAP) for just Marina Village Centre – disparity in 1.4 of amendment and ODP – suggested alternative - <i>“The proponent shall prepare a DAP for the Marina Village Precinct area identified on the required ODP, for lots with an area less than 350m² and for any additional lots as identified in the Development Principles notes on the ODP. The DAPs shall be generally processed in accordance with procedures outlines in Clause 6.14.2.15 of the Scheme.”</i> 1.12.4 – Housing Diversity (Lot Layout) Principles - term ODP transect to be defined to assist in interpretation. 2.1 – Land Particulars (Pg 5) - breakdown of calculations in 2 paras below table don't add up to equal total area. TPS No 5 – adjoining landowners keen to engage with Council during new scheme process re residential zoning for balance of portions of subject land. Fig 7 – ODP (Pg 14) – to avoid confusion suggest 'T2 Rural General' and 'T2 Rural SW Precinct' be distinguished as separate colours and 'T3 Sub Urban' be colour other than green. Fig 7 – ODP and Fig 8 Concept Structure Plan (CSP) and POS Schedule – discrepancy in zoning parcels – CSP depicts more areas designed to facilitate 'Urban Residential' rather than 'Rural Development' in terms of block depths and road layout – ODP should be consistent with CSP where 2 different zoning codes adjoin each other. Density and Lot Sizes – no valid planning rationale why T4 'Urban' zone doesn't extend further south in eastern portion of Lot 1133 or to east to adjoin access road – densities adjoining primary school should generally be 'Urban' – request for examination of increased densities in ODP area (shown) to at least Sub Urban T3, if not Urban T4 to eastern access road and potentially T3 Sub Urban to southern boundary. Question how much tree retention could be achieved, particularly for T3 given topography of land – request rewording to suggest ODP only states an intent to try and retain vegetation on T2 land. Developer Contribution Plan (DCP) – neighbouring landowners keen to be involved from outset. 	<p>formal amendments.</p> <p>Issues raised otherwise noted and applicants comments agreed.</p> <p>Recommendation</p> <p>Modify the amendment documents to make required typographical changes, amendments to wording suggested for DAPs, housing diversity, delete last sentence under land particulars, applicant suggested wording for developer contributions.</p>	<p>Upheld in part. It is appropriate to merge T3 and T4 to create a base zone with densities ranging from R15 to R25 to allow the ODP the flexibility to respond to environmental and landform features at a detailed subdivision design stage. The reduction of the T2 precinct on the edge of the ODP area is not supported any consideration of this should occur as part of a separate modification to the ODP that would require public consultation.</p> <p>Modifications proposed in Council's recommendation relate to Amendment 104 and not the ODP.</p>
15	Department of Environment and Conservation	<ul style="list-style-type: none"> As the proposal is subject to a formal review of Ministerial Statement 519 by the OEPA, DEC would not provide a submission in relation to the scheme amendment. DEC will be consulted by the OEPA during their preparation of advice to the Minister for the Environment. Submission on DSA 104 to be included in Ministerial Statement 519 by EPA. Preliminary comment only. Marina - subject to formal EPA assessment. Access Road Alignment – recommend section of Carrabungup Road adjoining Lots 1145, 327 and 729 be relocated to prevent need to clear native vegetation and to provide minimum 50m buffer to the estuary. Native Vegetation Protection - developing the 'Rural' zoned proposed T2 SW 'Special Residential' precinct within an area of native vegetation does not comply with WAPC guidelines. If approved this will create need for greater fire protection measures and is likely to significantly degrade the bushland. Vegetation should be considered for inclusion in Foreshore Reserve. Contact EPA to discuss if <i>Swan Bioplan Report</i> has any recommendations for this area. Wetland Buffers - proponent to refer to DEC 'Guidelines/checklist for preparing a Wetland Management Plan' Dec 08 and DOW to ensure ROS and Foreshore Management Plan address wetland and wetland buffer issues to satisfaction of DEC. Proposed Ecotourism Site Located in ROS - needs to be subject to further assessment to minimise loss of remnant vegetation and not 	<p>Submission relates to Amendment and ODP.</p> <p>Applicants comments agreed.</p> <p>Recommendation:</p> <p>Noted.</p>	<p>Dismiss. Formal EPA submission was made via <i>Advice of the Environmental Protection Authority to the Minister for Environment</i> (Report 1384) submitted as part of the review of Ministerial Statement 519. This report recommended that the majority of conditions included in Ministerial Statement 519 were no longer necessary due to modifications to both the amendment text and subject area. The EPA stated it was 'satisfied that the potential environmental impacts will be adequately managed'. No condition relating to the conservation of native vegetation was added to the amendment via the review of Ministerial Statement 519.</p> <p>There is a provision included within the amendment requiring the preparation of an access road construction management plan to address items including alignment. The alignment for this road has been located away from the estuary.</p> <p>Access road alignment and construction management has been agreed to by the Shire of Murray. The alignment for this road has been moved further from the Peel Inlet and Robert Bay Wetlands.</p> <p>Within the ODP area a minimum CCW wetland buffer of 50m has been provided.</p>

		<p>impact functions of wetland buffer.</p> <ul style="list-style-type: none"> • Carnaby's Cockatoo Habitat - proponent to liaise with State EPA and Commonwealth DEC, Water, Heritage and the Arts to ensure compliance with policies. • Water Supply – any onsite water supply options need to clearly demonstrate no impact on nearby wetland areas. • Fire Management Plan – further consideration to be given to new WAPC <i>'Planning for Bushfire Protection Report'</i> – Element 4 – Siting of Development – in addition to Building Protection Zone, provision be made for Hazard Separation Zone. DEC would not support additional clearing of vegetation within POS and ROS to achieve required hazard separation. 		<p>The condition relating to the preparation of a wetland management plan was removed as part of the review of Ministerial Statement 519. The reduced area subject to Amendment 104 has resulted in the subject wetland no longer being located within the amendment area.</p> <p>Carnaby's Black Cockatoo was not discussed within the review of Ministerial Statement 519. The proposal's compliance with federal environmental legislation is not a matter to be address through the state planning process.</p> <p>The review of Ministerial Statement 519 stated that on-site water supply would be sufficiently addressed through the provision included in the amendment requiring the preparation of the LWMS. There for the EPA determined that there was no requirement for an additional condition to be included.</p> <p>There is a provision included within the amendment requiring the preparation of a Fire Management plan in consultation with the Shire and FESA this will address concerns relating to FMP.</p> <p>Given the above it is considered that the EPA raised no objection to the amendment. Council comments are supported.</p>
16	Main Roads	<ul style="list-style-type: none"> • Transport Assessment Report made no mention of impact of increased traffic on Greenlands Road intersection with Forrest Highway, eg loss of service through AM / PM peaks. • Concerns about increased volume of traffic utilising Greenlands Road to weave its way across Forrest Highway to connect with Pinjarra. • With changed density and increased traffic volumes, developers should contribute to the upgrade of the intersection of Greenlands Road and the Forrest Highway. • Proposed development with demographic of 'predominantly mix of retirees, older families, tourists and weekenders' highlights requirement for arterial link paralleling the highway to enable travel between areas on western side of Forrest Highway. • Establishment of arterial road linking Point Grey with South Yunderup would remove need for local commuting on high speed route. Upgrading of Parkhills Road may fulfil this requirement. 	<p>Submission relates to the ODP.</p> <p>Applicants comments are agreed.</p> <p>Recommendation:</p> <p>A suitable provision be incorporated in the Amendment relating contribution requirements for the Forrest Highway/Greenlands Road intersection.</p>	<p>Support for the provision added. Note that this provision has been added to the version of the amendment referred to the WAPC. Agree with Councils recommendation.</p>
17	Canoe Trail Friends of Mandurah and Pinjarra Inc	<ul style="list-style-type: none"> • To cater for demand for non-powered craft launch sites by increase in Shire residents living at Point Grey and on eastern side of Peel Inlet and Harvey Estuary and increase in visitors to the area: <ul style="list-style-type: none"> – Friends submit that allowance should be made within scope of plan for 2 non-powered launch sites. As indicated on map 1 (shown) site should be located within bay facing near north and other within vicinity of point facing near west. Sites have been selected after visits to Point Grey by Friends and are natural beaches in sheltered locations. – If there is need to 'build' non-powered sites then to cater for families and less agile in our community, the Friends preferred option for non-powered launch is 'beach style' sand-based, at least 4m back from high water mark, with 5m min width. – Regardless of option adopted, provision of picnic tables, bench seats and shade structures on grass or similar is highly recommended as asset for all users. Car parking should allow for users of non-powered sites and others. Toilets to be established nearby. 	<p>Submission relates to ODP.</p> <p>Submission noted and agreed.</p> <p>Recommendation:</p> <p>The ODP should make suitable provision for the two non-powered launch sites.</p>	<p>Agree with Council's Comments, this modification has not occurred in the version of the ODP submitted to WAPC and should form part of schedule of modifications.</p>

		– Friends willing to take part in final site location determination.		
18	Peel Development Commission (PDC)	<ul style="list-style-type: none"> • Developer appears to have considered all aspects of social, economic and environmental development within the site and in relation to broader waters and Peel Region. • PDC supports provision and location of public boating marina – concern re potential impacts to be satisfied through EPA assessment. • Potential for water-based commuter transport may not be viable – potential opportunities for leisure travel– community transport may need to replace or supplement public road transport. • PDC fully supports tourism development and is willing to facilitate model of private, public and Indigenous investment – performance targets necessary to ensure high-quality draw card for Region. • Need for further clarification of roles and responsibilities of DEC, EPA, SOM and developer, as crucial that sustainability management is effective and properly resourced. • PDC reinforces vulnerability of low lying areas from historic perspective and future climate change predictions – main access road will need careful consideration. • Need for affordable housing and access to jobs, education, community and public services. • Query what measures will be taken to ensure majority of residents will be permanent and timing of constructing different elements of infrastructure. • Developer might consider locating primary school closer to village centre to contribute to community activity and share facilities. 	<p>Submission relates to ODP.</p> <p>Points noted.</p> <p>Recommendation:</p> <p>Noted.</p>	Noted. Agree with Council's comments.

ITEM NO: 9.3

DEVELOPMENT APPROVAL FOR MINERAL SAND MINE LOT 62 HOPELAND ROAD, LOT 59 WESTCOTT ROAD AND LOT 300 ATKINS ROAD, NORTH DANDALUP.

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Planning Manager, Peel Statutory and Strategic Planning
AUTHORISING OFFICER:	Director, Peel Region
AGENDA PART:	G
FILE NO:	616-114-2
DATE:	15 June 2011
ATTACHMENTS:	1. Location Plan 2. Operational Diagram 3. Schedule of Submissions
REGION SCHEME ZONING:	Rural
LOCAL GOVERNMENT:	Shire of Murray
LOCAL SCHEME ZONING:	Rural
LGA RECOMMENDATION:	Not Received
REGION DESCRIPTOR:	Peel Region
RECEIPT DATE:	18 February 2010
PROCESS DAYS:	421
APPLICATION TYPE:	Development
CADASTRAL REFERENCE:	Lot 62 Hopeland Road, Lot 59 Westcott Road and Lot 300 Atkins Road, North Dandalup.

RECOMMENDATION:

That the Western Australian Planning Commission resolves to approve the proposed mineral sand mine on Lots 62 Hopelands Road, 59 Westcott Road and 300 Atkins Road, North Dandalup, subject to the following conditions:

- 1. This approval is limited to a period of 10 years from the date of this decision.***
- 2. The site is to be maintained in a neat and tidy condition to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission.***

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3. *Vehicles, equipment, and stockpiling shall be located in such a manner as to minimize their visibility from neighbouring residents and public roads to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission.*
 4. *An alternative effluent disposal system is to be provided to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission.*
 5. *Suitable arrangements being made with the local government for the provision of vehicular crossovers to service the lots containing the proposed development to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission.*
 6. *The railway level crossing at Readheads Road being upgraded by the proponent to the specifications of Main Roads Western Australia and to the satisfaction of the Western Australian Planning Commission prior to commencement of mining operations.*
 7. *The intersection of Atkins Road and Readheads Road being upgraded by the proponent to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission prior to commencement of mining operations.*
 8. *The intersection of Readheads Road and South Western Highway being upgraded by the proponent to the specifications of Main Roads Western Australia and to the satisfaction of the Western Australian Planning Commission prior to commencement of mining operations.*
 9. *A Road Maintenance Plan shall be prepared by the proponent prior to commencement of mining operations to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission and such plan being implemented to the satisfaction of the Western Australian Planning Commission.*
 10. *A Visual Management Plan shall be prepared by the proponent prior to commencement of site works to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission and such plan being implemented to the satisfaction of the Western Australian Planning Commission.*
 11. *A Fire Management Plan shall be prepared by the proponent prior to the commencement of site works to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission and such plan being implemented to the satisfaction of the Western Australian Planning Commission.*
 12. *A Pipeline Protection Plan shall be prepared by the proponent prior to the commencement of site works to the specifications of DBP Transmission and to the satisfaction of the Western Australian Planning*

Commission and such plan being implemented to the satisfaction of the Western Australian Planning Commission.

- 13. *A Mosquito Management Plan shall be prepared by the proponent prior to the commencement of site works to the specifications of the local government and to the satisfaction of the Western Australian Planning Commission and such plan being implemented to the satisfaction of the Western Australian Planning Commission.***

Advice:

Assessment and compliance of the proposed heavy vehicle route with Main Roads Heavy Vehicle Operations will be required prior to the use of the road network for heavy vehicle operations.

Fauna on site are to be relocated in accordance with the provisions of the Wildlife Conservation Act.

SUMMARY

An application has been received for a mineral sand mine in the localities of North Dandalup and Keysbrook. The application has been assessed by the Environmental Protection Authority and been granted approval under the *Environmental Protection Act 1986* subject to conditions. Respective applications under the relevant local planning schemes have been refused and under currently under review by the State Administrative Tribunal. The proposed development involves the use of land in a manner consistent with the purpose of the Rural zone under the Peel Region Scheme. Accordingly conditional approval is recommended.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:	<i>Planning and Development Act 2005</i> Section 34 Section 162
Section:	<i>Environmental Protection Act 1986</i> 45-48

Strategic Plan

Strategic Goal:	Goal 2: Planning
Outcomes:	Effective Delivery of Integrated Plans.
Strategies:	Implement State and Regional Planning priorities.

