



7 August 2019

NOTICE OF SPECIAL MEETING

Dear Councillor,

The Shire President has called a Special Meeting of Council to be held in the Mundaring Arena - Mundaring Weir Road, Mundaring at 6.30pm on Tuesday, 27 August 2019.

The purpose of the meeting is to consider Structure Plan 34.

The attached agenda is presented for your consideration.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jonathan Throssell".

Jonathan Throssell
CHIEF EXECUTIVE OFFICER

Please Note

If an Elected Member has a query regarding a report item or requires additional information in relation to a report item, please contact the senior employee (noted in the report) prior to the meeting.

AGENDA
SPECIAL COUNCIL MEETING
27 AUGUST 2019

ATTENTION/DISCLAIMER

The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by an Elected Member or employee, or on the content of any discussion occurring during the course of the Meeting. Persons should be aware that regulation 10 of the *Local Government (Administration) Regulations 1996* establishes procedures to revoke or change a Council decision. No person should rely on the decisions made by Council until formal written advice of the Council decision is received by that person.

The Shire of Mundaring expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by an Elected Member or employee, or the content of any discussion occurring during the course of the Council Meeting.

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**SPECIAL COUNCIL MEETING
COUNCIL CHAMBER – 6.30PM**

1.0 OPENING PROCEDURES

Acknowledgement of Country

Shire of Mundaring respectfully acknowledges the Whadjuk people of the Noongar Nation, who are the traditional custodians of this land. We wish to acknowledge Elders past, present and emerging and respect their continuing culture and the contribution they make to the region.

Recording of Meeting

Members of Council and members of the gallery are advised that this meeting will be audio-recorded.

1.1 Announcement of Visitors

1.2 Attendance/Apologies/Approved Leave of Absence

Staff Anna Italiano Minute Secretary

Apologies

**Leave of
Absence**

Guests

2.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

3.0 DECLARATION OF INTEREST

3.1 Declaration of Financial Interest and Proximity Interests

Elected Members must disclose the nature of their interest in matters to be discussed at the meeting (*Part 5 Division 6 of the Local Government Act 1995*).

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (*Sections 5.70 and 5.71 of the Local Government Act 1995*).

3.2 Declaration of Interest Affecting Impartiality

An Elected Member or an employee who has an interest in a matter to be discussed at the meeting must disclose that interest (*Shire of Mundaring Code of Conduct, Local Government (Admin) Reg. 34C*).

4.0 PUBLIC QUESTION TIME

15 minutes (with a possible extension of two extra 15 minute periods) are set aside at the beginning of each Council meeting to allow members of the public to ask questions of Council.

Public Question Time is to be conducted in accordance with Shire of Mundaring Meeting Procedures Local Law 2015.

5.0 PRESENTATIONS

5.1 Deputations

- (1) Members of the public may, during the deputations segment of the order of business and with the consent of the Presiding Member, make a public statement on any matter that appears on the agenda for that meeting provided that –
 - a) the deputation is limited to a maximum of 3 minutes, unless otherwise determined by the Presiding member;
 - b) the deputation is not offensive or defamatory in nature, providing that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement in a manner that is not offensive or defamatory; and
 - c) no discussion or questions relating to the deputation are permitted, unless otherwise determined by the Presiding Member.
- (2) Fifteen minutes is to be allocated for deputations.
- (3) Once all statements have been made, nothing prevents the unused part of the deputation time period from being used for other matters.
- (4) If the 15 minute period set aside for deputations is reached, Council may resolve by resolution that statement time be extended for no more than two 15 minute extensions.

5.2 Petitions

- (1) A petition is to –
 - a) be addressed to the President;
 - b) be made by electors of the district;
 - c) state the request on each page of the petition;
 - d) contain the legible names, addresses and signatures of the electors making the request;
 - e) contain a summary of the reasons for the request;
 - f) state the name of the person to whom, and an address at which, notice to the petitioners can be given; and
 - g) not contain offensive or insulting language.
- (2) On the presentation of a petition –
 - a) the member presenting it or the CEO is confined to reading the petition; and
 - b) the only motion that is in order is that the petition be received and that it be referred to the CEO for action.
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless –
 - a) The matter is the subject of a report included in the agenda; and
 - b) The Council has considered the issues raised in the petition.

5.3 Presentations

6.0 REPORTS OF EMPLOYEES

6.1 Structure Plan 34 - North Stoneville Townsite 4685 (Lot 48) Stoneville Road, Stoneville & 340 (Lot 1) Roland Road, Parkerville

File Code	PS.TPS 4.3.034
Author	Christopher Jennings, Senior Strategic Planning Officer
Senior Employee	Mark Luzi, Director Statutory Services
Disclosure of Any Interest	Nil
Attachments	<p>All attachments are under separate cover due to their size.</p> <ol style="list-style-type: none">1. Attachment 1 - Structure Plan 34 ⇒2. Attachment 2 - LSIP 265 ⇒3. Attachment 3 - location plan ⇒4. Attachment 4 - Applicant's report ⇒5. Attachment 5 - Transect Design Guide ⇒6. Attachment 6 - Aboriginal Heritage Report ⇒7. Attachment 7 - Schedule of Submissions ⇒8. Attachment 8 - Public Open Space network ⇒9. Attachment 9 - Water West Information ⇒10. Attachment 10 - City of Swan comments ⇒11. Attachment 11 - District Transport Investigation summary ⇒12. Attachment 12 – Structre Plan 34 Submitters (confidential) (under separate cover)

Landowner	Diocese of Perth
Applicant	Roberts Day
Zoning	Metropolitan Region Scheme: <ul style="list-style-type: none">• Urban• Rural Local Planning Scheme No. 4: <ul style="list-style-type: none">• Development• Rural Small Holdings 15 (Lot 1 only)
Area	Lot 48 - 534 hectares Lot 1 – 21 hectares
Use Class	n/a

SUMMARY

Council is required to consider public submissions, the Shire's planning assessment and make a recommendation to the Western Australian Planning Commission (WAPC) on Structure Plan 34 (SP34).

The WAPC will subsequently decide whether to approve or refuse SP34 based on its compliance with the planning framework.

SP34 was advertised for public comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). 957 submissions were received, with the majority expressing objection for reasons mainly relating to bushfire risk, environmental damage, traffic impacts and amenity.

After assessing these and other factors against relevant legislation, policies, guidelines and agency advice, this report finds that SP34 is generally compliant with the relevant parts of the planning framework and is capable of approval.

However, the Shire's assessment of the traffic generated by the proposed development confirms it would exacerbate road network capacity constraints, compromising public safety.

In the absence of a coordinated solution to regional, district and local network issues, it would be inconsistent with orderly and proper planning to support SP34 as proposed.

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BACKGROUND

Acronyms and Abbreviations	Meaning
Applicant	Roberts Day, acting on behalf of Satterley Property Group and the Diocese of Perth
BAL	Bushfire Attack Level
DBCA	Department of Biodiversity, Conservation and Attractions
DFES	Department of Fire and Emergency Services
DoE	Department of Education
DoH	Department of Health
DoT	Department of Transport
DPLH	Department of Planning, Lands and Heritage
EPA	Environmental Protection Authority
EPBC	Environment Protection and Biodiversity Conservation
LDP	Local Development Plan
LNA	Local Natural Area
LPS	Local Planning Strategy
LPS4	Local Planning Scheme No. 4
LSIP	Local Subdivision and Infrastructure Plan
LSIP 265	Local Subdivision and Infrastructure Plan No. 265 - used in this report to differentiate between the plan originally approved over the North Stoneville Townsite in 1999 and the current proposal.

	LSIP 265 was adopted as SP34 under LPS4.
LWMS	Local Water Management Strategy
MRS	Metropolitan Region Scheme
NLA	Net Leasable/Letable Area
POS	Public Open Space
PTA	Public Transport Authority
R-Codes	Residential Design Codes of Western Australia
Regulations	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
SAT	State Administrative Tribunal
Satterley	Satterley Property Group
SPP	State Planning Policy
SP34	Structure Plan 34
Subject properties	4685 (Lot 48) Stoneville Road and 340 (Lot 1) Roland Road, Stoneville
SWALSC	South West Aboriginal Land and Sea Council
TAG	Technical Advisory Group
WAPC	Western Australian Planning Commission
WTP	Wastewater Treatment Plant

Planning Stage & Roles

There has been some confusion expressed regarding SP34. In particular, who is responsible for its approval and what the next stages of planning will be.

The zones of the MRS and LPS4 permit a structure plan to be prepared over the subject properties. Structure plans act as a guide to future subdivision. SP34 (see **Attachment 1**) is an application made by Satterley detailing how future subdivision may occur over the subject properties (North Stoneville Townsite).

SP34 is a wholesale amendment/modification to the existing, approved structure plan covering the North Stoneville Townsite – formerly known as LSIP 265 (see **Attachment 2**). The purpose of Satterley's application is to bring the design of LSIP 265 into compliance with the latest requirements of the planning framework.

The role of Council is to assess SP34 and make a recommendation to the WAPC. Council is not responsible for approving or refusing SP34 – this is the responsibility of the WAPC.

In making its decision, the WAPC will have due regard to Council's decision, but is not bound by it.

Should the WAPC approve SP34, Satterley may then apply to the WAPC to subdivide the land. Subdivision applications are referred by the WAPC to various government agencies for comment (including the Shire). Similar to structure plans, the WAPC is to have due regard to agency comments but is not bound by them and is also responsible for approving/refusing subdivision applications.

Any decision made by the WAPC on either SP34 or any subsequent subdivision application can be appealed by the applicant to SAT should they deem the WAPC's decision unsatisfactory. If the issues cannot be resolved between the applicant and the WAPC, SAT will determine the matter.



Comparison has been drawn between SP34 and the Planning Minister's recent decision to rezone bushfire prone land in Mount Helena. The processes for rezoning under the MRS and structure planning both sit within legislation and relate to planning matters, but are separate.

In the case of rezoning under the MRS, the decision is made by the Minister/Parliament depending on whether it is a Major or Minor amendment to the MRS. In the case of structure plans, the WAPC is solely responsible for making the decision – see diagram above.

This report constitutes a planning assessment of SP34 under the Regulations so that Council may inform its recommendation to the WAPC.

Format of Report

For clarity, this report has separated planning issues into discrete headings/topics so that they may be individually described and assessed. However, in reality, planning issues are highly interrelated – such as the issues of bushfire risk mitigation and environmental protection.