Policy

Number and / or Name:	Strategic Mineral and Basic Raw Materials Resource Policy
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INTRODUCTION

An application has been received for a mineral sand mine within the localities of North Dandalup and Keysbrook. The mine proposes to extract the minerals Titanium and Zircon. Over its estimated 10 year life span, the mine will cover about 866ha, approximately 460ha of which would be located in the Peel Region (**Attachment 1 - Location Plan**).

Attachment 2 is a diagram showing how the mine would operate. When in operation, sand would be extracted from pits about 2 - 6 metres in depth, covering an area of up to 30 ha at any one time. Sand extracted from the pits would be mixed with water and piped to a processing plant within the site where the minerals are extracted, stockpiled and trucked to Bunbury via South Western Highway. The remaining material (approximately 97%) is returned to the excavation pits and rehabilitated to either pasture or native vegetation.

An Environmental Impact Assessment of the proposed sand mine has been carried out by the Environmental Protection Authority (EPA) and approval under the *Environmental Protection Act 1986* has been issued by the Minister for Environment as set out in Ministerial Statement 810.

The Shire of Murray considers the proposed development to be of regional significance. On this basis the application must be determined by the WAPC in accordance with its resolution made under Clause 21 of the Peel Region Scheme (PRS). Authority to determine the portion of the proposal within the Metropolitan Region Scheme is delegated to the Shire of Serpentine-Jarrahdale.

The proposed sand mine also requires approval under both the Shire of Murray Town Planning Scheme No. 4 (TPS No. 4) and the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS No. 2). In this respect, both the Shire of Serpentine Jarrahdale and the Shire of Murray have refused applications for the sand mine under their respective local planning schemes for the following reasons (summarised):

- the proposal is contrary to local strategic objectives to maintain the area for grazing purposes;
- clearing of mature trees;
- the adverse impact of dust and noise;
- hydrological impacts in particular the limitations of the groundwater supply;
- inability to rehabilitate the site;
- the impact of heavy haulage through towns en route to Bunbury, including Pinjarra;
- insufficient demonstration that soils will be suitable for grazing post development;
- cumulative risks of the above; and
- the development is contrary to orderly and proper planning.

These determinations are subject to an application for review by the State Administrative Tribunal.

CONSULTATION

The Department of Water and the Department of Environment and Conservation raised no objection to the proposal as it has been assessed by the EPA.

The Department of Mines and Petroleum supports the proposed development and advises that titanium-zircon mineralisation makes a significant economic contribution to the local community and the State.

The Department of Health raised no objection to the proposed development and recommends conditions and advice in relation to dust management, waste water management, mosquito management and pesticide safety.

The Public Transport Authority raised no objection to the proposed development subject to conditions relating to drainage, fencing and dust management. Matters relating to drainage and dust management have been addressed as part of the environmental approval. Rural type fencing is already in place along property boundaries adjacent to the rail reserve.

Main Roads Western Australia raised no objection to the proposed development.

The Shire of Murray publicly advertised the proposal and 59 submissions were received (**Attachment 3 - Schedule of Submissions**). Seven submissions from State government agencies generally supported the proposal and 52 submissions from local residents objected to the proposal. The table below lists the main issues raised by submissions.

Issue/Concern	Submissions received
Dust and fumes will have an adverse impact on air quality, health and amenity.	29
The mine will have an adverse impact on groundwater and surface water drainage.	25
Mining traffic will affect the safety and function of the local and regional road network.	23
The mine will destroy or damage the rural amenity and landscape and corresponding effect on tourism and lifestyle.	23
Mining operations and traffic will cause unacceptable noise impacts on local residents.	17
Mining will destroy or damage remnant vegetation.	14
The mine will make no contribution to the community or the State.	14
The mine will reduce property value in the area.	13
There appears to be a risk that if the mine becomes unviable, the Shire will be responsible for the rehabilitation of the site.	11
The mine will affect future land use planning and settlement patterns in the area.	10
Mining will result in the loss of agriculturally productive land.	8
The mine will have an adverse impact on fauna.	6

The mine will set a precedent for other mining operations in the area.	5
There has been insufficient community consultation.	4

The issues outlined above are discussed in the Comments section of this report.

COMMENTS

Peel Region Scheme

The purpose of the Rural zone is to provide for the sustainable use of land for agriculture, assist in the conservation and wise use of natural resources including water, flora, fauna and minerals, provide a distinctive rural landscape setting for the urban area and accommodate carefully planned rural living developments. The proposed development is consistent with the purpose of the Rural zone in that it provides for the wise use of minerals.

Strategic Mineral and Basic Raw Materials Resource Policy, (WAPC, 2002) (SMBRMRP)

Although the subject land is not specifically identified as the Peel Region Scheme SMBRMRP policy area, the proposed development is consistent with the policy's objectives in that it encourages the timely mining of mineral resources that are of State significance in accordance with acceptable environmental standards, including appropriate measures for rehabilitation.

Shire of Murray Local Rural Strategy 1994 (LRS)

The proposed development is located with Planning Precinct 11, Rural Dandalup, of the endorsed LRS. The relevant objectives of this precinct are to encourage the continued use of land for grazing in recognition of its productive capacity for that use and to protect the quality of the underlying groundwater resources. The LRS does not identify mineral resources in Planning Precinct 11.

Although for a period the mining activity would disrupt the use of the site for agricultural purposes, it is expected that agricultural land capability will be restored following completion of mining activity and subsequent rehabilitation works.

Draft Nambeelup North Dandalup Local Rural Strategy

The draft Nambeelup North Dandalup Local Rural Strategy, (which is intended to supersede the LRS), was presented to Committee for consideration of submissions and final determination in February 2011. The subject land has not been identified for future settlement purposes in the draft strategy.

The advertised draft version of the strategy included updated mineral mapping from the Department of Mines and Petroleum (DMP), identifying Titanium-Zircon mineralisation over the subject site and other nearby sites. Objections were received about this aspect of the draft strategy on the basis that:

-
- (i) the resource mapping has no formal WAPC policy status;
 - (ii) the deposit is of a low grade and may not be commercially viable to extract;
 - (iii) the implications of 'mineral to owner' titles - landowners do not intend to progress extraction of the resource; and
 - (iv) the environmental and social considerations of mining in proximity to the North Dandalup townsite.

The Commission's consideration of the strategy has been deferred pending finalisation of the Outer Metropolitan Perth and Peel Sub-regional Strategy.

Environmental Considerations

As a result of environmental approval being granted for this development, it is considered that the impacts of the proposed development upon the environment can be adequately managed. This will generally be achieved by the applicant preparing and implementing various environmental management measures to the satisfaction of the Environmental Protection Authority (EPA), including:

- remnant vegetation;
- fauna;
- wetlands;
- rehabilitation of pasture;
- ground and surface water management;
- noise; and
- dust management.

The environmental approval specifically requires development to avoid a 75 ha stand of significant native vegetation. The environmental approval also requires a rehabilitation management plan that involves measures to translocate native plant species cleared for mining into rehabilitated areas.

To address concerns raised about the potential impact of the development upon groundwater bores, the environmental approval specifies that the abstraction of groundwater is not to materially affect the quality or quantity of groundwater for other users in the area or adversely effect the health and condition of native vegetation and ecosystems in the area. A water management plan is required to be prepared and implemented including groundwater monitoring, management measures and post mining maintenance of groundwater quality and quantity.

In relation to concerns about potential noise impacts, the proponent will be required to undertake noise monitoring to the satisfaction of the EPA, to demonstrate compliance with legislative requirements.

In response to concerns raised about the impacts of mining upon fauna, an advice note is recommended to highlight that fauna on site are to be relocated in accordance with the provisions of the Wildlife Conservation Act.

Health Considerations

The principle health consideration raised is the effect of dust on human health. Statement 810 includes a condition requiring the preparation of an air quality and dust management plan that ensures dust emissions do not harm or adversely affect the health, welfare and amenity of people. The air quality and dust management plan requires the approval of, and ongoing reporting to, the EPA.

The Department of Health and the Shire of Murray have recommended a condition be imposed requiring the preparation and implementation of a mosquito management plan. This has not been addressed as part of Statement 810 therefore a suitable condition should be imposed. The applicant has prepared a mosquito management plan that is suitable for the implementation of this condition.

Visual Landscape Amenity

Statement 810 requires the preparation of a rehabilitation management plan, but does not identify visual amenity as a key environmental factor. In order to account for visual landscape considerations, it is recommended that the preparation and implementation of a landscape management plan be required as a condition of planning approval.

Heavy Vehicle Movement

Heavy vehicle movement would be confined to about 2km of the local road network and would not have a significant impact on the regional function of this network. The use of South Western Highway for the proposed inter-regional transport is consistent with its purpose as a Primary Regional Road.

The railway level crossing with Readheads Road will require upgrading and widening to accommodate heavy vehicle movement. Adjacent truck movement entering and exiting Atkins Road will require a realignment of the Atkins Road intersection to the west to ensure trucks are able to move across the railway level crossing unimpeded. Conditions should be imposed to ensure upgrades to the local road network, the intersection of Readheads Road and South Western Highway and the railway level crossing at Readheads Road are carried out and the road network maintained through the life of the mine.

Property value

The effect of development on property value is not a relevant planning consideration.

Contribution to the Community

The land titles subject of the proposed sand mine were issued prior to 1 January 1899. Consequently, mineral ownership is attributed to the owner of the land as opposed to the Crown. Notwithstanding this, the Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state, including downstream processing of titanium and zircon.

Performance Bond

Statement 810 requires an annual performance bond to secure the due and punctual observance of conditions set out in the statement. This provides a suitable framework to ensure the site is appropriately rehabilitated by the proponent.

Precedent

Each application for mining activity will need to be considered on its merits. For this reason, concerns about the possible precedent established by approving this application should be dismissed.

Community Consultation

The proponents have conducted a preliminary community workshop which provided stakeholders and the community to voice their concerns. In addition the Shire of Murray has advertised the proposal for public comment.

The proponent has prepared a framework that allows engagement with the community and other stakeholder groups throughout the life of the project has been prepared. The framework will provide opportunities for the community to share information, provide input, raise concerns and obtain feedback. The framework also sets out a complaints management form, procedure and review mechanism. The framework is suitable for ongoing engagement and interaction with the community.

CONCLUSION

The proposed development involves the use of land in a manner consistent with the purpose of the Rural zone. The implementation of Statement 810 along with appropriate conditions of planning approval will provide the necessary framework for the development to proceed in accordance with the aims and provisions of the PRS. Accordingly conditional approval is recommended.

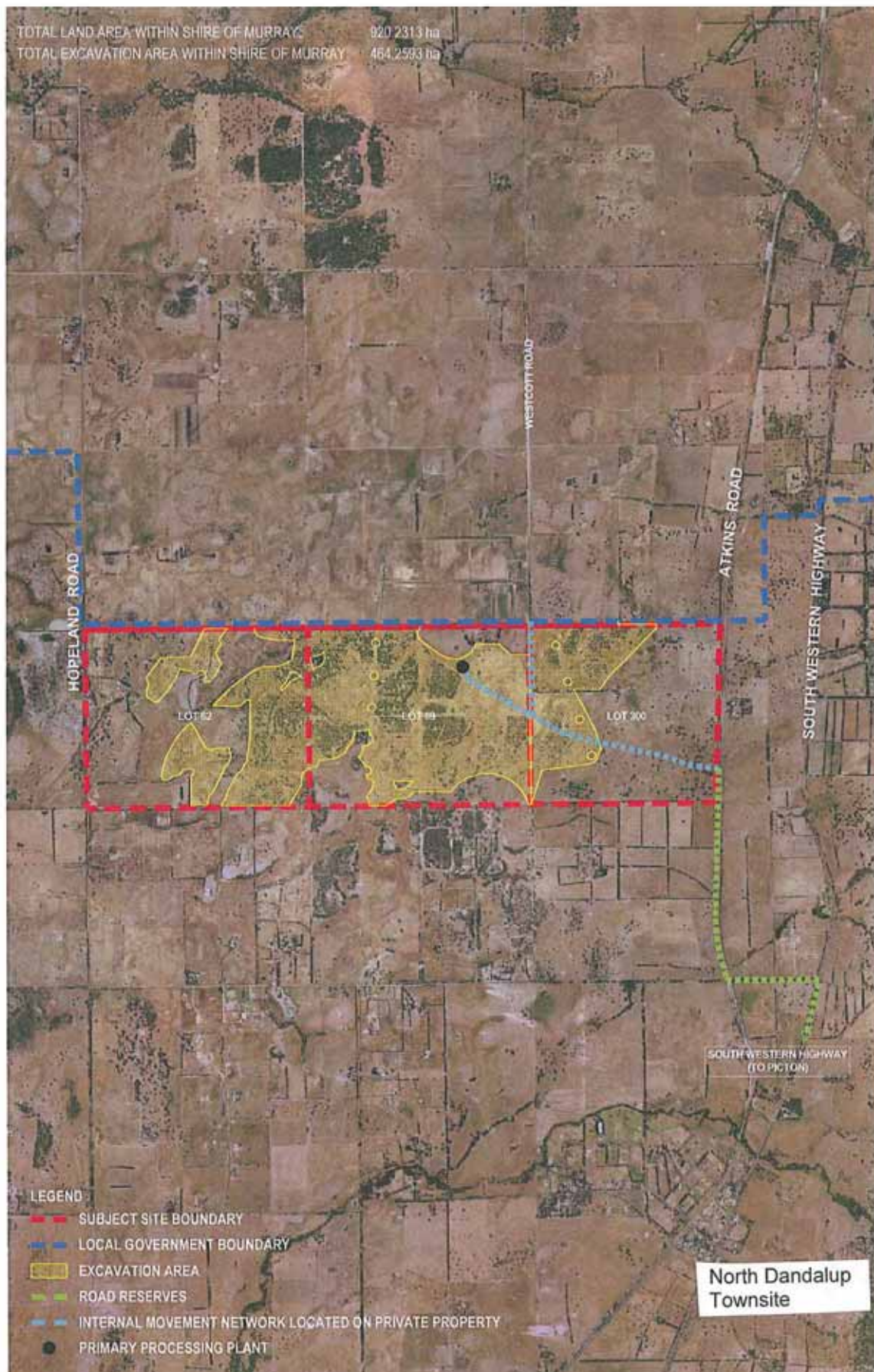
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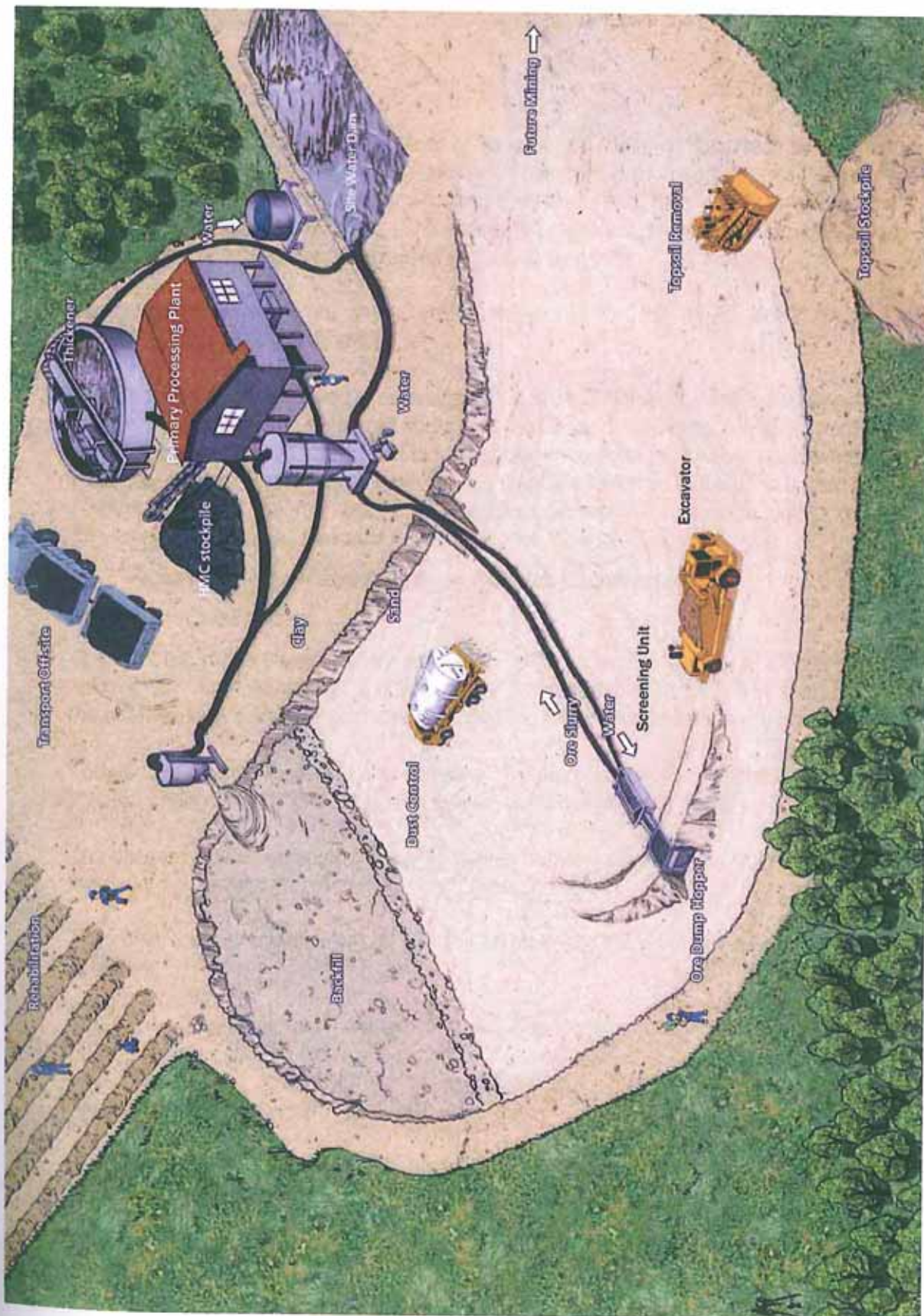
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FIGURE 7:
MINING OPERATION IN DIAGRAMATIC FORMLOTS 59, 62 & 300
NORTH DANDALUP
WASCALE
DATE 3 February 2010
FILE 100201 1992 M.D.A. Fig. 4.7g
REVISION C

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BASED ON SOURCE ENVIRONMENTAL PROTECTION AUTHORITY

**DEVELOPMENT APPLICATION FOR MINERAL SANDS
LOT 62 HOPELAND ROAD, LOT 59 WESTCOTT ROAD & 300 ATKINS ROAD, NORTH DANDALUP**

SCHEDULE OF SUBMISSIONS

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission 2 Department of Water D10/6392	Advised Management plans prepared by the proponent for mitigation of impacts to water resources have been satisfactorily addressed. An Operating Strategy is required and an application for groundwater abstraction and a dewatering licence is required if dewatering is undertaken	Noted
Submission No. 10 Public Transport Authority D10/6730	No objection No drainage should be directed to the railway corridor and dust should be managed to prevent fouling of the track affecting line of sight for train drivers.	Drainage management is addressed through the environmental approval.
Submission No.13 State Land Service D10/6961	Dampier to Bunbury Natural Gas Pipeline Infrastructure Corridors on behalf of the Minister is prepared to provide 'in principle' agreement subject to conditions:- Restrictions apply pursuant to Section 41 of the Dampier Bunbury Pipeline Act 1997. Any works within land which contains the DBNGP corridor requires Minister approval. Access road construction and movement of heavy machinery over pipeline requires assessment should it impact the DBNGP	Noted - A condition of planning approval is recommended to ensure the preparation and implementation of a pipeline management plan.

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	corridor.	
Submission No.21 Main Roads D10/7084	No objection to access on to South Western Highway.	Noted Subsequent discussions with Main Roads has indicated the railway level crossing with Readheads Road will require upgrading and widening to accommodate heavy vehicle movement. Adjacent truck movement entering and exiting Atkins Road will require a realignment of the Atkins Road intersection to the west to ensure trucks are able to move across the railway level crossing unimpeded. Conditions should be imposed to ensure upgrades to the local road network, the intersection of Readheads Road and South Western Highway and the railway level crossing at Readheads Road are carried out and the road network maintained.
Submission No.43 Department of Education D10/7654	No objection	Noted
Submission No. 46 Department Mines and Petroleum D10/7589	No Objection This proposal for titanium-zircon lies within a Strategic Mineral Resource Protection area for that purpose, hence we support the proposed mineral sands extraction application.	Noted
Submission No.48 Member for Canning D10/5678	Letter to Serpentine Jarrahdale Shire from Don Randal Member for Canning, objecting to the development application for extractive industry on various lots in Keysbrook for these reasons: <ul style="list-style-type: none"> • Would have a detrimental impact on lifestyle and tourism and rural values. 	Dismissed A rehabilitation management plan is required as part of the Environmental Approval

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<ul style="list-style-type: none"> • Destruction of quality farming land and vegetation. • Property would be devalued. • Mine is not expected to viable and in any case royalties could not be reaped. 	<p>however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p> <p>Dismissed property value itself is not a planning consideration.</p> <p>Dismissed The Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.</p>
Submission 52 Tourism WA D10/7653	No comment at this stage.	Noted
Submissioni53* Department Environment D10/12090	No objections provided that it is implemented in accordance with Ministerial conditions Statement 810 imposed under the EPA assessment (Bulletin 1269)	Noted
Submission 54* Western Power D1011419	Western Power has one transmission line traversing Lot 300 - Muja to Northern Terminal (91) 330kV transmission line and one line traversing Lot 59 - Southern Terminal to Wagerup/Alcoa Pinjarra (81) 132kV transmission line.Map attached FYIThere is a registered 60m easement for the Muja to Northern Terminal (91) 330kV transmission line which has conditions that will restrict activities. Easement conditions attached FYI –	Noted

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>There may also be a registered easement for the Southern Terminal to Wagerup/Alcoa Pinjarra (81) 132kV transmission line, however in the absence of a formal easement registered on the Certificate of Title, a restriction zone applies to the property. If a development encroaches upon this area we require the proponent to provide profile survey information for the line and details of the development to enable us to determine whether the development will have the required clearance to the line conductors..</p> <p>Structures may be erected on the boundary of the easement/restriction zone area, however the construction works may infringe upon the 6.0m Worksafe WA Occupational Safety and Health Regulation 3.64 'danger' zone associated with lines of this voltage. Our standard conditions for working in close proximity to overhead transmission lines are attached for your information.</p>	
Submission No.1 D10/5678	<p>Concerns regarding more heavy vehicles using South Street.</p> <p>Restoration of land should be to the same or better standard including tree planting</p>	<p>Dismissed The proposed movement of heavy vehicles does not include South Street.</p> <p>Upheld A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.3 D10/6486	This submission requested further information be provided. This was done via e-mail. No comments on the development were provided.	Noted
Submission No.4 D10/6486	Identified health concerns relating to Multiple Chemical Sensitivity and possible affects from fumes.	Noted an air quality and dust management plan is required as part of the Environmental Approval and is required to ensure no adverse affect to human health.
Submission No.5 D10/6658 & Submission No.6 D10/6659	Concerns relating to how the site will be left after the excavation has ceased. Identified traffic, noise and dust will be an issue. Biggest concern is the use of the ground water. Possible financial burden to the Shire and ratepayers should the company go broke. Will a bond be in place to deal with this issue?	Noted A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan. Dismissed (Traffic) Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site. Dismissed (noise, groundwater and dust) noise and dust management are to be addressed as part of the environmental approval. The environmental approval make provision for performance bonds.