It should also be recognised that different elements of the planning framework (i.e. policies, legislation, guidelines etc) overlap and address common issues. For example, both Liveable Neighbourhoods and the Guidelines for Planning in Bushfire Prone Areas both deal with aspects of urban design. Where this is the case and to avoid repetition, some sections of this report make reference to other sections where the topic is more fully explored.

The level of detail and assessment provided in this report has a number of functions. Among these, it is intended to properly inform readers of the scope of issues related to structure planning and provide the decision-maker for SP34 (the WAPC) with certainty that the recommendation has been made on sound technical bases, as required.

Some sections of this report have been highlighted. The highlighted sections contain a summary of the assessment.

Scope of Report

Various issues have been raised by concerned community members that cannot be addressed by the local government at this level of planning. For example, there are various separate, but related, approvals that are required to be issued by other government agencies that do not require/require minimal local government involvement - including:

- Referral of the application to the federal Department of the Environment and Energy under the EPBC Act;
- Compliance with Section 18 of the *Aboriginal Heritage Act 1972 (WA)*;
- Service/utility provider agreements/approvals; and
- DoH/Economic Regulation Authority licences/approvals for WTPs.

Location

Proximity to Activity Centres

The subject properties are located approximately 28 kilometres northeast of Perth CBD, 12.5 kilometres northeast of Midland, 4.5 kilometres north of the Mundaring townsites and two kilometres north of the existing Stoneville and Parkerville townsites. See **Attachment 3**.

Roads

District road access is provided by Roland, Seaborne and Stoneville Roads, which are Locally Important Roads under the Shire's LPS4. These connect to Main Roads WA regional road Primary Distributors, Toodyay Road to the north and Great Eastern Highway to the south. The subject properties also have frontage to a number of local access roads.

Topography

The topography of the subject properties is described in section 2.1 of the SP34 report (see **Attachment 4**) as follows:

The site is generally undulating, with slopes ranging from flat to approximately 15 degrees.

Elevation and slope analysis is provided in the form of two maps:

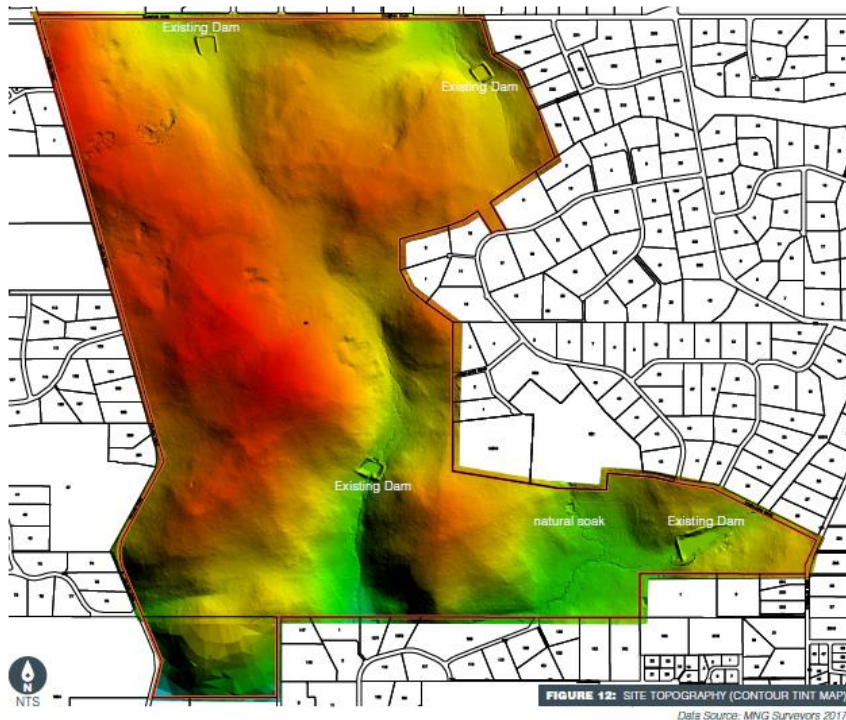


Figure 1 – elevation map (red colour indicates higher elevation, green colour indicates lower elevation).

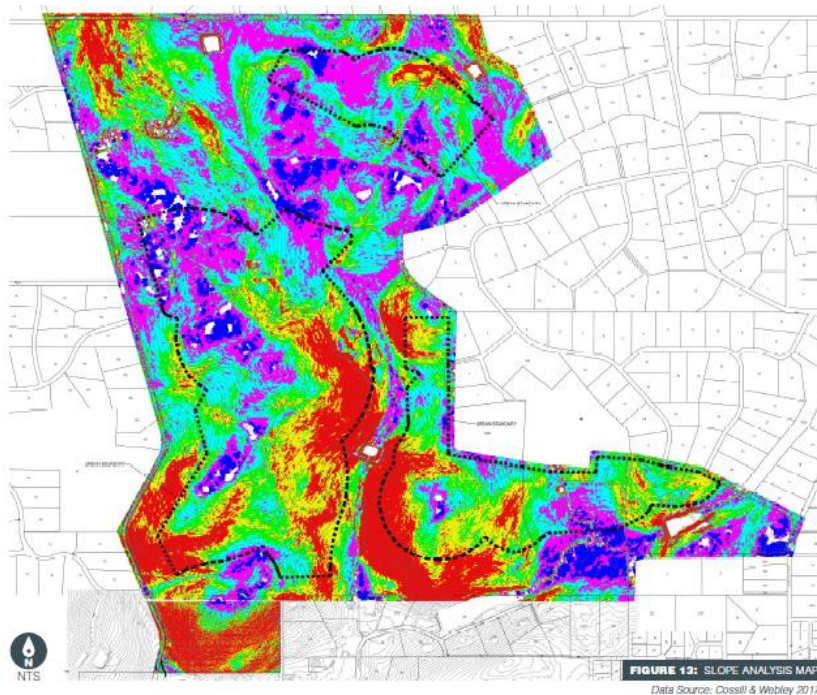


Figure 2 – slope map (red colour indicates steep slope, blue/pink colour indicates gentler slope).

Environment

There are a number of significant environmental features on the subject property:

- Susannah and Jane Brook tributaries;
- LNA of various categories; and
- A variety of flora and fauna.

These are considered in more detail in the Environmental Assessment Report appended to SP34 and are examined separately in this report.

The subject properties can generally be described as a mixture of open paddock with large clusters of mature vegetation of varying degrees of quality, transected by watercourses.

Land Use

Surrounding land uses are primarily two hectare rural residential properties containing residences, outbuildings, water tanks, dams and paddocks for livestock.

There are two nearby schools located west of the site adjoining Roland Road:

1. Swan Christian College; and
2. The Silver Tree Steiner School;

Land at Lot 13418 Kanangra Court is reserved for Public Purpose: High School, but it cannot be confirmed when the land will be required for a High School (likely post-2031).

Nearby care centres include:

1. Kath French Care Centre; and
2. Parkerville Children & Youth Care

Red Hill Waste Management Facility is located approximately 2.5 kilometres to the north west of the subject properties.

Technical Advisory Group

Prior to lodgement of SP34, five TAG meetings were held with senior staff from:

- | | |
|--------------|----------------------------|
| • DPLH | • Satterley Property Group |
| • DFES | • Roberts Day Planning |
| • DoT | • Water West |
| • Main Roads | • Strategen |
| • DoE | • Shire of Mundaring |

The purpose of the TAG was to discuss various draft iterations of SP34 so that issues cutting across multiple agencies could be approached in an informed way before lodgement.

The version of SP34 before Council reflects a structure plan that has been informed by technical feedback from the agencies listed above.

Planning Framework Changes

LSIP 265 was approved by Council in 1997 and the WAPC in 1999 (see **Attachment 2**).

Since then, there have been numerous changes to the local and State planning framework, some of which are identified in the table below:

Date	Change
2009	Introduction of Liveable Neighbourhoods
2013	Gazettal of the R-Codes
2013	Adoption of the Shire's Local Planning Strategy
2014	Approval of the Shire's Local Planning Scheme No. 4.
2015	Amendment to the R-Codes
2015	Release of Liveable Neighbourhoods review
2015	Introduction of the Regulations
2016	Completion of the Shire's Bushfire Area Access Strategy
2016	Adoption of Shire's Advertising Planning Applications Policy
2017	Introduction of Version 1.3 of the Guidelines for Planning in Bushfire Prone Areas
2018	Amendment to the R-Codes
2018	Completion of the Shire's Local Commercial Strategy
2018	Adoption of the Mundaring Activity Centre Plan
2018	Adoption of Shire's Street Tree Policy
2018	Finalisation of Perth and Peel @ 3.5 Million and North-East Sub-Regional Planning Framework

Several of these changes have a material impact on structure planning in the Shire. For example:

- the *Planning and Development Act (Local Planning Schemes) Regulations* introduced Deemed Provisions into local planning schemes which removed local government's determination powers and standardised the process for advertising structure plans;
- Updates to the Guidelines for Planning in Bushfire Prone Areas changed the requirements for Bushfire Management Plans;
- Amendments to the R-Codes changed standards for medium-density single houses;
- The Shire's Local Commercial Strategy updates the 1992 Local Commercial Strategy and makes provision for retail/commercial growth in Parkerville and Stoneville based on market and demographic analysis;
- The Shire's Street Tree Policy strengthens provisions for the retention, protection and planting of street trees; and
- The North-East Sub-Regional Planning Framework confirms strategic growth areas in Perth's eastern region (City of Swan, City of Kalamunda and Shire of Mundaring) and identifies North Parkerville and North Stoneville as key growth locations.

SP34 updates LSIP 265 by providing a redesign in accordance with the contemporary planning framework.

Development History

The table below contains a summary of development over the subject properties.