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.7 D10/6681 & Submission No.8 D10/6683 & Submission No. 9 D10/6684	<p>Development proposes to use huge amounts of ground water, this will affect our bore.</p> <p>The waste water may spill and pollute the ground water causing health problems.</p> <p>The easterly and south westerly winds can be 'cyclonic' and this development will generate dust and sandstorms which will be deposited on the roofs of the dwellings and be deposited in water tanks via gutters, causing health effects.</p> <p>Dust will also aggravate existing health problems, ie sinusitis the family is already suffering</p> <p>The heavy vehicles will pass through North Dandalup and generate further noise pollution and affect the safety of the children going to school and cause dust and noise problems.</p> <p>Heavy machines with high decibel noise will disturb the residents and affect tranquillity of the area and impact on the migratory birds that use the area.</p> <p>This development will devalue properties in North Dandalup</p>	<p>Dismissed (noise, dust, groundwater, migratory birds, rehabilitation) noise, dust, fauna, groundwater and rehabilitation measures are to be addressed as part of the environmental approval.</p> <p>This includes the preparation of an air quality and dust management plan that is to account for human health.</p> <p>The environmental approval make provision for performance bonds.</p> <p>Dismissed (Traffic) Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed (property value) Property value itself is not a planning consideration.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	Concerned the company will not have the ability to undertake the rehabilitation obligations which will then place a financial burden on the Shire and its ratepayers.	Dismissed (noise, groundwater and dust) noise and dust management are to be addressed as part of the environmental approval. The environmental approval make provision for performance bonds.
Submission No.11 D10/6953	<p>Concerns the short term mining excavation will be gone before the ramifications of the groundwater usage becomes apparent.</p> <p>The proponents cannot be aware of the effect the turbulent easterly winds will have regarding soil erosion, where disturbed land can be stripped of its grass and topsoil.</p> <p>With soil disturbance, monitoring water level changes (downwind and downstream), sulphate-acidification movement and dust and noise problems will affect the trees on neighbouring properties and then it will be too late to remedy.</p> <p>Due to the local winds stabilisation and rehabilitation will take a lot longer than anticipated which will lead to the rehabilitation being carried out in an offhand manner (despite performance bonds) as this will eat into the profitability of the development.</p> <p>This development is an exploitative grab and rape of the land.</p>	<p>Dismissed (groundwater, soil erosion, dust, noise, rehabilitation) These elements are to be addressed as part of the environmental approval.</p> <p>Dismissed Mining is a legitimate use of land that is consistent with the purpose of the Rural zone.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.12 D10/6959	<p>No demonstrable social, economic or environment benefit to the Shire or local community.</p> <p>Dirty dusty mining activity will have a serious negative impact on the communities country lifestyle</p> <p>Granting an extraction license will set and dangerous precedence for similar activities in the future.</p> <p>Granting of an extraction licence will inhibit/stop future planning and land use.</p> <p>The large quantity of water required will potentially lower the ground water levels in the vicinity which will impact on the environment and domestic and rural uses. Water is a precious resource which is decreasing.</p> <p>No consideration has been given to the affect noise will have on stud horses and stock.</p> <p>Mining shouldn't occur near the metropolitan area</p> <p>There appears to be no benefit to the Shire rather potential negatives and would be a money making concern for a small mining company.</p> <p>Governments and the Shire should put</p>	<p>Dismissed The Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.</p> <p>Dismissed Air quality and dust management are to be addressed as part of the environmental approval.</p> <p>Dismissed Future proposals will be assessed on their individual merit.</p> <p>Dismissed A rehabilitation management plan is required as part of the environmental approval. The management plan is to re establish functioning pasture.</p> <p>Dismissed groundwater will be addressed through the environmental approval.</p> <p>Dismissed noise levels will be addressed through the environmental approval.</p> <p>Dismissed The proposed use is consistent with the purpose the Rural zone.</p> <p>Dismissed The Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.</p> <p>Information for prospective purchasers is available</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	processes in place to advise people purchasing properties in the area of the intent to mine.	from the Department of Planning in relation to strategic planning, policy and applications under assessment.
Submission No.14 D10/6999	<p>The road system is not adequate for heavy haulage vehicle use.</p> <p>Safeguards like the use of bonds, should be put in place to prevent possible unsightly landscape when mining has ceased.</p> <p>Visual pollution will be visible from the darling scarp for long time.</p> <p>If the extractive industry is approved, this effectively puts current and future development plans on hold in the north ward of the Shire of Murray.</p> <p>There has been no community consultation by the proponent since EPA report was released or since proponent change its name from Olympia Resources to Matilda Zircon.</p>	<p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p> <p>Dismissed The draft North Dandalup Local Structure Pland and draft North Dandalup Nambeelup Local Rural Strategy are in the process of reviewing land use opportunities in the northern portion of the Shire.</p> <p>Dismissed community consultation has taken place through the environmental assessment process and the development assessment process under the Shire of Murray Town Planning Scheme No. 4.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.15 D10/7074	<p>Strongly against mining in North Dandalup.</p> <p>The quiet rural countryside and lifestyle will be shattered by the noise and pollution of Mining.</p> <p>Mining in the area will decrease property values in the area.</p> <p>Mining will stop future planned development due to rezoning restrictions close to mining areas.</p> <p>A few farmers are ignoring the wishes of their neighbours to make a quick dollar with no thought to the consequences of their decisions.</p>	<p>Dismissed noise and pollution are to be addressed as part of the environmental approval.</p> <p>Dismissed property value itself is not a planning consideration.</p> <p>Dismissed The proposed use is consistent with the current planning framework.</p> <p>Dismissed This is not a planning consideration</p>
Submission No.16 D10/7076	<p>Do not support</p> <p>Should this be successful, transport of the ore should be via rail as roads are unsuitable. Atkins Road (unsealed road with a single lane bridge) and Readheads Road (a narrow country road used as school bus route and by recreational horse riders) South Western Highway has a primary school, and if Alcoa's mine goes ahead, a conflict could arise at the Hines Road intersection.</p> <p>Will the proponent contribute to upgrade and upkeep of the local road infrastructure so that the costs do not fall on the ratepayers?</p> <p>The Perth Bunbury highway should be considered as an alternative.</p>	<p>Dismissed Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site. Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of road.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>Expected community consultation from Olympia Resources after Minister for Environment agreed with Appeals Convenor that proponent make relevant information available to the public.</p> <p>The crude and unnatural revegetation will be scar on the visual amenity of residents living along the escarpment as well as from tourist drives and sites like the North Dandalup Dam and from the train line.</p> <p>Concerns regarding the rehabilitation of the site once mining ceases.</p> <p>Recommend a suitable perpetuity be placed on the company and preserve the shelter belts, rehabilitation and remnant vegetation by covenant.</p> <p>Growth opportunities will be curtailed due to the Department of Mines and Petroleum producing a mining constraints map</p> <p>The land will be devalued. Land sales adjacent to excavation area will be hard to negotiate with the threat of mining for the next 10-12 years.</p> <p>Will the Shire change the rating criteria for landowners applying for excavation licences? Is there a difference in rating criteria for mining operations and farming?</p> <p>What financial benefits are there for the Shire of Murray and the State Government?</p>	<p>Noted relevant to the environmental approval.</p> <p>Dismissed A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p> <p>Dismissed Concern cannot be addressed as part of the development application process.</p> <p>Dismissed property value itself is not a planning consideration.</p> <p>Dismissed Not relevant to the jurisdiction of the WAPC. Extractive industry licences are granted by Local Government.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.17 D10/7077	<p>Objects to sand mining.</p> <p>Air pollution via dust will have an effect on family's health, ie asthma.</p> <p>Concerned about the effect on drinking water tanks which will be polluted by dust.</p> <p>Concerned regarding the long term effects of on the water table as this will affect the bore which is used for live stock.</p> <p>The amount of water used for dust suppression will lower the water table.</p> <p>Property values will decline.</p> <p>Landscape/nature of the area will be disturbed on a large scale.</p>	<p>Dismissed an air quality and dust management plan is required as part of the Environmental Approval and is required to ensure no adverse affect to human health.</p> <p>Noted groundwater is to be addressed through the environmental approval.</p> <p>Dismissed property value itself is not a planning consideration.</p> <p>Noted A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.18 D10/7080	<p>Strongly oppose granting of excavation licence.</p> <p>The development may affect already low dams. Water is required to feed stock.</p> <p>The lowering of the water table will affect the trees grown to help the environment as well as a wind break.</p> <p>Will the proponent be required to supply property owners with water should the water levels drop?</p> <p>It is difficult to understand how a mine could be granted when they will use huge volumes of water.</p> <p>Can we be assured our rainwater supplies will not be contaminated by air pollution as this will cause health problems?</p> <p>The destructive nature of the winds will lift disturbed soil removing topsoil and cause erosion. Dust moving with the wind onto Hopeland Road is dangerous.</p> <p>Weed infestation will overtake degraded soil without constant maintenance and spread to adjoining properties.</p> <p>Removal of trees and lowering the water table will worsen salinity and acid soils which are difficult to manage.</p>	<p>Noted groundwater is to be addressed through the environmental approval.</p> <p>Noted air quality and dust management is to be addressed through the environmental approval.</p> <p>Dismissed rehabilitation measures are to be addressed through the environmental approval.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>The use of Atkins Road, a gravel road, by a great number of trucks makes it hazardous and will produce dust.</p> <p>Access from Readheads Road onto South Western Highway is dangerous due to the rise in the road and the dog leg which affects vision to see traffic coming from the north.</p> <p>The community spirit will be affected by this mine, due to property owners allowing this mining to occur on their land and that the mine will bring in people not from the local community.</p> <p>Pools of water caused by the mining will potentially be a breeding ground for mosquitoes.</p> <p>This mining has no benefit to the Shire, or its residents who have made it a community and built equity in their land and who can see the prospect of their hard work devalued.</p>	<p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed community consultation has taken place through the environmental assessment process and the development assessment process under the Shire of Murray Town Planning Scheme No. 4.</p> <p>Noted It is recommended that a mosquito management plan be prepared as a condition of development approval.</p> <p>Dismissed The Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.</p>
Submission No.19 D10/7081	<p>Objects</p> <p>The winds coming of the Darling Scarp will have a damaging affect on the disturbed soil.</p>	<p>Noted soil erosion, fauna, rehabilitation and groundwater are to be addressed through the</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>The mine will further degrade the area which will have an effect on the fauna in the area.</p> <p>Land should be rehabilitated to ensure fauna and flora has opportunity to advance.</p> <p>Noise with traffic continually moving in the area.</p> <p>Rainfall is reducing resulting in aquifers not being replenished as frequently in past years.</p> <p>There are no guarantees that the ground water will not be contaminated.</p> <p>Heavy vehicles from the mine travelling through North Dandalup will add to the congestion and frustration for heavy haulage vehicles and drivers travelling through Pinjarra townsite.</p>	<p>environmental approval.</p> <p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p>
Submission No.20 D10/7082	<p>Object</p> <p>Sand mining will affect the quiet lifestyle of North Dandalup</p> <p>Trucks from the mine will increase noise and pollution for the residents adjacent to South Western Highway</p> <p>Property prices will drop.</p>	<p>Dismissed noise is to be addressed through the environmental approval.</p> <p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of road.</p> <p>Dismissed Property value itself is not a planning consideration.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.22 D10/7086	<p>Object</p> <p>Object to noise and dust. The excessive use of water for processes. Extra traffic on local roads which are not suitable for heavy haulage trucks. Habitat of native fauna and flora will be destroyed</p> <p>Approval of this development would set precedence for other mining companies to likewise from the scarp to the coastal flats.</p> <p>Gateway to tourist drive to the Southwest will be ravaged by mining operations.</p> <p>Land slowly being degraded by mining activities and the location of high voltage power lines makes this land suitable only for grazing and growing crops.</p> <p>Concerned were advised there is no danger to health from radiation from power lines, however they hum and spark. Water Corp has buried a water pipe through our lot assuring us that there would be little degradation however, 30acres has been affected by the vehicles associated with the burying of the pipeline. The top soil was taken away with the backfilling, it is debatable</p>	<p>Dismissed noise, dust and water, flora and fauna are to be addressed as part of the environmental approval.</p> <p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed The Tourism Council of WA has provided no comment at this stage. The effect on the landscape is a consideration and accordingly it is recommended that a condition of planning approval require the preparation of a landscape and rehabilitation management plan.</p> <p>Dismissed Arrangements will need to be made with Western Power for mining in proximity to power lines.</p> <p>Dismissed relates to previous developments</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>whether any pasture will regrow this year.</p> <p>However well planned the rehabilitation is, it will never be the same as replacement trees and understorey take so long to grow. All remnant bush areas will be removed, which is unacceptable where as landowners we can't remove a single tree. Two sets of rules for different people.</p> <p>The beauty of the land and peaceful countryside will be destroyed for the sake of mining.</p> <p>Land will be devalued due to the mining and our rates will be increased.</p> <p>Concerned a precedent will be set for other miners to come into the area.</p>	<p>Noted A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p> <p>Dismissed property value itself is not a planning consideration.</p> <p>Dismissed future development proposals are to be considered on individual merit.</p>
Submission No.23 D10/7087	<p>Concerned noise will not be able to be managed.</p> <p>Potential contamination of land, water and air.</p> <p>This area is rich in natural beauty and has potential for many other uses than mining.</p> <p>The mine will reduce the area's potential for future development like small rural living lots, small industry, specialised farming and cottage industries.</p>	<p>Noted noise and contamination is to be addressed through the environmental approval.</p> <p>Noted It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan. Mining is consistent with the purpose of the Rural zone.</p> <p>Dismissed The proposal is consistent with the current planning framework for rural development.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.24 D10/7178	<p>Require a guarantee that the water resources will not be affected as we rely on bore water to supplement our rain water stores. Bore water is needed for stock.</p> <p>Concern regarding the storage of hydrocarbons on site as these are highly flammable and are a potential risk to residents and environment should there be an accident.</p> <p>No confidence the wind monitoring undertaken and proposed measures to control dust.</p> <p>Also dust that collects on roofs will contaminate rain water supplies.</p> <p>Proposal claims that monitoring of water, dust, and noise will be carried out. Will the Shire or other governing bodies regularly check and report on the monitoring and will residents be informed expediently if a problem arises.</p>	<p>Dismissed groundwater, dust and noise are to be addressed through the environmental approval.</p> <p>Noted It is recommended that a fire management plan be prepared and implemented as a conditions of development approval.</p>
Submission No.25 D10/7180	<p>Objection</p> <p>The use of excessive water will dry up bores some of which is the sole water supply.</p> <p>Concern on who will be responsible for ensuring the land is not degraded and is maintained at its present standard?</p>	<p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Noted A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>The roads are not suitable to carry the necessary transport. Who will cover the costs of making the roads suitable?</p> <p>The company's consultation with the community has been negligible. What guarantee will be given that this will change.</p>	<p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed community consultation has taken place through the environmental assessment process and the development assessment process under the Shire of Murray Town Planning Scheme No. 4.</p>
Submission No. 26 D10/7182	<p>Ground water concerns that the mining company is permitted to use more water than others are permitted.</p> <p>Concerns regarding the dust.</p> <p>Rumours of lights being installed on corner of Readheads Road and South Western Highway. We object to this as we couldn't get lights for the children.</p> <p>If approved, require trucks to take a different route, ie Hopeland to Corio to Old Mandurah Road, to connect to Forrest Highway, or Hopeland, Lakes to the Forrest Highway. Best</p>	<p>Dismissed dust and groundwater are to be addressed as part of the environmental approval.</p> <p>Dismissed No traffic lights are proposed at South Western Highway.</p> <p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>to build a siding and take it out by train.</p> <p>Should have to put up with 8 trucks per day going through small towns.</p>	<p>Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p>
Submission No.27 D10/7226	<p>Proposal is seriously flawed with respect to aquifers runoff phosphate and contaminant mobilization.</p> <p>There is already a direct consequence, a risk that our bore allocations will be reduced.</p> <p>Proposal is incompatible with our shared vision of the area being a food bowl recharging the aquifers and trapping nutrient and contaminants.</p>	<p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Dismissed The proposed use is consistent with the purpose of the Rural zone.</p>
Submission No.28 D10/7261	<p>EPA report recommended community consultation, however not information has been received.</p> <p>The excavation area will have a visual impact from vantage points along the scarp. How high will the tailings/residue get and what measures are being taken to screen them from the roads.</p> <p>Allowing this mine will encourage other areas to be mined which will have an impact of the future development of the town and devaluing property values.</p>	<p>Dismissed The EPA approval process is outside the jurisdiction of the WAPC.</p> <p>Noted A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p> <p>Dismissed The proposal is consistent with the current planning framework for rural development. Future development proposals are to be considered on individual merit.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>What procedures are in place to ensure the mine does not exceed its initially approved time frames.</p> <p>Has a fire management plan been submitted What level of fire training is required? Will local government Bushfire Brigade receive a list of chemicals to be stored on site? Who is responsible for fire breaks on the lots? How often will the Local Government carry out compliance checks to ensure the area does not exceed 30ha?</p> <p>Are Atkins and Readheads road suitable to the proposed heavy haulage use.</p> <p>Who will pay for the maintenance of local infrastructure?</p> <p>Will operations cease if a noise complaint is received.</p> <p>Where will noise monitors be situated and who has access to the data?</p> <p>Concerned on the amount of water to be used for the project as emphasis has been placed on existing users to conserve this resource.</p> <p>What cost is the proponent charged for water? Will there be a meter/monitor placed on the bore before use?</p>	<p>Noted It is recommended that a condition of development approval limit mining operations to 10 years.</p> <p>Noted It is recommended that a condition of development approval a fire management plan be prepared and implemented.</p> <p>Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed noise, dust and water are to be addressed by the environmental approval.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>What effect will this amount of water use have on future generations? What percentage of recycle water is used in the project?</p> <p>This summer produced excessive winds, however will dust suppression measures cope with similar season.</p> <p>What benefit to the local area and local government will be received from the proponent.</p> <p>Can this company be viable using low grade ore?</p>	<p>The Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.</p>
Submission No.29 D10/7308	<p>Objection Issues include, noise, dust, environmental damage, road damage and disruption, lose of ground water to bores, ground water contamination, lost of life style, potential property value loss.</p> <p>Land was purchased for quiet lifestyle and should this development go ahead, legal action will be initiated against the proponent and those for passing the project, for loss of lifestyle and potential loss of property values.</p>	<p>Dismissed</p> <p>Noise, dust, environmental factors and groundwater are to be addressed through the environmental approval process.</p> <p>Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
		Dismissed Property value itself is not a planning consideration. Appropriate conditions of development approval are recommended to mitigate the impact of mining operations on rural lifestyle.
Submission No.30 D10/7309	Strongly Objects Concerned ground water levels will be lowered, dust, big trucks on road and noise. Trucks should be going west to the Forrest Highway, however too many vehicles are using Lakes Road	Dismissed Groundwater, dust and noise are to be addressed through the environmental approval. Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.
Submission No.31 D10/7310	Object. Local land care coordinators along with the Coastal Catchment Initiative have been working to achieve maximum benefit to our environment and community. This proposal will wipe-out these achievements with the clearing of native vegetation. The size of this develop will not be able to be hidden and be a visible scar from all vantage points along the scarp.	Dismissed A rehabilitation management plan is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan. A landscape management plan should address views from the Scarp.

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>Lack of community consultation - previous proponent Olympia Resources Ltd, held several meetings with public, however were unable satisfy public concerns. Matilda Zircon has since taken control, however this has not been conveyed to the public.</p> <p>Proposed haul road should be moved further inside the development lots, away from adjoining properties.</p> <p>Not satisfied that powerlines on the lots required 35m buffer however local residents can have 20m buffer.</p> <p>Concern that approval wasn't sought for drainage realignment (Serpentine Jarrahdale)</p> <p>Concern insufficient wind monitoring. Other companies are required to more than 1year split of 2 years. The easterly winds are very destructive.</p> <p>What provision are in place for compensation over changes in water table, or water is contamination as bores are needed to water our stock.</p> <p>As insufficient information has been provided to Shires ie management plans, Council should revoke the application until all information has been received.</p>	<p>Dismissed community consultation has taken place through the environmental assessment process and the development assessment process under the Shire of Murray Town Planning Scheme No. 4.</p> <p>Dismissed Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Noted Arrangements will need to be made with Western Power for mining in proximity to power lines.</p> <p>Dismissed Protection of water courses and groundwater is to be addressed through the environmental approval.</p> <p>Dismissed Dust and air quality are to be addressed as part of the environmental approval.</p> <p>Dismissed Since the proposal was advertised additional information has been provided by the proponent to support the development proposal.</p> <p>Dismissed The development application has been subject of a community consultation process.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	It is considered that the proponent should have erected large visible signs showing the whole development which shows a lack of respect to the community.	
Submission No.32 D10/7373	<p>A precedent will be set that will allow large mineral sand mining on the costal plain that will sterilize land suitable for development in Shire forcing housing developments to be placed on the low-lying areas subject to inundation and potential Acid Sulphate Soils.</p> <p>Best farming would be lost housing development;</p> <p>Best remnant vegetation in the area will be lost.</p> <p>At a mining rate of the excavation the sandy soils would be exposed to easterly winds with no cover for kangaroos etc</p> <p>The community image would e changed from an idyllic country lifestyle to a dirty dusty and noising mining operation with no end in sight.</p> <p>There would be a huge negative financial impact on the Shire by a company that may be controlled by foreign nationals and employ foreign nationals to export royalty free miners with no value adding.</p> <p>There are added demands on Shire resources</p>	<p>Dismissed future development proposal will be assessed on individual merit. Sand mining already occurs in other areas of the Swan coastal plain.</p> <p>Dismissed The proposal does not include housing.</p> <p>Dismissed protection of remnant vegetation is to be addressed through the environmental approval.</p> <p>Dismissed Soil erosion, vegetation and fauna are to be addressed as part of the environmental approval.</p> <p>Dismissed noise and air quality are to be addressed as part of the environmental approval.</p> <p>Dismissed These matters are not planning considerations.</p> <p>Dismissed such matters do not specify any planning considerations.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>with no significant compensation.</p> <p>Land values will be depressed and development stifled.</p> <p>Tourism potential would be lost with ugly scare visible from the tourist drives in the hills.</p> <p>However if this cannot be stopped the following is suggested:-</p> <p>Areas of remnant vegetation to be shown as caveats on land holders titles and permanently fenced before approval;</p> <p>Areas of proposed revegetation being shown on title before mining and remaining fenced after mining.</p> <p>Funding should be provided to the Shire to resource continuous monitoring and compliance of</p> <p>Fencing of remnant vegetation</p> <p>Protection of Wescott Road reserve</p> <p>Acid sulphate increase</p> <p>Nutrient run-off</p> <p>Radiation increases</p> <p>Noise excess</p> <p>Dust levels</p> <p>Rain water collection pollution</p> <p>Safe conditions of local roads</p> <p>Draw-down of water table</p> <p>Traffic hazards associated with displayed wildlife</p> <p>Buffer zones form residents;</p> <p>Ensure the protection of water and drainage</p>	<p>Dismissed property value itself is not a planning consideration.</p> <p>Dismissed A rehabilitation management plan, including measures to rehabilitate pastures is required as part of the Environmental Approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan. This includes the use of performance bonds.</p> <p>A condition of development approval should be imposed to ensure the preparation and implementation of a road maintenance and management plan for the local road network.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>routes</p> <p>Proposed haul road should be changed and insist on rail haulage. If this is not possible the transport route should be adjusted to access the New Forrest highway.</p> <p>If this is ignored then Atkins Road should be sealed and widened with a 2 lane bridge. Readhead Road should be come a two lane with proper turning at Atkins Road and South Western Highway junctions at company's expense.</p> <p>Suitable cash payments should be made to the affected communities.</p> <p>A minimum of one million dollars should be paid to each Shire before mining commences with ongoing payments.</p> <p>Owners of neighbouring properties should be compensated.</p> <p>A minimum buffer of 500m should be made on the mining property between mining and neighbours boundaries.</p> <p>Owners that signed up should have their rates adjusted to reflect the value of the resource that they claim ownership.</p> <p>Owners that allow mining should have their properties reclassified as a dried out tailings dam, totally unsuited to any future development</p>	<p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed such matters do not specify a planning considerations.</p> <p>Dismissed A generic 500m buffer to all residences external to the site has been incorporated into the development plan. Under the environmental approval no mining activity is to be undertaken within 1500m of any residential building between the hours on 0700 and 1900 Monday to Saturday.</p> <p>Dismissed this is a matter for the consideration of the Shire of Murray.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>and in need of ongoing checking for potential acid sulphate and nutrient remobilisation to the Peel waterways.</p> <p>Concern is raised over the EPA's ability to enforce the EPA conditions of approval and insist that the local governments employ a local representative solely to enforce the stated conditions.</p>	<p>Dismissed measures to rehabilitate the site are to be addressed as part of the environmental approval.</p> <p>Dismissed This is a matter for the consideration of the EPA and the local government.</p>
Submission No.33 D10/7377*	<p>There is no guarantee that the mining actives will not exceed 10years.</p> <p>The mining will affect future land values.</p> <p>Land owners affected by mining, not kept informed. Venture appears to be progressing in a manner that offers not regress to liability/redress. Property owners concerned regard the effect on existing stocks and financial future.</p> <p>Winds are extreme in this area and no amount of water will prevent airborne dust which will affect our health and the health of our stock which in turns affects their performance and their saleability.</p> <p>It's not feasible that only 30ha will be open at a time as the strong summer winds will prevent</p>	<p>Dismissed It is recommended that a condition of development approval require the development be limited to a period of 10 years.</p> <p>Dismissed Property value itself is not a planning consideration.</p> <p>Dismissed Community consultation has taken place through the environmental assessment process and the development application under the Shire of Murray Town Planning Scheme No. 4. Other matters raised are not planning considerations.</p> <p>Dismissed Air quality and dust management are to be addressed as part of the environmental approval.</p> <p>Dismissed site rehabilitation is to be addressed as part of the environmental approval.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>rehabilitation.</p> <p>Fauna & snakes are numerous and will be looking for refuge, again my stock will suffer with regard to migration of tigers snakes.</p> <p>Landowners find it difficult to get approval for one tree, why is it permitted that the mining company and remove a whole strip of trees that support endangered red and white cockatoos.</p> <p>I have 2 water licences which will be affected when the water drives up. How will this be replaced in a timely manner?</p> <p>Existing water courses and feeders in the area if interrupted will cause flooding.</p> <p>Concerned the miner will not be held accountable for any breach of practice and will be able to hide in the legal system for protracted periods.</p>	<p>Dismissed protection of native vegetation is to be addressed as part of the environmental approval.</p> <p>Dismissed Groundwater management is to be addressed as part of the environmental approval</p> <p>Dismissed Protection of water courses is to be addressed through the environmental approval.</p> <p>Dismissed such matters do not specify planning considerations.</p>
Submission No.34 D10/7427	<p>The easterly and other winds will lift dust which will not be controlled by water. Dust is a health concern and the installation of dust monitors does not alleviate concern.</p> <p>Losses of surface water will affect own watering requirements for stock and personal water supplies.</p> <p>Leaching of acid sulphate soils into surrounding</p>	<p>Dismissed Air quality and dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed Protection of water courses is to be addressed as part of the environmental approval.</p> <p>Dismissed Acid Sulfate Soils are to be addressed</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>water is of concern.</p> <p>Readheads and McMahon Road will suffer from increased traffic and McMahon Road will need repair as buses utilises the road four times a day.</p> <p>Land adjoining the mining, landowners will be financially disadvantaged as this area has been left out of a recent rezoning proposal.</p> <p>Who is responsible for the compensation in the event that the company goes into liquidation?</p> <p>Urge Council to decline application.</p>	<p>as part of the environmental approval.</p> <p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed The proposal is consistent with the current planning framework for rural development and the proposed use is consistent with the purpose of the rural zone.</p> <p>Dismissed this is not a planning consideration</p>
Submission No.35 D10/7448	<p>Strongly against heavy mineral sands mining.</p> <p>No royalties are received by government.</p> <p>Department of Water have advised our bore allocation for 2012 will be lost. Therefore the extraction of 2 gegalitres from this aquifer for mining is outrageous.</p>	<p>Dismissed The Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.</p> <p>Dismissed groundwater management is to be addressed as part of the environmental approval.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>Remnant vegetation and rehabilitation should be fenced.</p> <p>Protection of Westcott Road Reserve</p> <p>Acid sulphate soil increase.</p> <p>Nutrient runoff</p> <p>Radiation increases</p> <p>Noise excess</p> <p>Dust level</p> <p>Rainwater collection Pollution</p> <p>Safe conditions for local roads.</p> <p>Draw down of water table</p> <p>Buffer zone from residents 500m.</p> <p>Ensure the protection of winter water and drainage routes.</p>	<p>Remnant vegetation, rehabilitation, acid sulfate soils, nutrient runoff, noise, dust, groundwater, buffers, surface water are to be addressed as part of the environmental approval.</p> <p>Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p>
Submission No.36 D10/7449	<p>Strongly against heavy mineral sands mining.</p> <p>No royalties are received by government.</p> <p>Department of Water have advised our bore allocation for 2012 will be lost. Therefore the extraction of 2 gigalitres from this aquifer for mining is outrageous.</p> <p>Remnant vegetation and rehabilitation should be fenced.</p> <p>Protection of Westcott Road Reserve</p> <p>Acid sulphate soil increase.</p> <p>Nutrient runoff</p> <p>Radiation increases</p> <p>Noise excess</p> <p>Dust level</p> <p>Rainwater collection Pollution</p> <p>Safe conditions for local roads.</p>	<p>Dismissed The Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.</p> <p>Dismissed groundwater management is to be addressed as part of the environmental approval.</p> <p>Remnant vegetation, rehabilitation, acid sulfate soils, nutrient runoff, noise, dust, groundwater, buffers, surface water are to be addressed as part of the environmental approval.</p> <p>Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>Draw down of water table Buffer zone from residents 500m. Ensure the protection of winter water and drainage routes.</p>	<p>road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p>
<p>Submission No.37 D10/7450</p>	<p>Concerned previous examples of revegetation have failed ie plantings were supposed to be local providence, indigenous species and designed to break the wind and create screens by Elliot Road examples is only part indigenous, unlikely to be local providence, nowt dense enough to suit criteria and runs parallel to the wind and is full of weeds. Therefore revegetation program should be strictly monitored and a bond held for 5 years to ensure success of planting and weed management.</p> <p>Concerned there is no instant reporting mechanism for dust, noise, pollution or public nuisance problems. Ie short sharp mining, where the land is opened up and closed before anyone has a chance to complain.</p> <p>Who is the contact for the company? There must be access to the monitoring devices to allow people to prove their claims.</p> <p>The use of water, where farmers are being refused access, however a company that is here today but gone tomorrow can draw 2 gigalitres and then claim there is no down stream effect.</p> <p>Mining will prevent water pooling and seeping</p>	<p>Dismissed A rehabilitation management plan is required as part of the environmental approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p> <p>Dismissed The EPA is responsible for the assessment and review of air quality and dust management and monitoring measures.</p> <p>Dismissed groundwater management is to be addressed as part of the environmental approval.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>into the aquifers give cause for future local problems and the effect on the already small remnant vegetation with a lower water table.</p> <p>The effect the acid sulphate soils and general risk down stream to Ramsar wetlands is not seriously considered.</p>	<p>Dismissed Acid sulfate soils is to be addressed as part of the environmental approval.</p>
Submission No. 38 D10/7495	<p>New home will have an outlook of a mine</p> <p>Safety of school buses and children need to be considered as the mining company, proposed to use Readhead, Hopelands, South Western Highway. Is the duty of care with the Shire if approved?</p> <p>Corner of Readheads Road and South Western Highway is a blind spot as there is a dip in the road and dangerous as vehicles are travelling 110km on South Western Highway.</p> <p>When the original wind metre was placed on Lot 62 in 2007 the year was very different to the last three years which have experienced very strong winds. Already dust storms have been experienced in the area.</p> <p>Shire should require all land affected by the</p>	<p>Dismissed A rehabilitation management plan is required as part of the environmental approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p> <p>Dismissed Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site. Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road.</p> <p>Dismissed Air quality and dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed Property value itself is not a planning</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>mine be valued before approval. The land owners who have sign up for the mining should compensate the properties the gross land value loss.</p> <p>There should be no sand mining within 1,500m of any building/dwelling 24 hours per day 7 days a week.</p> <p>There should be no sand mining within 40m of all external boundaries.</p> <p>Shire should support future subdivision of land north of Readhead road.</p> <p>Supports submission – Keysbrook North Dandalup Acton Group</p>	<p>consideration.</p> <p>Dismissed a generic 500m buffer to all residences external to the site has been incorporated into the development plan.</p> <p>Dismissed does not pertain to the proposed development.</p> <p>Noted</p>
Submission No. 39 D10/7495 (separate submission)	<p>Supports submission – Keysbrook North Dandalup Action Group</p> <p>Precedent set with allow large mineral sands mining on the coastal plain which will sterilize land for future development and force housing developments to be placed on low-laying areas of inundation and possible acid sulphate soils.</p> <p>Best farming land will be lost to housing development.</p> <p>Best remnant vegetation would be lost and the sandy soils will be exposed to easterly winds</p>	<p>Noted</p> <p>Dismissed The proposal is consistent with the current planning framework and the purpose of the rural zone. Future proposals would be assessed on individual merit.</p> <p>Dismissed The proposal does not include housing.</p> <p>Dismissed measures to rehabilitate the site are to be addressed as part of the environmental</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>with no cover for kangaroos.</p> <p>Community image will be changed from idyllic lifestyle to dirty dusty and noising mining site.</p> <p>Huge negative financial impacts for the Shire by a company that may be control by foreign nationals, employ foreign nationals to export royalty free minerals with no value adding.</p> <p>There will be an added demand on Shire resources with no significant compensation.</p> <p>Land values will be depressed and development stifled.</p> <p>Tourism potential would be lost with ugly scars visible from tourist drives like Gobby Road, Boyd Road, Hines Road Reiddes Road and Gold Mine Hill.</p> <p>If we can stop it we need to control it.</p> <p>Areas of remnant vegetation be shown as caveats on land holders and permanently fenced.</p> <p>Areas of proposed revegetation be shown on tile before mining and permanently fenced.</p>	<p>approval.</p> <p>Dismissed noise and dust are to be addressed as part of the environmental approval.</p> <p>Dismissed not a planning consideration</p> <p>Dismissed such matters do not specify a planning considerations.</p> <p>Dismissed property value itself is not a planning consideration.</p> <p>Dismissed A rehabilitation management plan is required as part of the environmental approval however this does not account for visual landscape measures. It is recommended that a condition of a approval require the preparation of a landscape and rehabilitation plan.</p> <p>Dismissed protection of remnant vegetation and measures for rehabilitation are to be addressed as part of the environmental approval.</p> <p>Measures to address rehabilitation, remnant vegetation, groundwater, dust, noise and drainage</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>Funding to Shires' to allow continuous monitoring and compliance of:- Fencing of remnant vegetation and rehabilitation Protection of Westcott Road Reserve Acid Sulphate increase Nutrient run-off Radiation increase Noise excess Dust levels Rain water collection pollutions Safe conditions on local roads Draw-down of water tables Traffic hazards associated with displaced wildlife. Buffer zones from residents Ensure the protection of water and drainage routes, Balgolbin Brook, Balgolbin Brook South and Nambeelup Brook South with permanent fencing prior to approval</p> <p>Proposed hall road be changed and insist on rail haulage. If this is ignored the road route should be changed to access the new freeway rather than Atkins Road/Readhead Road/Southwest Highway</p> <p>If this is ignored the Atkins Road should be sealed and widened with a 2 lane bridge. Readhead Road should become a 2 lane with proper turning at Atkins Road and South Western Highway junction and companies expense.</p>	<p>lines are to be applied as part of the environmental approval.</p> <p>Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No.40 D10/7610*	Object No benefit to any adjoining owners, will create a nuisance and hinder proposed developments in the surrounding areas which are more appropriate.	Dismissed The proposed development is consistent with the current planning framework for the area.
Submission No.41 D10/7645*	<p>Strongly Object to the effect on the local environment. Dust pollution considering the easterly winds despite a buffer zone the strong winds will carry huge amounts of soil and dust across the landscape and house.</p> <p>Concern over the mines' water consumption from the local water table and underlying artesian sources as local anecdotal evidence is that the water table is dropping with some bores already pumping air. In some instances this water is some residences only water resource.</p> <p>Endangered species (Kingia Australis) grown in this area the wind erosion caused by the mine will minimise spore/seed settlement for regrowth.</p> <p>Mine will create a huge eyesore for edge of town.</p> <p>Concern for children's safety with increased volume and large vehicles utilising town</p>	<p>Dismissed dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Dismissed protection of remnant vegetation and measures for rehabilitation are to be addressed as part of the environmental approval.</p> <p>Noted It is recommended that a condition of planning approval require the preparation of a landscape management plan to ensure that the impact of mining on the landscape is minimised and that landscape values are maintained.</p> <p>Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>facilities.</p> <p>Large vehicles passing through North Dandalup now barely slow down now, the large vehicles will increase the danger school children crossing South Western Highway.</p> <p>Increase heavy vehicles through town will increase noise levels in the town.</p> <p>Concern the use of the water by the mining company will result in less water being available for fire fighting during summer.</p> <p>Strip mining unlike deep mining offers little or no employment for local people.</p> <p>The disadvantages outweigh the positives of this development.</p>	<p>road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Dismissed The proposed use is consistent with the current planning framework for the area and the Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.</p>
Submission No.42 D10/7648*	<p>Strongly Object to the effect on the local environment.</p> <p>Dust pollution considering the easterly winds despite a buffer zone the strong winds will carry huge amounts of soil and dust across the landscape and house.</p> <p>Concern over the mines' water consumption from the local water table and underlying artesian sources as local anecdotal evidence is that the water table is dropping with some bores</p>	<p>Dismissed dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>already pumping air. In some instances this water is some residences only water resource.</p> <p>Endangered species (Kingia Australis) grown in this area the wind erosion caused by the mine will minimise spore/seed settlement for regrowth.</p> <p>Mine will create a huge eyesore for edge of town.</p> <p>Concern for children's safety with increased volume and large vehicles utilising town facilities.</p> <p>Large vehicles passing through North Dandalup now barely slow down now, the large vehicles will increase the danger school children crossing South Western Highway.</p> <p>Increase heavy vehicles through town will increase noise levels in the town.</p> <p>Concern the use of the water by the mining company will result in less water being available for fire fighting during summer.</p> <p>Strip mining unlike deep mining offers little or no employment for local people.</p>	<p>Dismissed protection of remnant vegetation and measures for rehabilitation are to be addressed as part of the environmental approval.</p> <p>Noted It is recommended that a condition of planning approval require the preparation of a landscape management plan to ensure that the impact of mining on the landscape is minimised and that landscape values are maintained.</p> <p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road. Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Dismissed The proposed use is consistent with the current planning framework for the area and the Department of Mines and Petroleum has</p>