Development History	
Date	Action
August 1990	North Stoneville selected as site for townsite development
March 1994	Gazettal of Town Planning Scheme No. 3
January 1997	LSIP 265 lodged and request to initiate MRS Amendment made.
March 1997	LSIP 265 adopted for advertising
July 1997	LSIP 265 advertised for public comment
December 1997	Council report prepared on submissions. Decision was to defer a final decision pending additional work being undertaken.
February 1998	<p>Council resolved to approve LSIP 265 subject to conditions. At the time, LSIPs required approval from both the Shire and WAPC. This was changed by the Regulations in 2015 (see above) which withdrew determining powers from local governments. Specifically – information was to be provided on:</p> <ul style="list-style-type: none"> • Salinity; • Staging and implementation; • Preparation of a Precinct Plan for the Village Centre Precinct; • Removal of battleaxe legs; • Cost-sharing arrangements related to road design and construction; • Negotiations with Swan Transit for the extension of existing bus services; and • Development of the commercial centre that is commensurate with anticipated population growth.
January 1999	After modifications were made, WAPC notes LSIP 265 as the basis for rezoning under the MRS.
July 2000	<p>MRS amendment 1019/33 advertised. The purpose of this amendment was to transfer land in the North Parkerville and North Stoneville townsites into the Urban Deferred zone.</p> <p>The EPA determined that the amendments did not require further environmental assessment.</p>
June 2003	MRS Amendment 1019/33 approved and became effective from 2 April 2003.
September 2008	Council resolved to advise the WAPC to lift Urban Deferred status of subject properties pending review of LSIP 265.
February 2014	Local Planning Scheme No. 4 Gazetted and LSIP 265 adopted as SP34.
November 2016	Urban Deferred status lifted

As highlighted in the table above, LSIP 265 was noted by the WAPC as the basis for rezoning the subject properties under the MRS. When LPS4 was gazetted in 2014, LSIP 265 was continued as Structure Plan 34. LSIP 265 is currently an approved structure plan under LPS4 which the current application intends to modify.

The North Stoneville location has already been determined as suitable for a townsite. This position is embedded within the planning framework including the Urban zone under the MRS, the Development zone under LPS4 and the carrying forward of LSIP 265 in LPS4 as SP34. The scope of this report and recommendations to the WAPC is therefore limited to whether the proposed design appropriately responds to the current planning framework rather than the appropriateness of the location for a townsite.

STATUTORY / LEGAL IMPLICATIONS

Legislation	Implication
Metropolitan Region Scheme	340 (Lot 1) Roland Road is zoned Rural under the MRS but shown as having a partly Urban zone in SP34.
Local Planning Scheme No. 4	340 (Lot 1) Roland Road is zoned Rural Smallholdings 15 under LPS4 but is shown as being zoned Residential / Public Purpose in SP34.

POLICY IMPLICATIONS

Shire Policy	Implication
Street Trees	<p>The Street Trees Policy applies where:</p> <p><i>land is proposed to be subdivided and improvements are required to existing road reserves or new road reserves are proposed.</i></p> <p>An assessment of SP34 against the relevant provisions of the Street Trees Policy has been undertaken separately in this report.</p>

FINANCIAL IMPLICATIONS

Should Council and the WAPC resolve to refuse SP34, the Applicant could seek a review of the decision through SAT. While the decision would be made by SAT, the Shire may be required to support the WAPC - incurring legal and staff time costs.

Should SAT or the WAPC resolve to approve SP34 in its current form, significant costs could be borne by the Shire - in particular, for road infrastructure. Traffic matters are discussed in detail separately in this report.

STRATEGIC IMPLICATIONS

Mundaring 2026 Strategic Community Plan

Priority 1 - Governance

Objective 1.2 – Transparent, responsive and engaged processes for Shire decision making

Strategy 1.2.1 – Increase transparency and responsiveness of Shire administration processes

Strategy	Summary
Perth and Peel @ 3.5 Million	A whole-of-government response to accommodate population growth, informed by collaboration with relevant State Government agencies, local governments and other key stakeholders.
North-East Sub-Regional Planning Framework	The WAPC's long-term, integrated planning framework for land use and infrastructure to guide future growth across the sub-region, which includes the City of Swan, City of Kalamunda and Shire of Mundaring.
Local Planning Strategy	Sets out the long-term planning directions for the Shire of Mundaring over the next ten to fifteen years, applies the wide range of relevant state, regional and local planning policies and strategies, and provides the rationale for the land use and development control proposals in Local Planning Scheme No. 4.
Public Open Space Strategy	<p>In the 1996 version of the POS strategy, the subject property was shown as "Future Townsite."</p> <p>No specific POS strategies are contained within the 1996 version or 2001 (current) version as the distribution of POS was more clearly delineated in LSIP 265 when lodged in 1997.</p> <p>The adopted extent of POS was subsequently defined in the Shire's LNA mapping.</p>
Local Commercial Strategy	<p>An assessment of the demand and supply for retail, commercial and industrial development in the Shire which contains recommendations to guide the future development of activity centres and commercial areas.</p> <p>The strategy informs future updates to the LPS, as well as various plans and strategies relating to specific activity centres, commercial areas and identified urban growth areas.</p>
Bushfire Area Access Strategy	A framework to systemically rectify unsatisfactory access arrangements in bushfire prone areas in the Shire.
Mundaring 2026	<p>The Shire's Strategic Community Plan, which is based on input from the community and informs the Shire's Corporate Business Plan.</p> <p>The Strategic Community Plan is not a statutory document and does not form part of the planning framework. Rather, it is a plan which expresses the community's vision and aspirations. Since it is not a land use planning instrument adopted by the WAPC, it</p>

	would be given little weight when the WAPC comes to determine SP34.
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Further assessment of SP34 against some of the strategies listed above is provided below:

Perth and Peel @ 3.5 Million

Concern has been raised in submissions that if SP34 is approved, it would create unsustainable urban sprawl and an undesirable precedent of growth in the Shire. There are a number of reasons this issue has been raised. There is public concern about leaving a legacy of unsustainable development for future generations and having the highly valued 'Hills' sense of place eroded. These are matters which have been acknowledged and addressed by WA's planning system.

In relation to urban sprawl, the WAPC's *Perth and Peel @ 3.5 Million* has as one of its main objectives:

...containment of urban development to minimise further sprawl

The spatial plan forming part of Perth and Peel @ 3.5 Million includes the North Parkerville and North Stoneville townsites as discrete townsites.

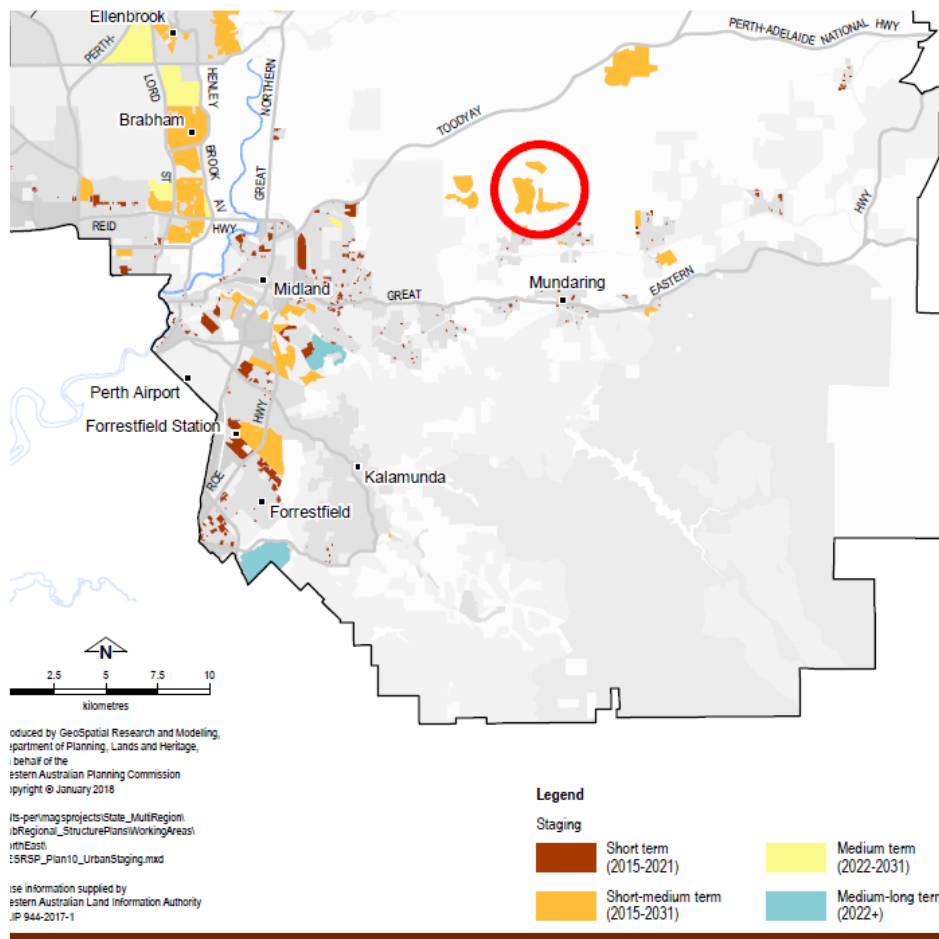
Therefore, it is considered that development of the North Stoneville Townsite plays a role in accommodating population growth and containing urban sprawl in the wider Perth context.

This point is further reinforced by the North-East Sub-Regional Planning Framework.

North-East Sub-Regional Planning Framework

The North-East Sub-Regional Planning Framework applies the overarching growth strategies in Perth and Peel @ 3.5 Million to the City of Swan, City of Kalamunda and Shire of Mundaring (north-east sub-region).

The North-East Sub-Regional Planning Framework includes an urban staging plan (see figure below).



(excerpt from WAPC's North-East Sub-Regional Planning Framework)

In accordance with this plan, development of the North Stoneville townsite (circled red) is identified for completion in the “short-medium term (2015-2031).” Simply, there is an expectation within the state’s planning framework – based on the zones and associated development rights – that the North Stoneville townsite will be developed.

Relative to the risk of growth creating an undesirable precedent, this State level strategy reinforces the principle of minimising urban sprawl:

The consolidated urban form identified in the framework has been determined within the context of the overall spatial plan for the Perth and Peel regions (which is) designed to accommodate a population of 3.5 million people in a more consolidated urban form that focuses on the use of existing infrastructure and minimises environmental impacts.

...

*A significant amount of future development will occur on land already zoned for urban purposes. This includes continuing development within Caversham, Brabham, Bennett Springs, Dayton, Ellenbrook, Upper Swan and Bullsbrook, as well as new development at Gidgegannup, **Stoneville**, Parkerville and various smaller areas...(emphasis added).*

Development in North Stoneville is part of the wider region’s plan to accommodate population growth and limit urban sprawl. Reinforcing the commitment to limit continuous

outward urban expansion, the WAPC's SPP 2.5 – Rural Planning strengthens provisions to retain and not further fragment rural land by urban rezoning or higher rural densities.