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	The disadvantages outweigh the positives of this development.	advised that titanium-zircon mineralisation makes a significant contribution to the local community and the state.
Submission No.44 D10/7511	<p>Objection</p> <p>Water drainage off the mine site – unofficial water tests indicate the water table at 1.5m-2m below the surface and in winter will require dewatering. Application fails to show a drainage design that would cope with the outflows from dewatering the mine pits nor does it show calculations of the amount water to be removed from the mine pits.</p> <p>Water consumption proposed – There are no calculations on how the annual down-draw of 15, 899megalitres per year will affect the water table. Concern bore will be affected.</p> <p>Possible salt release from mine site – Salt mineralisation held within current soil profiles will be released into the water and when returned to the mine pits or pumped into surface drainage system. Expect surface flow to enter Balgobin Brook and Nambeelup Brook both of which are Environmental Protected Policy listed wetlands.</p> <p>Possible acid sulphate release from mine site – the extend of acid sulphate soils is unclear therefore comprehensive grid pattern drilling should be undertaken in each proposed pit to ensure no high risk acid sulphate areas are</p>	Dismissed groundwater management is to be addressed as part of the environmental approval.

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>mined.</p> <p>Wind damage – substantial spring & summer easterly winds with sustained south westerly winds do severe damage to unprotected soil. Concerned large amounts of sterile silica soil will be deposited on adjacent land.</p> <p>Noise and light pollution – other examples of 24hr mines throughout the state indicate the rural, peaceful quiet night with little light pollution will change if mining is approved.</p> <p>Long term vegetation – with the mining process, how long will the backfill take to dry and settle before it is capable of carrying weight of heavy machinery necessary to return the topsoil and to reseed and re-pasture the mine area.</p> <p>Effect on livestock – increase in windblown silica increase the potential for injury to stock including eye damage, which will decrease stock value at market.</p> <p>Loss amenity – the long term effects of mining and prejudicial environmental effects due to increased traffic, noise, dust and light pollution will reduce amenity.</p> <p>Long Term Planning – a mine site in the Metropolitan Region Scheme Area is bizarre. Future intensive or urban development on this land is now questionable as the land may be</p>	<p>Dismissed air quality and dust management are to be addressed as part of the environmental approval.</p> <p>Dismissed Noise is to be addressed as part of the environmental approval. Under the environmental approval no mining activity is to be undertaken within 1500m of any residential building between the hours on 0700 and 1900 Monday to Saturday.</p> <p>Dismissed measures to rehabilitate the site are to be addressed as part of the environmental approval.</p> <p>Dismissed air quality and dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed the area subject of this application is within the Peel Region. Notwithstanding this the use is consistent with the purpose of the Rural</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	unstable and will it disrupt orderly planning of the area.	zone under the Peel Region Scheme.
Submission No.45 D10/7532	<p>Objection Loss of rural amenity</p> <p>Bores already salty due to water table instability</p> <p>Readheads road not suitable for heavy haulage as school buses and other activities use the road. The strong easterly wind will have devastating effect on the top soil that has been relocated. Mining will affect land prices to devalue the land.</p>	<p>Dismissed a landscape management plan should be prepared as a condition of planning approval to ensure that rural landscape values are maintained.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Dismiss Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed air quality and dust management is to be addressed as part of the environmental approval.</p>
Submission No. 47 D10/7590	<p>The easterly and other winds will lift dust which will not be controlled by water. Dust is a health concern and the installation of dust monitors does not alleviate concern.</p> <p>Losses of surface water will affect own watering requirements for stock and personal water supplies.</p>	<p>Dismissed air quality and dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>Leaching of acid sulphate soils into surrounding water is of concern.</p> <p>Readheads and McMahon Road will suffer from increased traffic and McMahon Road will need repair as buses utilises the road four times a day.</p> <p>Land adjoining the mining, landowners will be financially disadvantaged as this area has been left out of a recent rezoning proposal.</p> <p>Who is responsible for the compensation in the event that the company goes into liquidation?</p> <p>Urge Council to decline application.</p>	<p>Dismissed Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed the proposed use is consistent with the current planning framework.</p> <p>Dismissed not a planning consideration</p>
Submission No. 49 D10/7650*	<p>Strongly Object to the effect on the local environment.</p> <p>Dust pollution considering the easterly winds despite a buffer zone the strong winds will carry huge amounts of soil and dust across the landscape and house.</p> <p>Concern over the mines' water consumption from the local water table and underlying artesian sources as local anecdotal evidence is that the water table is dropping with some bores already pumping air. In some instances this water is some residences only water resource.</p>	<p>Dismissed air quality and dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Dismissed protection of remnant vegetation and</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>Endangered species (Kingia Australis) grown in this area the wind erosion caused by the mine will minimise spore/seed settlement for regrowth.</p> <p>Mine will create a huge eyesore for edge of town.</p> <p>Concern for children's safety with increased volume and large vehicles utilising town facilities.</p> <p>Large vehicles passing through North Dandalup now barely slow down now, the large vehicles will increase the danger school children crossing South Western Highway.</p> <p>Increase heavy vehicles through town will increase noise levels in the town.</p> <p>Concern the use of the water by the mining company will result in less water being available for fire fighting during summer.</p> <p>Strip mining unlike deep mining offers little or no employment for local people.</p> <p>The disadvantages outweigh the positives of this</p>	<p>measures for rehabilitation are to be addressed as part of the environmental approval.</p> <p>Noted It is recommended that a condition of planning approval require the preparation of a landscape management plan to ensure that the impact of mining on the landscape is minimised and that landscape values are maintained.</p> <p>Dismissed Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p> <p>Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Dismissed The proposed use is consistent with the current planning framework for the area and the Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	development.	a significant contribution to the local community and the state.
Submission No. 50 D10/7664*	Concern regarding the passing truck noise through North Dandalup and asks will the truck speed be controlled.	Dismissed Main Roads has made no objection to the use of South Western Highway for truck movements and the use is consistent with the purpose of the road.
Submission No.51 D10/7646	Concern impact the mining will have on new wells, dams and bores less than 1km away from mine used as sole water resource for breeding cattle. Wants guaranteed that the water levels and quality will not be affected. Concern the easterly winds will cover our pasture in dust in summer.	Dismissed groundwater is to be addressed as part of the environmental approval. Dismissed air quality and dust management is to be addressed as part of the environmental approval.
Submission No. 55* D10/8916	Easterly wind ferocious this with the strong sea breezed will have a devastating effect on our community and will pick up the bare sand and chemical dust particles from the site and carrying over the whole area.	Dismissed air quality and dust management is to be addressed as part of the environmental approval.
Submission No. 56* D10/8692	Concerned about underground water that we need for our livestock, trees, pasture and garden, house and existence.	Dismissed groundwater is to be addressed as part of the environmental approval.