Local Planning Strategy

The Shire's LPS is aligned to the State's strategic planning framework and contains specific strategies related to SP34 (LSIP 265):

- *Require further review of LSIP 265 once urban deferment is lifted, including reconsideration of wastewater treatment plant site (including buffer and woodlot) if wastewater treatment for this development area is to take place outside of the LSIP area.*
- *Seek to achieve at least equivalent protection of local natural areas in a review of LSIP 265.*
- *Review existing work on external road network upgrading requirements based on review of LSIP 265 and determine cost sharing contributions, developer and Shire responsibilities, and timing of required actions for external road upgrading. Identify and progress any other land transactions required to enable required external road upgrading.*
- *Include appropriate consultation and negotiation with the City of Swan in the review of LSIP 265 and external road network construction and upgrading requirements.*
- *Negotiate with the Public Transport Authority and, if needed, actively lobby for timely provision of public transport to the townsite once urban development proceeds.*
- *Upon lifting of urban deferment, progress renaming of area to a separate locality distinct from Stoneville*

Relative to these points:

- SP34 represents a review of LSIP 265;
- SP34 achieves a marginally greater level of environmental protection compared to LSIP 265 (addressed separately in this report);
- Road network upgrades have also been addressed separately in this report;
- Consultation has been undertaken with the City of Swan;
- Lobbying for better public transport to the townsite would occur if/when development proceeds; and
- Renaming the area to a separate locality distinct from Stoneville would only need to be progressed should SP34 be approved by the WAPC.

SP34 has therefore been progressed in accordance with the strategies specifically related to the North Stoneville Townsite within the LPS.

Local Commercial Strategy

The Local Commercial Strategy is an important component of the local planning framework used to assess SP34. However, a detailed assessment of the Local Commercial Strategy has been undertaken in the Comment section of this report so that it may be read in conjunction with the assessment of the applicant's commercial strategy report.

Bushfire Area Access Strategy

There are six roads identified as possible entrapments in Stoneville which should be considered for planning/engineering solutions:

1. Llangi Way;
2. Lapoinya Place;
3. Matthews Way;
4. Mulumba Place;
5. Creek Close; and
6. Higginson Road.

SP34 does not intersect with any of these roads.

The Bushfire Area Access Strategy is also intended to apply more broadly as a guide to future subdivision:

New subdivisions will continue to be subject to achieving compliance with contemporary standards which may require the ceding of land for thoroughfares and/or a fair and reasonable contribution at the time of subdivision to improve existing non-compliant roads deemed necessary for access. (Strategy Statement 8)

Land and road upgrades necessary for bushfire compliance will be required at subdivision stage, should SP34 be approved by the WAPC.

Mundaring 2026

The Strategic Community Plan – Mundaring 2026 - informs the Corporate Business Plan and subsequently, Shire activities e.g. strategic projects and plans. The relationship between a Strategic Community Plan and land use planning is explained by the diagram below:

Integrated Planning and Reporting and Land Use Planning



(source: Department of Local Government, Sport and Cultural Industries)

Both the LPS and Strategic Community Plan are guided by community vision. However, it is not intended that the objectives within the Strategic Community Plan be used as specific criteria against which development is to be assessed.

SP34 is considered consistent with both the local and state strategic planning framework and provides an important function in limiting urban sprawl and accommodating population growth within the north-east sub-region.

SUSTAINABILITY IMPLICATIONS

Sustainability is a principle at the core of the planning framework and underpins both the original designation of the subject properties for townsite development and the criteria against which SP34 is to be assessed.

RISK IMPLICATIONS

Risk: Reputation, Compliance & Financial Impact

Financial Impact

A position needs to be reached for the equitable distribution of road costs since some would be reasonably borne by the developer, Shire, City of Swan and Main Roads if subdivision was to proceed. In the absence of an agreed position, it is possible that the Shire could be left to bear a disproportionate component of the costs or outcomes. A district traffic investigation has been progressed to inform Council's position which has been addressed separately in this report.

Mitigation

It is imperative that a firm position regarding road contributions be clearly

communicated to the WAPC so that the Shire manages financial risk of funding road upgrade requirements at subdivision stage.

Reputation

Given heightened awareness in the community regarding SP34, there is a reputational risk if the Shire is unable to explain the planning process.

Mitigation

Continue to provide information to the public about the Shire's role in the planning process.

Compliance

SP34 is required to be assessed and determined in accordance with the planning framework.

If SP34 is found to be compliant with the planning framework, it would be prudent for Council to recommend its approval.

If it was to be recommended for refusal despite being compliant with the planning framework, the WAPC would likely dismiss Council's recommendation. Since the WAPC is only required to have due regard to the provisions of LPS4 when determining a structure plan, some non-compliances may result.

Likelihood	Consequence	Rating
Almost Certain	Major	High

Action / Strategy

This report recommends a conservative and balanced approach to risk by basing its recommendation on an examination of SP34 against the relevant parts of the planning framework, addressing community concerns and consolidating its position on road infrastructure.

This suggested course does not eliminate the risks but provides a prudent basis on which to respond to reputation, compliance and financial impacts.

EXTERNAL CONSULTATION

Advertising Period

SP34 was advertised from 6 December 2018 until 10 January 2019 (36 days).

The timing of the advertising period attracted claims that it was a deliberate effort to obscure the proposal from public notice. This accusation is incorrect. The application for SP34 was received by the Shire on 3 December 2018. Pursuant to the deemed provisions of the Regulations, local governments are required to advertise a structure plan within 28 days of receipt. If the Shire had delayed advertising SP34, it would have commenced closer to Christmas/New Year's Day.

Further, acknowledging that the advertising period would extend over the holiday period, both the minimum and maximum time to advertise a structure plan (14 days and 28 days) were considered inappropriate given the scale of the proposal. In response, the advertising period was extended to 36 days with the permission of the WAPC and in accordance with Shire Policy P-01 – Advertising Planning Applications.

Some concern was raised that SP34 was modified during the advertising period and that these modifications were not made public. It is likely that some confusion has been caused by the nature of the application itself.

There is already a structure plan approved over the North Stoneville Townsite – referred to in this report as LSIP 265. SP34 is a proposal to amend (or modify) LSIP 265.

The Shire can confirm that no formal additional requests have been made by the proponent to modify SP34. However, it is usual for an applicant to agree to modify their proposal/technical supporting documents as feedback is received from the public and agencies. This is normal practice within the structure planning process. Indeed, one of the fundamental reasons that advertising is undertaken is so that a structure plan may be refined and modified.

Methods

Various methods were used to advertise SP34:

1. 300 letters sent to surrounding landowners, public agencies and groups;
2. Hard copies made available in libraries and the Shire of Mundaring Administration Centre;
3. Signage placed on major roads surrounding the subject properties;
4. Notice placed on the Shire of Mundaring website;
5. Advertisements placed in newspapers; and
6. Staff time made available.

SP34 was advertised using methods in accordance with the Regulations and Shire of Mundaring Advertising Planning Applications Policy.

While they do not form part of the statutory requirements, the Applicant has undertaken a number of independent community consultation sessions to inform the project:

Date	Description
July 2018	Community workshop into visioning/Place Vision Blueprint
July 2018	SP34 information made available on Satterley website
August 2018	Presentation to Rotary Club of Mundaring (by invitation)
December 2018 – April 2019	Four briefings with Members of Parliament

December 2018	Information stall at the Rotary Club of Mundaring Markets
December 2018	Publication of information brochure, information sheet, FAQ and making staff time available for enquiries.
January 2019	SP34 information made available on Satterley's website
March 2019	Roundtable discussion with Save Perth Hills
March 2019	Publication of Community Fact Sheet
May 2019	Community information session / Sense of Stoneville Part 2 / neighbour mail-out.
June 2019	Meeting with Mundaring Chamber of Commerce
June-July 2019	Neighbour meetings
July 2019	Community drop-in day
July 2019	Meeting with catchment groups

Some concerns were raised as to whether the consultation undertaken by the Applicant jeopardises the integrity of the advertising process under the Regulations. The Regulations only relate to the advertising responsibilities of local government and do not relate to advertising or consultation undertaken by landowners.

Summary of Submissions

957 submissions were received during the advertising period, including a number of late submissions and addendums. A summary of submissions is provided below:

Nature of Submission	No.	%
Object	823	86
Support	21	2
Mixed	65	7
Advice/no objection	48	5
TOTAL	957	100

The schedule of submissions attached to this report (**Attachment 5**) contains each submission made on SP34 and a corresponding assessment/reply.

Rather than providing a unique reply to each submission, the schedule of submissions often refers to responses to earlier submission/s that have dealt with the same matter. This has been done to concisely respond to the high number of comments made on SP34.

In some cases, the schedule of submissions directs the reader to this main report. This is done where the issue/s raised in the submission require detailed explanation and assessment. It is also important for some topics to be explored in the context of other planning matters which is more easily achieved in report format than in a schedule of submissions.

Some submission responses have addressed the essence of the submission rather than the specific detail. For example, a number of submissions draw a comparison between SP34 and developments in Ellenbrook, Joondalup and elsewhere. Rather than undertake a comparative analysis of these localities and SP34, the essence of the submission – in this case, the density and form of proposed development – has been responded to.

Below is a summary of submissions made on SP34.

Issues raised in the **objections**, being more numerous than those raised in letters of support, have been addressed in detail throughout this report – primarily the 'Comment' section – and mostly relate to:

- Traffic impacts;
- Residential density;
- Bushfire risk;
- Environmental destruction (flora and fauna);
- Changes to amenity and lifestyle;
- Increase in crime;
- Decrease in property values;
- Insufficient parking and range of land uses in Mundaring Town Centre;
- Precedent of urban sprawl;
- Lack of infrastructure (shops, schools, places of employment etc); and
- Operation of the WTP.

Submissions in **support** of SP34 were generally for the following reasons:

- High quality urban design;
- Greater access to more diverse housing;
- Opportunities for older residents to downsize without leaving the hills;
- More facilities and infrastructure;
- Retains the 'feel' of the hills;
- Strengthens the community;

- Additional schools;
- Additional jobs;
- Increases rates base/public investment;
- Appropriately considers the environment; and
- Adds value to surrounding properties.

The number of objections raised indicates general community sentiment and assists in understanding local sensitivities and concerns. However, past decisions and penalties applied by SAT have made clear that a planning authority cannot treat submissions on planning proposals as a vote or referendum. A decision must ultimately be made on an assessment of the planning merits of the proposal under the applicable planning framework. A recommendation for refusal citing the volume of objections would err in law and would unlikely be upheld by the WAPC.

18 agencies have made comment on SP34, summarised below:

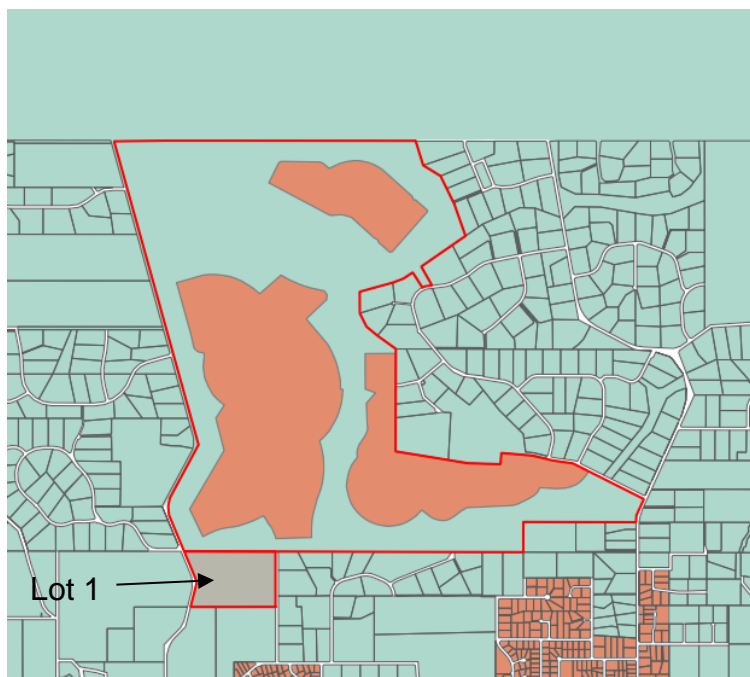
Summary of Submission	Agency
No objection/comment	Department of Primary Industries and Regional Development, ATCO Gas, Department of Jobs, Tourism, Science and Innovation, DoT.
Advice	PTA, DoE, Shire of Toodyay, DoH, DPLH, SWALSC, City of Swan, DWER, DFES, DBCA, Water Corporation, Department of Mines, Industry Regulation and Safety.
Support	Perth Airport
Object	Main Roads

Closer consideration of these submissions has been provided in the Comment section below.

COMMENT

Zoning

Lot 48 is zoned 'Development' under LPS4 and Rural & Urban under the MRS. Lot 1 is zoned 'Rural Smallholdings 15' under LPS4 and Rural under the MRS. The figure below shows the extent of the Rural zone (green) and Urban zone (orange) under the MRS.

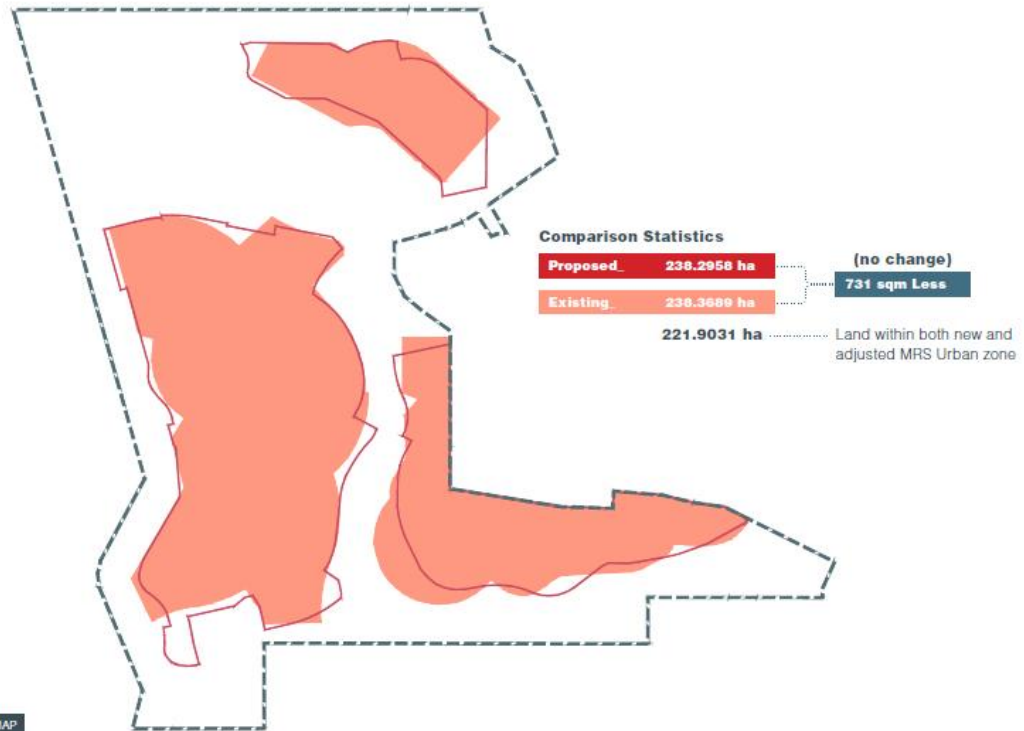


Some objections have raised the question as to whether it is possible to rezone the subject property under the MRS to prevent a townsite development. This idea is fundamentally inconsistent with the strategic direction set out in Council's adopted Local Planning Strategy and state government frameworks mentioned previously.

It should also be highlighted that Lot 1 is not zoned Urban under the MRS or Development under LPS4, however has been included within SP34 showing a portion of residential zoned land. Normally, such a lot would be recommended for exclusion from a structure plan on the basis of inappropriate zoning.

During the TAG meetings, Shire officers expressed a preference that any revised structure plan not be arbitrarily limited by the extent of the previous LSIP and MRS zoning so that a contemporary, environmentally responsive and sustainable urban design solution might be achieved. Sustainability in design was considered paramount, provided the urban footprint was comparable. DPLH officers were agreeable to this idea, however to a lesser extent.

SP34 proposed some urban land on Lot 1. Importantly, however, SP34 contracts the proposed Urban footprint in other areas principally to provide a more responsive design to environmental features – which should be acknowledged. It is also noted that the overall Urban zone footprint, including Lot 1, contracts by approximately 731 sqm. – refer to figure below.



SP34 states that:

It is necessary to extend the Structure Plan boundary to include Lot 1 to coordinate the delivery of services (particularly sewer) and establish a street layout to guide development of land under the same ownership as Lot 48.

The proposed additional urban zoned land in Lot 1 rounds off an urban catchment within walking distance of the proposed primary school, which has design merit. It may also help facilitate greater community benefit, with additional land available to accommodate a senior oval.

Conversely, it could be argued that including Lot 1 spreads the urban footprint further south and may compromise the broader intent of the Shire's LPS to keep discrete villages separated by rural buffers.

The proposed urban encroachment is considered negligible in this wider context. SP34 also identifies Lot 1 as accommodating Rural Residential 2 zoned lots (two hectare minimum lot size) as a buffer. Smaller rural zoned properties have benefits in terms of bushfire risk mitigation and would be consistent with adjacent zones.

Lot 1 includes some 'Protection' category LNA that could be affected by the extension of the urban area. It is noted that this area has been identified within the Environmental Assessment Report and is also subject to EPBC referral and determination.

Including Lot 1 in SP34 could present some challenges from a legal planning perspective for the WAPC. However, on balance and considered holistically as part of SP34, the concept has merit.

This approach is not inconsistent with the Shire's recommendation regarding Structure Plan 77 (Mount Helena), which acknowledges that it was advantageous from a design perspective to extend the scope of a structure plan notwithstanding the underlying zoning.

The subject properties are zoned under LPS4 and the MRS to facilitate a townsite in the locality.

This report therefore focuses on an assessment of SP34 as a proposed modification to LSIP 265. The decision supporting a townsite on the site has already been made.

The Shire support in-principle the inclusion of Lot 1 within SP34 as proposed, acknowledging that further and careful consideration is required at subsequent planning stages in relation vegetation protection and the potential expansion of the oval site.

Requirements of Development Zone

LPS4 contains provisions related to the Development zone which are set out in Schedule 12. An assessment against each of these provisions is provided in the table below:

No.	Requirement	Assessment
1	All subdivision and development shall be in accordance with a Structure Plan endorsed by the Shire and adopted by the Commission.	SP34 has been prepared in accordance with this provision.
2	No subdivision to create residential lots will be supported unless and until that land is zoned Urban under the MRS.	The subject property has been zoned Urban under the MRS, with the exception of Lot 1. See comments above in relation to inclusion of Lot 1.
3	Technical provisions contained within the Structure Plan shall have the same force as if they were provisions of this Scheme.	This provision has been made obsolete by the Regulations.
4	<p>Technical provisions contained within the Structure Plan may, for particular areas within the Development Zone, assign a Zone and, for residential areas, a Residential Design Code density for those areas.</p> <p>In such instance, all provisions of this Scheme specific to that zone, including the Zoning Table, and where applicable the requirements of the Residential Design Codes of Western Australia for that Residential Design Code density, shall apply.</p> <p>To the extent of any inconsistency between other provisions of this Scheme and the requirements in this Schedule 12 or the technical provisions in the Structure Plan, the requirements in this Schedule 12 or the technical provisions in the Structure Plan shall</p>	SP34 assigns zones and density codes (ranges).

	prevail.	
5	The Structure Plan shall make provision for a commercial centre, community and education (school) facilities.	<p>SP34 makes provision for a commercial centre and schools.</p> <p>No community facilities are proposed. However, space has been proposed for community hubs.</p> <p>Pursuant to State Planning Policy 3.6 – Development Contributions for Infrastructure (section 5.1):</p> <p><i>...local governments can seek contributions for the capital costs of community infrastructure...including...sporting and recreational facilities, community centres, child care and after school centres, libraries and cultural facilities and such other services and facilities...which...may reasonably be requested.</i></p> <p>For master planned communities, contributions towards community infrastructure is an expectation within the State planning framework. The extent to which these can be required as mandatory contributions can be contested.</p> <p>However, it is not uncommon for developers to voluntarily supply community infrastructure to enhance and improve the marketability of their development. Investments should align with community needs (current and future) and be directed toward facilities that Shire is willing to maintain in perpetuity.</p> <p>It is therefore recommended, should WAPC support SP34, that it be subject to an agreement with the Shire regarding the provision and timing of community infrastructure.</p>
6	The minimum lot size for rural residential lots abutting land outside the Development Zone shall be 2 ha.	<p>4685 (Lot 48) Roland Road is entirely zoned Development but 340 (Lot 1) Roland Road is zoned Rural Smallholdings.</p> <p>SP34 shows properties on Lot 1 being</p>

		zoned Rural Residential 2.
7	The provisions of Clauses 5.9.2 to 5.9.12 shall apply to any rural residential lots within the development zone.	This provision states that the requirements of the Rural Residential land apply to any rural residential lot within the Development zone.