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
Submission No. 57* D10/8480	<p>Concern at the lack of public consultation.</p> <p>Loss of natural vegetation affects local fauna species especially Carnaby's Black & Baudin cockatoo. Mature marri trees are the main feeding and nesting trees for these species.</p> <p>Concerned at the loss of farming land to development.</p> <p>Loss of amenity to local residents and tourists ie. Quiet peaceful, rural lifestyle.</p> <p>Concerned at the amount of water proposed to be used by this development considering the drying climate and diminishing water supply. Extraction of water will affect the surrounding landscape, the hydrology including streams and wetlands.</p> <p>The costs far outweigh the benefits and there are too many question marks about the long term impact of this development.</p>	<p>Dismissed Community consultation has taken place through the environmental assessment process and the development application under the Shire of Murray Town Planning Scheme No. 4.</p> <p>Dismissed protection of remnant vegetation and measures for rehabilitation are to be addressed as part of the environmental approval. This includes measures to reinstate functioning pastures.</p> <p>Dismissed Measures to preserve the amenity of the area are addressed as part of the environmental approval and planning approval.</p> <p>Dismissed groundwater is to be addressed as part of the environmental approval.</p> <p>Dismissed The proposed use is consistent with the current planning framework for the area and the Department of Mines and Petroleum has advised that titanium-zircon mineralisation makes a significant contribution to the local community</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
		and the state.
Submission No. 58* D10/7775	<p>Opposed to the development on three grounds:-</p> <p>As proposed development does not need approval under the Mining Act no bond is required to ensure rehabilitation is completed satisfactorily and Council has no ability to require a bond therefore no means of ensure rehabilitation is completed.</p> <p>DEC does not have the resources to enforce the ministerial conditions related to dust management nor does Council.</p> <p>Dust will not be able to be managed. Concerned the submitted documents indicate the proponent does not have an understanding of dust management.</p>	<p>Dismissed rehabilitation is to be addressed as part of the environmental approval. This includes the use of performance bonds.</p> <p>Dismissed this matter is outside the jurisdiction of the WAPC.</p> <p>Dismissed air quality and dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed noise management is to be addressed</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>Concerned the proponent will not be able to manage noise to meet the ministerial conditions, and again Council does not have the resources to enforce this requirement.</p>	<p>as part of the environmental approval.</p>
<p>Submission No. 59* D10/7762</p>	<p>Our land is surrounded by mining and less than 1km from the proposed mining and the amenity, quiet lifestyle and</p> <p>We can now hear the trains which a 3km away the noise from the mine will affect us as family already suffer from migraines caused by noise. The noise from the trucks moving about the lots will also affect family. How will noise be monitored and will the noise only be monitored every three months when acoustic reports are due to be submitted to the DEC.</p> <p>Our water sources ie bores/soaks and stormwater run-off, needed for the productivity of the lot will be affected and the dust from the mining may cause damage to stock.</p> <p>Concerned soaks and bores will be affected by</p>	<p>Dismissed Measures to preserve the amenity of the area are addressed as part of the environmental approval and planning approval.</p> <p>Dismissed noise management is to be addressed as part of the environmental approval.</p> <p>Dismissed air quality and dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed groundwater is to be addressed as</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation
	<p>the large amount of water being taken from the aquifer. Sufficient water is essential to the continuing productivity of our lot.</p> <p>Concern regarding high winds in the area which cause problems with shifting topsoil by hollowing out disturbed areas. Areas disturbed must be managed.</p> <p>Property values will decrease due to the close proximity of the mining.</p> <p>Local roads are gravel and not always in good conditions. More and larger vehicles will cause further damage. These roads are also used for recreational purposes ie walking and horse riding, locals are considerate.</p>	<p>part of the environmental approval.</p> <p>Dismissed air quality and dust management is to be addressed as part of the environmental approval.</p> <p>Dismissed Property value itself is not a planning consideration.</p> <p>Dismissed Atkins Road and Readheads Road are suitable for the local movement of mining related traffic. A road safety audit, traffic management plan and road maintenance plan will be required as well as upgrades to the existing road network, level crossing and crossovers into the site.</p>

Submission	Submission (comments as summarised by Shire)	Department of Planning Comment and Recommendation

ITEM NO: 9.4

ADOPTION OF THE WICKHAM SOUTH DEVELOPMENT PLAN

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Officer
AUTHORISING OFFICER: Planning Manager
AGENDA PART: G
FILE NO: SPN/0230/1
DATE: 10 June 2011
ATTACHMENT(S): Attachment 1 - Wickham South Development Plan;
Attachment 2 - Wickham Townsite Structure Plan;
Attachment 3 - Location Plan;
Attachment 4 - Zoning Plan;
Attachment 5 - Original Wickham South Development Plan; and
Attachment 6 - Subdivision Concept Plan.

LOCAL GOVERNMENT: Shire of Roebourne
LOCAL SCHEME ZONING: Urban Development

LGA RECOMMENDATION: Adoption without modification
REGION DESCRIPTOR: Pilbara Region
RECEIPT DATE: 5 April 2011
PROCESS DAYS: N/A
APPLICATION TYPE: Local Structure Plan
CADASTRAL REFERENCE: Multiple lots contained within the Wickham South Urban Development zoned area

RECOMMENDATION:

That the Western Australian Planning Commission resolves to endorse the Wickham South Development Plan subject to the Development Plan being modified to include an annotation regarding the proposed Carse Street extension stating that:

"The construction of Carse Street extension within the Department of Education land will be subject to the approval of the Department of Education."

SUMMARY:

The key points relating to this report are as follows:

- The Shire of Roebourne has requested the Western Australian Planning Commission (the Commission) to endorse the Wickham South Development Plan (WSDP) pursuant to clause 5.2.7 of the Shire of Roebourne's Town Planning Scheme No. 8 (TPS 8). The Plan was prepared by Taylor Burrell Barnett (***Attachment 1 - Wickham South Development Plan***)
- The Development Plan will facilitate a staged residential development for Wickham South to meet the housing demands of Rio Tinto's future workforce as part of its proposed expansion of the Cape Lambert Operations.
- The Plan is consistent with the purpose and objectives of TPS 8 as well as the Commission's Draft Pilbara Planning and Infrastructure Framework and relevant planning policies. The Commission's endorsement is recommended.

BACKGROUND:

Wickham Townsite Structure Plan and Town Centre Revitalisation Master plan

In March 2010, the Shire of Roebourne and Rio Tinto agreed to work collaboratively to address growth and development options and opportunities for the Wickham Townsite.

Council recently considered the Wickham Townsite Structure Plan and Wickham Town Centre Revitalisation Master Plan to guide the future expansion of the Townsite and to assist with informing the Shire in the preparation of its Local Planning Strategy and full Scheme review.

At its meeting held in February 2011, the Council resolved to:

- adopt the Wickham Townsite Structure Plan; and
- accept Wickham Town Centre Revitalisation Master plan as the basis of further discussion, guiding strategic plans for the future development planning and expansion of the Wickham townsite.

The Wickham South Development Plan, together with Wickham Townsite Structure Plan, will provide greater urban context considering Rio Tinto's planned expansion of its operations at Cape Lambert (***Attachment 2 - Wickham Townsite Structure Plan***).

Location

The subject land comprises a combined area of approximately 73ha and is located south of the Wickham Townsite. The land is vacant and bound by existing residential development and education facilities to the north, Walcott Drive road reserve to the

west, vacant rural land to the south and Roebourne-Point Samson Road to the east
(Attachment 3 - Location Plan)

Zoning

The land is currently zoned "Urban Development" under the Shire's TPS 8. Appendix 7 - *Development Areas* of the TPS 8 indicates that the subject land is designated as "DA22" - Wickham (South), for which an approved Development Plan together with all approved amendments shall apply to the land in order to guide subdivision and development **(Attachment 4 - Zoning Plan)**

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section:

Planning and Development Act 2005

Schedule 4 - Other Regions (Pilbara Region)

Strategic Plan

Strategic Goal:

Planning: by improving the Planning System and delivering plans that more effectively meet changing community demands, we will be supporting the development of effective local communities.

Outcomes:

Effective Delivery of Integrated Plans

Strategies:

- develop integrated infrastructure and land use plans for the State;
- build infrastructure capacity and integration; and
- implement State and Regional Planning priorities.

Policy

Number and / or Name:

State Planning Policy No.1 - State Planning Framework Policy;

State Planning Policy No. 3 - Urban Growth and Settlement; and

Liveable Neighbourhoods.

KEY ELEMENTS OF PLAN:

Two versions of WSDP have been prepared including:

- Original WSDP (version 1); and
- Amended WSDP (version 2).

The amended WSDP is the plan adopted by Council, and requires the consideration and endorsement by the Commission.

The amended WSDP proposes the following:

- a total yield of 738 residential lots with a mixture of lot sizes and density coding including:

-
- 426 single house lots coded R20;
 - 166 single and grouped housing lots coded R30;
 - 146 grouped dwelling sites coded R40.
- a total of 8.52ha Public Open Spaces (POS) representing 12.59% of the total subdivision area;
 - landscaped drainage areas being provided associated with the road network and public open spaces;
 - accesses from Roebourne - Point Samson Road, and via the extensions of Walcott Drive, Jacaranda Place, Carse Street and Spinifex Drive;
 - a potential small scale commercial development site being identified to cater for the local convenient retail needs; and
 - medium-density residential development in close proximity to POS and key community facilities.

PLANNING CONTEXT:

Pilbara Planning and Infrastructure Framework

At its November 2010 meeting, the WAPC endorsed a Pilbara regional planning framework document - the "Pilbara Planning and Infrastructure Framework" (the Framework) for public comment. The document sets out a settlement-focused regional development structure for the region and provides a framework for public and private sector investment, as well as context for the preparation of local planning strategies and local planning schemes by local authorities. The Framework indicates:

"Wickham will continue as a mining port town, providing local level services to an expanded RTIO Cape Lambert workforce, together with a potential workforce associated with projects in Anketell. "

Advertising of the Framework was closed on 9 May 2011, and the document is currently in the process of being finalised.

Karratha City of the North Plan (KCN Plan)

The Commission has recently endorsed the Karratha City of the North Plan (KCN Plan) as a guiding policy framework and strategic plan for Karratha's future growth.

The KCN Plan sets out integrated strategies to achieve the 'Pilbara Cities' vision for Karratha. The Plan includes a new approach to regional and local governance and an implementation program that sets out the actions required to drive economic, community and infrastructure development and population growth. The Plan also includes a City Growth Plan and City Centre Master Plan.

The Amendment No.18 to the Shire of Roebourne's TPS 8

To facilitate the implementation of the KCN Plan, the Shire's TPS 8 was amended by introducing Development Areas as Special Control Areas over the existing Urban and Industrial Development Zones and inserting relevant provisions. A total of 25 Development Areas have been created within the Shire of Roebourne, and the subject land is designated as "DA22" - Wickham (South).

SPP 3 -Urban Growth and Settlement Policy

The State Planning Policy No. 3 (SPP 3) - *Urban Growth and Settlement* sets out the principles and objectives when considering the growth of urban areas throughout the state. It encourages local governments to adopt a systematic approach to identify suitable locations for infill development and to increase densities around activity centres. The development plan is considered to be consistent with the principles and objectives of the SPP3 to facilitate the orderly development of the land for residential purpose and ensure some relief to the current critical shortage of residential land in the area.

Liveable Neighbourhoods

Liveable Neighbourhoods is an operational policy for the design and assessment of structure plans and subdivision for new urban areas in the metropolitan area and country centres.

SUBMISSIONS AND CONSULTATION:

The originally submitted WSDP (version 1) was advertised for public comment for a period of 21 days by way of advertisements in local papers and notification on the Council's website. No formal submissions were received from the general public (***Attachment 5 - Original Wickham South Development Plan***) .

The proposal was also referred to the relevant servicing agencies for comments. A total of four (4) submissions were received from the Department of Education, Water Corporation, Department of Water and Main Roads WA. All these agencies raised no objection to the proposal.

The main issues raised from the submissions are discussed below:

Department of Water (DoW)

Based on the level of risk posed by the site, the DoW requested the preparation of a Local Water Management Strategy (LWMS).

A LWMS has been prepared by JDA Consultant Hydrologists, which includes a flood study of the creek located to the south of the subject site. The flood study investigated the impacts of the proposed subdivision on the hydraulic regime of the creek.

Both the Council and DoW reviewed the LWMS and considered that the results of the LWMS are satisfactory.

Main Roads

Main Roads advised that it has no objection to the development plan and requested that the proposed development shall not impact the existing drainage on and for Roebourne - Point Samson Road.

The LWMS identifies a portion of drainage will be discharged through the existing culverts underneath Point Samson – Roebourne Road. For this reason, the LWMS has been referred to Main Roads for review and comments. Main Roads advised that the LWMS is satisfactory.

Main Roads also provided design requirements for the proposed two new accesses to Roebourne - Point Samson Road including the intersection type and spacing requirements. It is considered that these requirements are associated with the subdivision and development of the land and can be properly addressed at detailed design stage.

Amended Plan (Version 2)

During the advertising period, an internal assessment of the WSDP was undertaken by the applicant and as a result, an amended plan was submitted to the Shire for adoption.

The main changes to the plan include a realignment of the local access roads from a predominately east-west alignment to a north-south alignment to achieve better solar orientation for dwellings and to reduce the number of drainage swale crossings which in turn will reduce costs.

The Council decided not to require the modified WSDP to be re-advertised based on the following justifications provided by the applicant:

- The majority of the amendments relate to internal local subdivision roads and the main elements of the plan remain unchanged;
- Main Roads supported a reduction of accesses points to Roebourne - Point Samson Road from three to two; and
- No submissions were received from the public during the advertising period and the comments received from the servicing agencies relate to general service provision and are not design specific.

The Council adopted the amended WSDP at its meeting held on 21 March 2011, and requested the Commission to endorse the amended WSDP.

DISCUSSION:

Subdivision of the Land

The WSDP report includes a copy of the detailed subdivision concept plan to inform the Shire and the WAPC of Rio Tinto's preferred subdivision layout, which is consistent with the road layout and land use distribution depicted on the WSDP (***Attachment 6 - Subdivision Concept Plan***).

However, as the land is Crown Land and is under the Robe River Joint Venture Special Lease agreement, which requires the preparation and lodgement of a plan of subdivision with the Minister for State Development, the approval of the Commission to subdivide the subject land is not required. Civil construction works will, instead, be facilitated by the approval of a Development Application by the Shire.

Dual Use Path Provision

The WSDP does not show the dual use path allocation. The Department's Infrastructure Planning and Coordination team recommended that footpaths be provided on at least one side of all access streets and dual use paths be provided for neighbourhood connector and arterial roads as recommended by Liveable Neighbourhoods.