Density

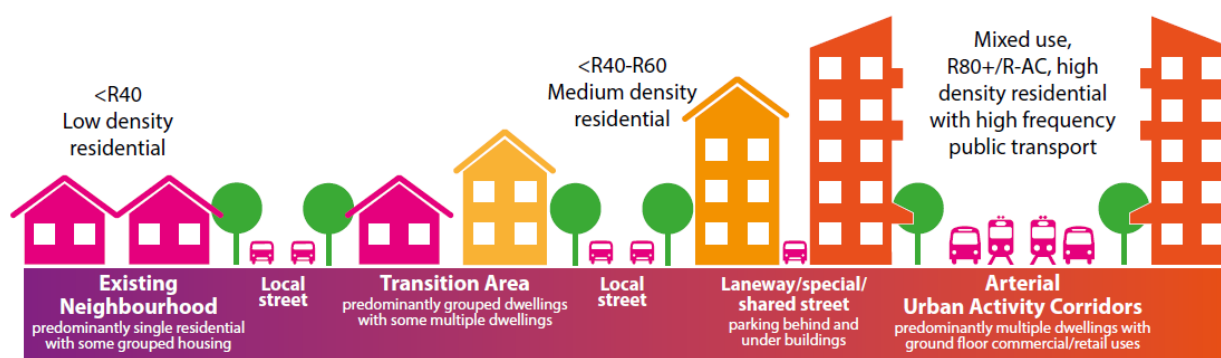
Considerable objection has been expressed regarding the density of development proposed by SP34 primarily due to visual amenity changes, environmental impacts and the pressures a greater population would place on the road network and existing facilities.

The language used in some objections refers to 'high density development.' For example, submission 48 states:

*We all live up here for the ambience, but that will be totally lost with **high density** housing around the corner (emphasis added).*

For clarity, the densities of development are defined in a technical manner by the WAPC as follows:

- High density - R80 and above
- Medium density - R40 to R60
- Low density - less than R40



(image from Draft Liveable Neighbourhoods)

The average site area within each of these R-codes is as follows:

- R80 - 120 sqm.
- R60 - 150 sqm.
- R40 - 220 sqm.

The lot sizes proposed by SP34 are set out on page 59 of the structure plan document (**Attachment 4**):

R-Code	Lot size range (m ²)	Density	Number of lots	% of total lots
Rural Residential (not within R-Codes)	>10,000m ²	Low	60	4.5
R5-R12.5	2,000-800	Low	1,100	78
R12.5-R25	800-350	Low	200	14
R25-R60	350-150	Low/Medium	50	3.5
			1,410	100

Simply, the majority of lots (96.5%) proposed within SP34 fit the 'Low Density' category, the remainder (conservatively) is in the 'Medium Density' category.

It is expected that the term 'high density' used in many of the submissions relates instead to the density when compared to surrounding Rural Residential zoned properties.

For new residential development, the WAPC sets a benchmark or minimum of at least 15 dwellings per gross urban hectare (approximately R30):

Planning instruments guiding the development of new urban areas are to use a minimum average residential density target of 15 dwellings per gross hectare of urban zoned land, where appropriate.

Greater residential densities have efficiency and sustainability benefits, in terms of limiting sprawl, facilitating more viable public transport and increasing the number of residents served per kilometre of road and other infrastructure.

The entire Urban zoned area within SP34 should – technically - be considered for development at a density of R30 (average lot size 300m²) in accordance with state policy which would represent a more efficient use of residential land in the metropolitan area than the low densities proposed.

However, the design intent to better respond to the significance of and sensitivities around local 'Hills' identity, maintain natural slope and building on the objectives of LSIP 265 has led the proponent to put forward an application for low density development.

Relative to LSIP 265, SP34 actually proposes to create 299 fewer lots than the current, approved plan (i.e. proposes a lower density than LSIP 265).

A comparative analysis of SP34 and LSIP 265 is provided in the table below:

	LSIP 265 (from Shire's LPS)	SP34
Rural Residential (1 hectare and larger) lots	53 (15 of which have already been created)	60

R5-R12.5 lots	1,452	1,100
>R12.5-R25 lots	Nil	200
>R25-R60 lots	204	50
Mixed use neighbourhood centre	Yes	Yes
High school	Yes	Yes
Primary school	Yes	Yes
POS and community purposes	Yes	Yes
WTP and wood lot.	Yes	Yes
TOTAL	1,709	1,410
REDUCTION	299 lots.	

SP34 is an amendment to LSIP 265 and proposes 299 fewer lots. If SP34 was refused by the WAPC on the basis of excessive residential densities, it would be difficult to defend such a position at SAT since SP34 proposes fewer lots and a lower density than is currently approved under LSIP 265.

This, coupled with a strategic planning framework which supports the creation of greater densities, would make it especially difficult to defend such a position. Densities proposed by SP34 are an appropriate response to the planning framework and general community preference for lower densities.

Density bands

SP34 proposes 'density bands.' Density bands are commonly used in larger structure plans where the final lot configuration is subject to detailed design at subdivision stage.

Density bands are intended to operate in the following manner; a structure plan defines areas which are to comply with a range or 'band' of densities e.g. R5-R12.5 (2,000 sqm lots to 800 sqm lots). At subdivision stage, the applicant demonstrates in their plan of subdivision how residential densities comply with the relevant 'band' and be used to respond to the specific site context e.g. topographical constraints, surveillance of POS.

However, there can be problems practically implementing density bands because there are no legal measures in place to prevent subdivision solely at the higher density within each band. Since density banding is designed to allow for flexible densities, it is also detrimental to manage this issue by enforcing densities using statutory controls.

For example, if a structure plan is approved with density bands of R25-R60 (350sqm-150sqm lots), there would be nothing preventing development solely at the R60 code which would have a host of implications e.g. servicing, amenity expectations, traffic volumes, infrastructure requirements and so on.

One method to overcome this is linking performance criteria to each of the densities, as used in other structure plans approved by the WAPC e.g. the City of Swan's Midvale Structure Plan (excerpt below):



Residential - R30/R40/R60/R80

The allocation of residential densities shall be in accordance with the following locational criteria:

- 1) The R30 density code shall apply as the base code to all 'Residential' zoned lots, with the exception of those lots coded R40 – R80 as set out in 2), 3) and 4) below.
- 2) The R40 density code shall apply to 'Residential' zoned lots where:
 - i) The lot is located within 800m of community centres;
 - ii) The lot is located within 400m of public open space; or
 - iii) The lot is located within 250m of public transport or neighbourhood connector routes.
- 3) The R60 density code shall apply to 'Residential' zoned lots where:
 - i) The lot is located within 400m of community centres;
 - ii) The lot is located within 200m of public open space;
 - iii) The lot is located within 200m of public transport or neighbourhood connector routes.
- 4) The R80 density code shall apply to 'Residential' zoned lots that meet one or more of the criteria set out in 3) above and where:
 - i) The lot is abutting or directly adjacent to public open space not less than 3,000m² in area; or
 - ii) The lot is greater than 800m², excluding balance of title lots.

Nevertheless, performance criteria can also result in development solely at the higher density where they are overly broad and due to the non-statutory nature of structure plans.

SP34 proposes three density bands:

1. R5-R12.5 - (2000 sqm. – 800 sqm. lots)
2. R12.5-R25 - (800 sqm. – 350 sqm. lots)
3. R25-R60 - (350 sqm. – 150 sqm. lots)

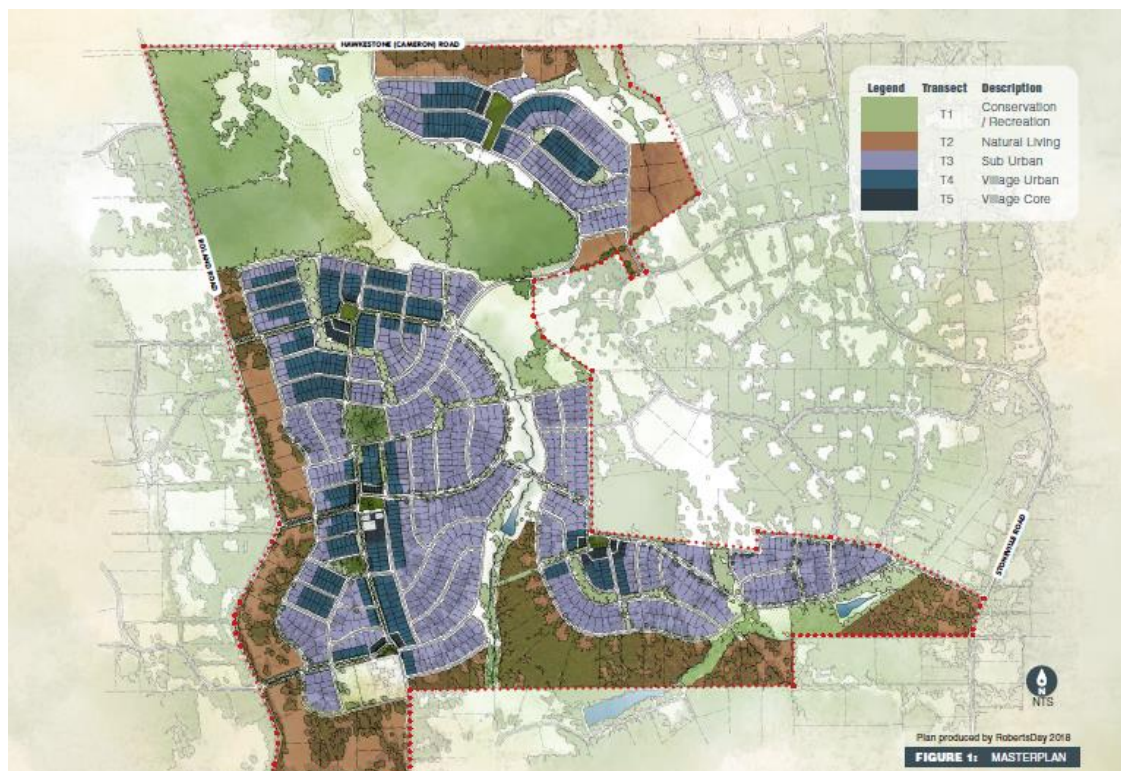
The spatial distribution of these densities is set out in the Transect Design Code (see image below). Within each transect (i.e. T1-T5), there are a range of proposed densities:

- T1 – n/a (conservation/recreation)
- T2 – 1-2 hectares
- T3 – 1,000 – 2,000 sqm.
- T4 – 600 – 1,500 sqm.
- T5 – 360 – 600 sqm.