The applicant confirmed that footpaths and dual use paths will be provided as part of the detailed engineering design stage and will be subject to the approval from the Shire.

Extension of Carse Street

The amended WSDP indicates that Carse Street will be extended through the primary school site to the north, which is the land owned by the Department of Education (DoE). The original WSDP shows the Tamarind Place extension instead.

The applicant advised that the Carse Street extension was requested by the Shire as it was considered as a better option for providing connectivity to the Wickham Town Centre to the north.

The applicant has undertaken consultation with the DoE regarding the proposed Carse Street extension and advised that DoE is unable to support the construction of the Carse Street extension until the need has been determined for a future district school in Wickham, but DoE has no objection to showing this extension on the Development Plan.

The Carse Street extension is consistent with the Wickham Townsite Structure Plan, which includes the an annotation indicating that extension of the Carse Street within the Department of Education land will be subject to the approval of the DoE.

Based on the above discussion, it is recommended that the WSDP be modified to include an annotation stating that:

"The construction of Carse Street extension within the Department of Education land will be subject to the approval of the Department of Education."

This recommendation is acceptable to the applicant and will enable this issue be revisited in the future when the need for the DoE land is fully known.

MODIFICATIONS:

The Wickham South Development Plan be modified to include the following annotation association with the proposed Carse Street extension:

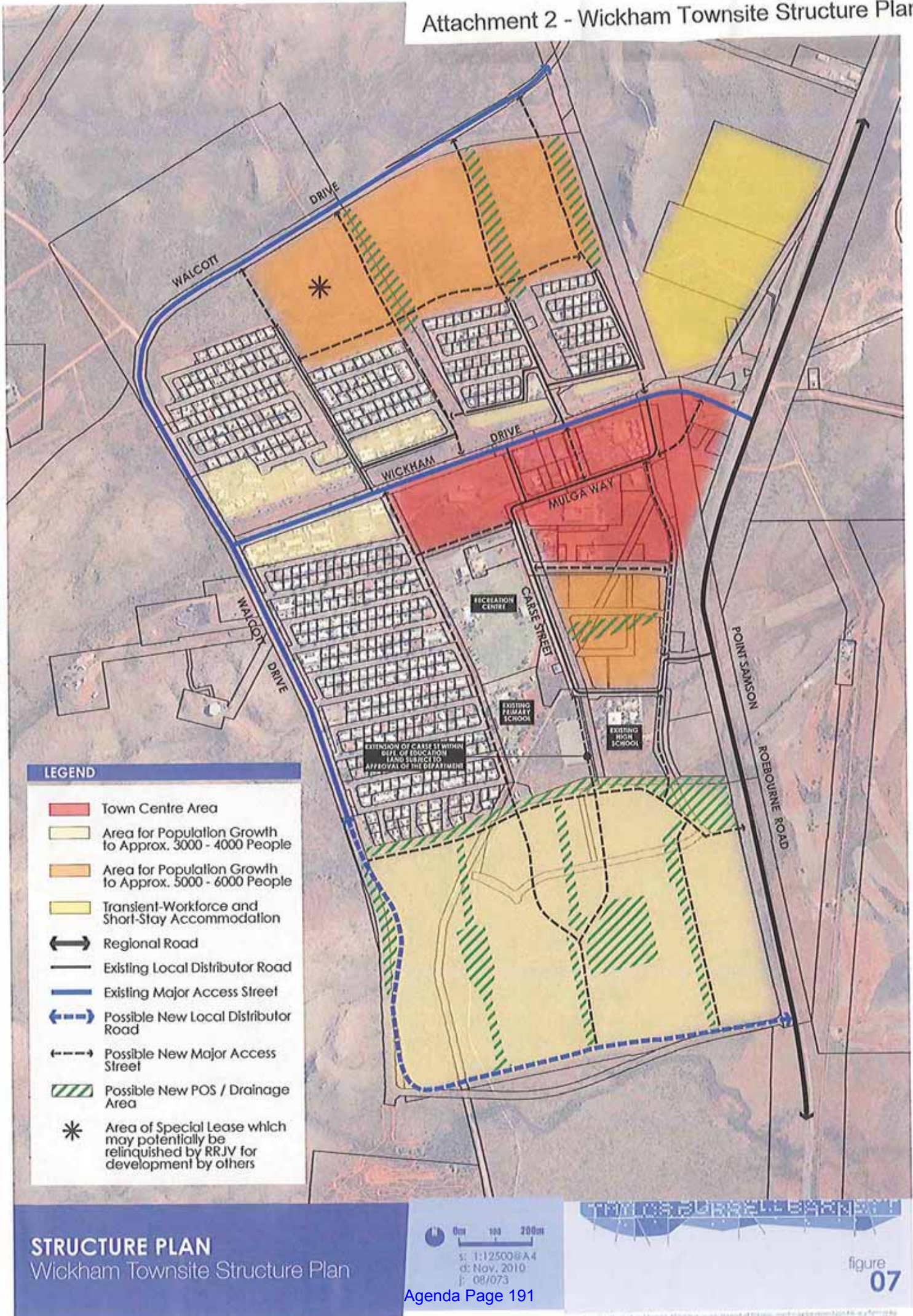
"The construction of Carse Street extension within the Department of Education land will be subject to the approval of the Department of Education."

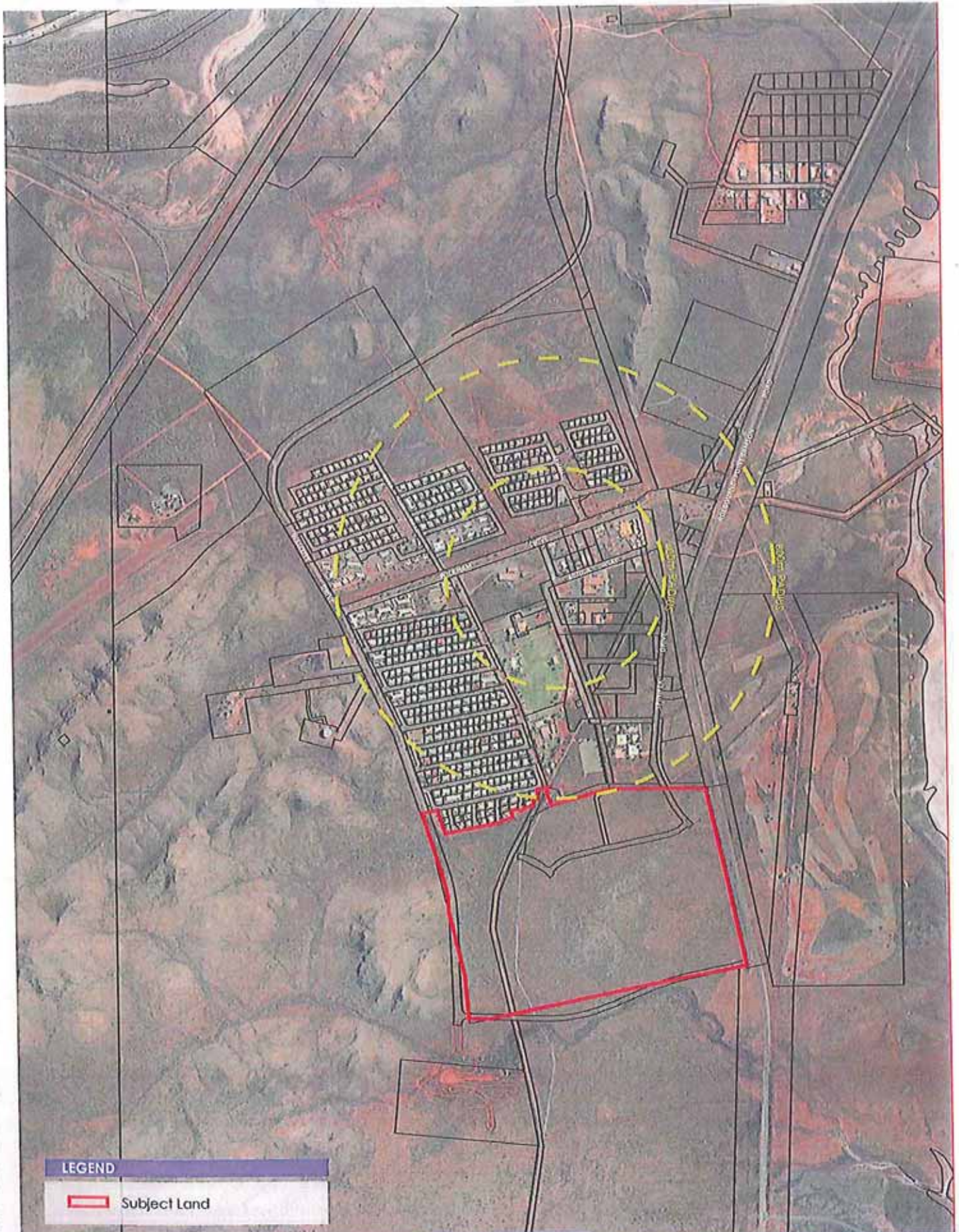
CONCLUSION:

The proposed Wickham South Development Plan is considered to be consistent with Commission policy and practice and endorsement is recommended subject to above modification.



DEVELOPMENT PLAN
Wickham South Development Plan

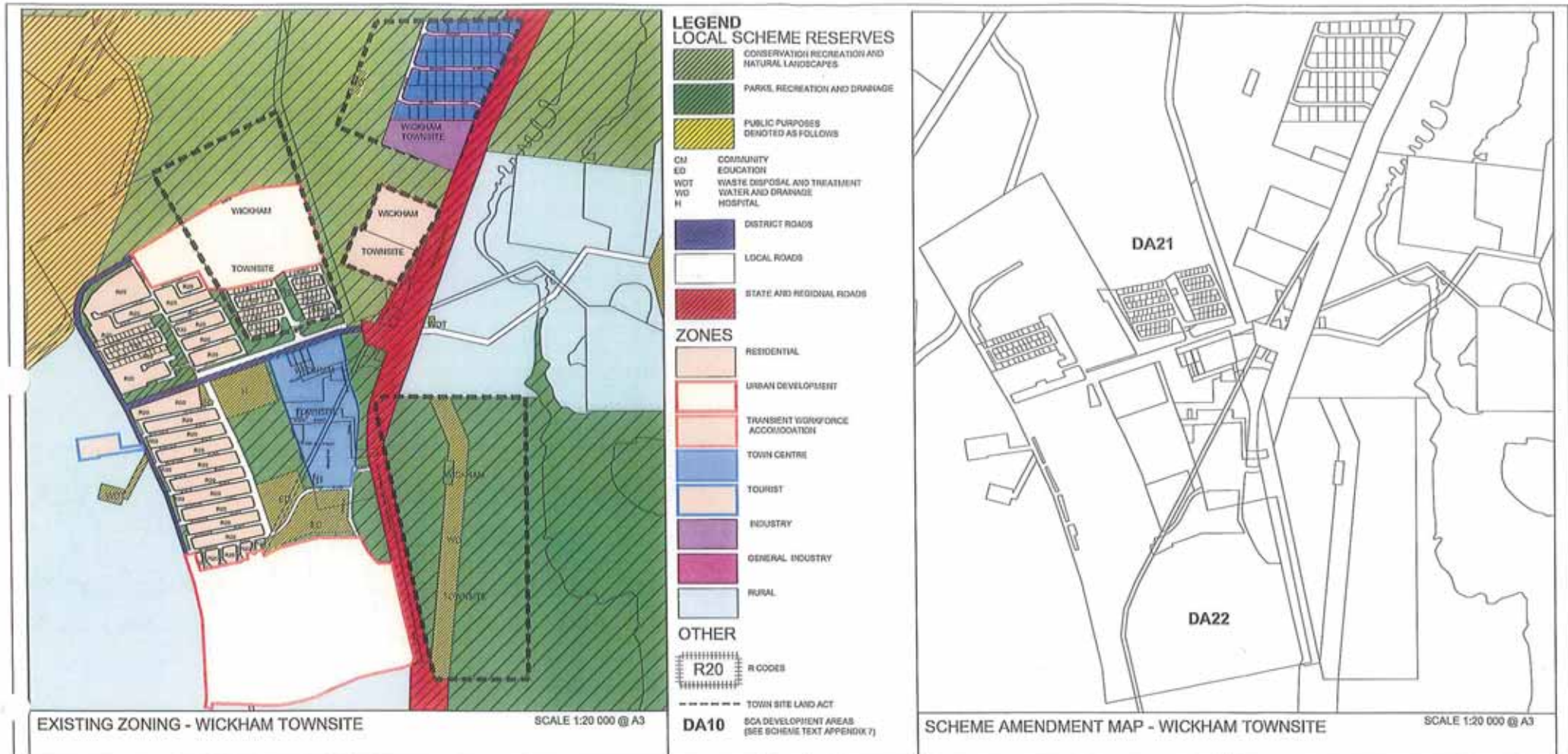




LOCAL CONTEXT
Wickham South Development Plan

0m 100m 200m
s: NTS
d: Feb 2011
j: 08/073

figure
01



ADOPTION

ADOPTED BY RESOLUTION OF THE SHIRE OF ROEBOURNE AT THE ORDINARY MEETING OF THE COUNCIL HELD ON THE ____ DAY OF ____ 20__

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

1. ADOPTED FOR THE APPROVAL OF THE SHIRE OF ROEBOURNE AT THE ORDINARY MEETING OF COUNCIL HELD ON THE ____ DAY OF ____ 20__
THE COMMON SEAL OF THE SHIRE OF ROEBOURNE WAS HEREUNTO AFFIXED BY AUTHORITY OF A RESOLUTION OF THE COUNCIL IN THE PRESENCE OF;

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

2. RECOMMENDED/ SUBMITTED FOR FINAL APPROVAL BY THE WESTERN AUSTRALIAN PLANNING COMMISSION

DELEGATED UNDER S.16 OF THE P&D 2005

DATE

3. FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF ROEBOURNE
TOWN PLANNING SCHEME NO.8

AMENDMENT NO.18

SEAL



DEVELOPMENT PLAN

Wickham South Development Plan