This spatial distribution of densities is given effect by section 6.5 of Part One in SP34 (see **Attachment 4**) which states:

Residential densities applicable to the Structure Plan area are to be within the ranges shown on the Structure Plan map. A Residential Coding Plan is to be submitted to the WAPC at the time of subdivision indicating the Residential Coding applicable to each lot. The allocation of residential densities is to have regard to the following criteria:

- a) Landform and topography.
- b) Proximity to open space and amenities.
- c) The North Stoneville Transect Design Guide.



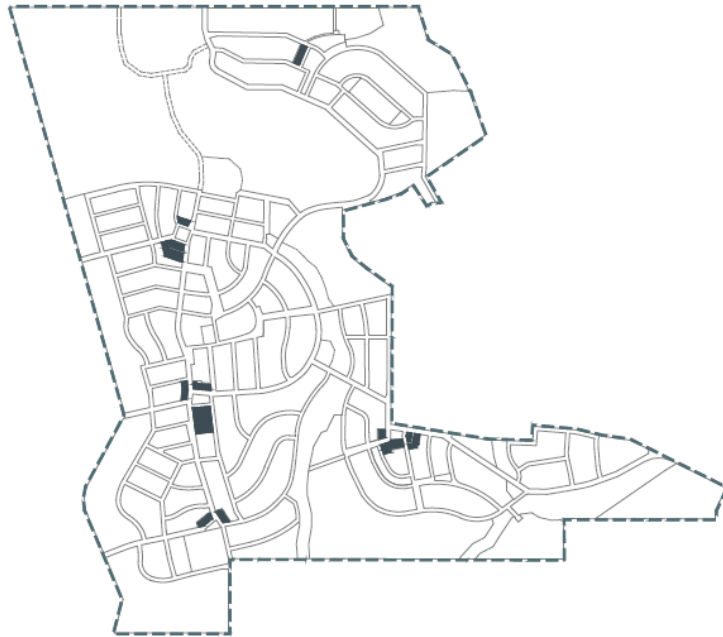
It was put to the Applicant that even if subdivision was in accordance with the Masterplan within the Transect Design Guide (i.e. the image above), this would still not prevent subdivision at the higher density if landform (a) and proximity to POS/amenity (b) criteria were satisfied.

The Applicant's response was as follows:

- There are a limited number of areas with reasonably gentle slope – particularly in the T4/T5 areas; and
- The total lot yield is identified as 1,410 in SP34

While these points are acknowledged, it is too early in the planning process to determine what specific topographical constraints (if any) would prohibit subdivision at the greater densities within the transect or where topographical constraints are located. Further, given the status of structure plans as guidance documents, the intended lot yield expressed in SP34 (1,410 lots) is unable to operate as an absolute statutory threshold.

In discussions with DPLH officers, the highest risk relative to density bands is where R60 is proposed. SP34 only proposed R60 in the T5 Transect which are intended to occupy a very limited area around each village green (see image below). Therefore, the risk of R60 subdivision/development proliferating in the SP34 area is considered minimal, particularly where suitable performance criteria exist.



It was suggested to the Applicant that another criterion could be entered into section 6.5 of SP34 to state that the intent is to provide a mixture of lot sizes within each transect. The Applicant was open to this suggestion. The proposed modification below reflects the fact that structure plans are a non-statutory guide to subdivision and therefore cannot be worded to mandate particular requirements.

This report recommends that, should SP34 be approved, a criterion be inserted as 6.5(d) in Part One of the SP34 report requiring that subdivision applications demonstrate how a diversity of lot sizes within each transect, commensurate with the Transect Design Guide, would be achieved.

Normalisation

After subdivision has occurred within a Development zone, it is usual for the zones and residential density codes shown in the plan of subdivision to be incorporated into the local planning scheme by way of scheme amendment – known as “normalisation.”

Normalisation occurs after subdivision rather than structure planning so that the zones correctly align with property boundaries (any property boundaries shown in structure plans are a guide and subject to change at subdivision stage).

Density bands, discussed previously, are potentially problematic at normalisation stage since they can result in adjoining lots with different density codes and, in turn, different development standards i.e. inconsistent streetscapes.

Consequently, there is a competing interest between the intent of density bands i.e. creating lot diversity, streetscape diversity and environment/landscape responsiveness and the objectives of the R-Codes to create streetscape consistency.

In discussions with senior DPLH staff, this is also an issue facing other local governments.

There are a number of potential responses to this, but there is no adopted industry standard. The preparation of LDPs, policies, precinct plans and embedding performance criteria in structure plans are possible options but each has potential drawbacks.

A key objective underpinning SP34 is to create a development which is sensitive to the environment and landscape. Therefore, it is considered prudent to place some reliance on the use of density bands to uphold these objectives at subdivision stage. Nevertheless, it would be remiss for this to be at the cost of good urban design – which is also an important component of sustainability.

This report therefore recommends that if SP34 is approved by the WAPC that performance criteria be entered into SP34 requiring that, where appropriate, lots are grouped so as to create a consistent streetscape without adversely affecting environmental features or creating excessive levels of cut/fill.

While such provisions would not deliver absolute certainty as to resulting subdivision/development's compliance (landscape variations, engineering requirements and servicing can make compliance technically unviable), such provisions would provide assessing officers with appropriate guidance at subdivision stage to consider these matters.

Critical Mass

Several submissions have called for a significant reduction to the lot yield within SP34, citing residential density codes of R5 and R2.5 (2,000m² and 4,000m² lots respectively) and rural lot sizes (>10,000m²) as preferred. Submission 126 for example states that:

I believe the blocks should be a decent size to blend in better with the hills lifestyle, at the very least 2000sqm up to a few acres.

While there is generally some flexibility around the number of dwellings required to make a development viable while meeting growth targets (see previous table comparing LSIP 265 and SP34), numerous Shire and state strategic growth plans are based on an assumption of approximate lot yield within the North Stoneville townsite (LSIP 265) e.g.

- Local Planning Strategy;
- Mundaring Activity Centre Plan;
- Local Commercial Strategy;
- Perth and Peel @ 3.5 Million;
- North-East Sub-Regional Planning Framework; and
- Planning for the Perth-Adelaide National Highway

If there is significant variation to population estimates within the townsite, the integrity of the strategic documents forming the planning framework begins to be compromised.

The flow-on effect of a significantly reduced population within the SP34 area could result in alternative growth areas being sought and questions being raised about the need for/viability of proposed schools and retail/commercial components of SP34 which are intended to serve the wider catchment.

Therefore, it is important to ensure that the North Stoneville townsite, if approved, be developed to a capacity which maintains the integrity of the wider planning

framework. The proposed lot yield is less than, but generally consistent with, the anticipated yield within the strategic planning framework.

Putting aside the various legal, economic, legislative, policy, strategy and design complexities associated with substantial variations to dwelling yields, it is inferred that the central concern has less to do with finding ‘the right number’ and more to do with ensuring that development does not adversely impact; amenity, traffic safety (including around the Mundaring Town Centre), environmental values and fire safety.

These issues have been addressed below.

Design Philosophy

The design philosophy underpinning SP34 is contained in section 3.3 of the Applicant’s report (see **Attachment 4**) and can be summarised as follows:

...the creation of defined villages in a natural landscape setting, reflecting the landform and character of Hills settlements.

This philosophy is consistent with the broader growth aspirations within the Local Planning Strategy:

The development of the hills portion of the Shire in the form of a series of discrete villages separated by rural buffers has occurred over time, at first naturally as each village developed around stations on the two railway lines through the Shire, and then as a deliberate Council policy...The (Local Planning) Strategy recommends the continuation of this form of development

Nevertheless, objections have raised concern about the more philosophical inconsistency between SP34 and the ‘hills lifestyle.’

“Hills Lifestyle” is a term which appears in a number of strategic planning documents but is not defined.

With specific reference to the North Stoneville Townsite, the WAPC has determined that:

*...on balance the landscape qualities, natural vegetation and rural pursuits that are at the heart of the ‘**Hills Lifestyle**’ are better protected by providing for population growth around existing townsites and by the creation of a small number of new townsites than by accommodating growth in a general spread of ‘special rural/rural residential’ type subdivisions. (emphasis added)*

Therefore, contrary to some views raised during the consultation period, the subject properties and their development have been determined as having an important role in protecting the elements comprising the “Hills Lifestyle.” It may also be argued that lifestyle expectations were previously determined for the locality when LSIP 265 was approved in 1999.

Indeed, the definition of ‘amenity’ under LPS4 means all of those factors which combine to form the character of an area and include the present **and likely future** amenity of an area.

In addition, the Shire's LPS and strategies of the WAPC have undergone extensive public consultation and stakeholder input. A decision inconsistent with these would begin to undermine the integrity and transparency of the democratic process already undertaken in their formulation.

This should not be read as insensitivity to those submitters who feel that approval of SP34 would lead to the erosion of the valued hills lifestyle, but highlights that there is conflict between some submissions and the strategic planning framework which has also been based on wide public consultation. It should also be recognised that some submissions in support of SP34 are of the opinion that growth in the location may serve to improve hills amenity and lifestyle by providing additional facilities and POS.

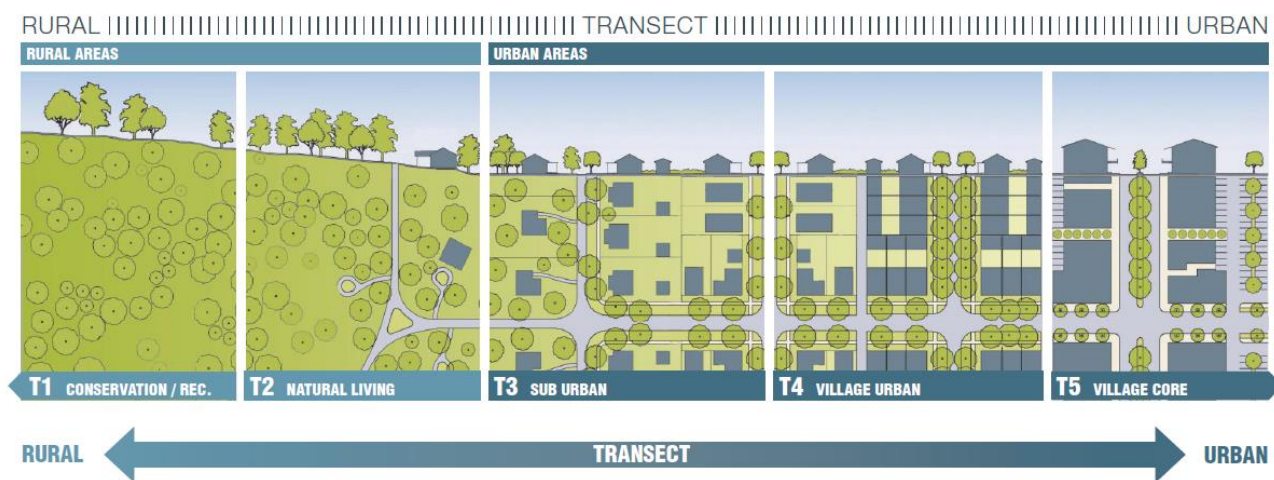
Transects

The broad design philosophy described above has been drawn down into a detailed design framework - the "Transect Design Guide" (see **Attachment 5**).

The intention of the Transect Design Guide is to implement an urban form compatible with Liveable Neighbourhoods which can integrate with existing development and respond to the locality's unique identity.

Essentially, the Transect Design Guide defines five categories or 'transects' of development intensity and form (see below, T1-T5) and links different development criteria to each of these. The criteria relate to:

- Streets;
- Private land; and
- Open space.



(image from SP34 report)

The table below contains a summary of each of the design guides within the Transect Design Guide:

Transect Design Guide	Objectives
Streets	<ul style="list-style-type: none"> • Reduce overall vehicle speeds and provide a safe and

	<p>attractive environment for pedestrians and cyclists;</p> <ul style="list-style-type: none"> • Reflect street typologies found in older neighbourhoods; • A high level of connectivity; • Retaining trees and providing shady/leafy streets; • On-street parking closer to Village Core (T5); • Safe Active Streets in key areas; and • Reserve widths responding to presence of POS, existing vegetation and engineering standards/topography.
Private Land	Fences and building orientation/setbacks to respond to the proposed densities.
Open Space	Natural parks and less contrived landscape elements in T1 and T2, more formal landscaping in T5 with flexibility for uses and events commensurate with the village setting and 'kick-about' spaces in T3 and T4.

The engineering standards of the Transect Design Guide: Streets have been assessed and are considered appropriate.

The planning merits of each transect have also been assessed. Since Liveable Neighbourhoods was developed primarily to standardise urban design criteria for development on the Swan Coastal Plain, the concept of bespoke design criteria for the 'Hills' district of Perth is considered appropriate where 'hills' amenity is a key consideration. It should be noted here that the preparation of tailored urban design frameworks is not a requirement of the planning framework. The Applicant has prepared these frameworks of their own volition.

The augmentation of these Transect Design Guides with the WAPC's Liveable Neighbourhoods (see assessment below) was discussed at the TAG meetings. Senior staff from agencies have advised that the Transect Design Guides would be appropriate for incorporation into SP34 as a technical appendix.

LSIP 265 did not contain Transect Design Guides and was prepared around a different design approach. A comparison of SP34 with the design elements and philosophy of LSIP 265 is set out below.

Comparison

The design philosophy of LSIP 265 sought to:

...emulate the broader urban philosophy of the Hills lifestyle in its respect for the landform and landscape of the site and the creation of defined areas of urban settlement that reflect the capability and character of the landform...the LSIP seeks to create individual rural villages within a broader rural setting, separated by major

open spaces, while preserving as far as practical the important landscape, form and vegetation of the site.

The overarching design philosophy has, therefore, not substantively changed between LSIP 265 and SP34.

A comparative analysis of SP34 and LSIP 265 is provided in the table below. A copy of LSIP 265 can be found in **Attachment 2**.

LSIP 265	SP34
WTP in north-west section of subject property within woodlot.	Generally unchanged but with larger woodlot due to repositioning of high school (see below).
High school proposed adjacent to WTP	High school proposed in area formerly designated as POS in LSIP 265 (see above).
Primary school adjacent to high school	Primary school separate from high school and located in southern portion of subject property.
Community purpose site integrated with high school	Community purpose site adjoining village centre.
Aged persons' village adjacent to primary school.	Zoning of land in village centres capable of accommodating Aged or Dependent Persons' Dwellings.
Mixed use and retail centre adjacent to aged persons' village.	Zoning in village centre could accommodate a mixture of uses.
Rural properties fronting Roland Road and around the periphery of the site.	Generally unchanged except that the extent of POS has contracted to accommodate Rural Residential zoned properties. The contraction of POS is also for reasons of bushfire risk mitigation and is consistent with the LNA categorisations (separately addressed in this report).
Did not include 340 (Lot 1) Roland Road	Includes 340 (Lot 1) Roland Road
Rural lots abutting south of subject property	Generally unchanged, but less POS proposed to abut adjoining properties.
Low density residential lots along the eastern boundary of the site.	Generally unchanged except that the extent of the residential area has contracted on account of the extent of the Urban zone under the MRS and location of the high school.
No Special Use Locations proposed	Special Use Locations proposed.

LSIP 265 clustered uses such as schools, mixed use centres and retail within the centre of the subject properties leaving residential pockets in the surrounds.

SP34 represents an alternative, decentralised model which proposes to cluster development around five discrete village greens, each within walking distance of schools, shops and Special Use Locations connected by POS linkages and road networks deliberately designed to facilitate walking and cycling. Densities are proposed to decrease outwards from the village greens so as to better integrate with the low density of development in the surrounds.

SP34 shares many similarities to LSIP 265 but the dispersed 'village green' model of SP34 is likely to encourage greater levels of walking and cycling.

Local Development Plan

LDPs are:

...a mechanism used to coordinate and assist in achieving better built form outcomes by linking lot design to future development. It can facilitate the design and coordination of development upon small and highly constrained lots, and supplement development standards contained within local planning schemes and the Residential Design Codes (R-Codes).

SP34 proposes to use LDPs in the following circumstances:

- In accordance with the Regulations;
- Lots obtaining rear vehicular access via a laneway;
- Lots containing direct interface with POS;
- Lots fronting Roland Road;
- Lots with a BAL higher than 12.5;
- Rural Residential lots;
- Lots coded higher than R25 requiring modification to the R-Codes; and
- In other circumstances approved by the Shire.

These are considered appropriate circumstances in which to require LDPs.

To encourage a higher level of urban design, Council's decision regarding LSIP 265 foreshadowed the preparation of a separate Precinct Plan over the high school, primary school, retail and mixed use areas (refer to 'Development History').

Doubt has since been cast over the efficacy of Precinct Plans since that part of LPS4 giving Precinct Plan provisions equal weight to scheme provisions has been rendered obsolete by the Regulations.

Yet, the principle of giving detailed consideration to urban design in the proposed Neighbourhood Centre continues to have merit in creating a strong sense of place and community.

A number of options exist to pursue neighbourhood centre design under the Regulations / LPS4 e.g. Local Planning Policy, LDP etc. It would be premature to select any of these options as the preferred at this stage as they each have potential costs and benefits.

Instead, it is considered prudent for SP34 to be amended to require the preparation of a suitable plan under the Regulations to address detailed urban design of the proposed Neighbourhood Centre.

These plans are normally formulated through a public 'round-table' design forum where various design goals are agreed, reconciled with existing planning requirements and specific design criteria prepared relating to issues such as setbacks, building heights and densities, building materials and the arrangement open space and landscaping.

It is acknowledged that such a plan would be unlikely to have statutory effect to the extent of LPS4 provisions given the Regulations. However, it would likely provide the community an opportunity to have further input into design outcomes which are required to be given due regard in the assessment process.

Commercial Land use

Commercial Strategy

Concern has been raised about the potential undersupply of commercial land proposed in SP34. This concern primarily extends from the anticipated consequences of having a population distant from services and land uses to support daily living – referred to as a 'stranded' population in some submissions. For example, submission 397 states:

A socially & geographically stranded community is not a satisfactory outcome - for anyone.

The Applicants prepared a commercial strategy in support of their proposal which was advertised along with the other technical appendices. The main finding of the Applicant's commercial strategy is that the provision of commercial floorspace should be staged as follows (summary), proportionate to anticipated population growth.

Year	Development
2021	<ul style="list-style-type: none">• 100 sqm nla retail for day-to-day needs• Market stalls/pop up café• Two to four co-working desks with free Wi-Fi• Expressions of Interest for a destination retail operator
2027	<ul style="list-style-type: none">• 500 sqm. nla retail supermarket• Co-working space for ten local businesses• 50 sqm. nla café• Child care with capacity for approximately 50 children• Commence planning for 200 sqm nla tourism asset
2030-2035	<ul style="list-style-type: none">• Additional 500 sqm. nla of retail

	<ul style="list-style-type: none"> • Permanent child care for up to 75 children • Medical suites for up to four GPs / allied health professionals • Café/wine bar of approximately 50 sqm. nla
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The sequencing of development in the table above is based on the assumption of steady-state growth (approximately 94 dwellings per year) between 2021 and 2035. In reality, however, the growth rate is dependent on a number of variables e.g. credit availability, interest rates and so on. The commercial strategy prepared by the Applicant should therefore be used as a guide only. The sequencing of development and infrastructure is a broader issue and has been separately addressed in this report.

Excerpts from the Shire's planning framework relevant to the assessment of the Applicant's commercial strategy are provided in the table below:

Shire's Local Commercial Strategy	Assessment
<p>As indicated in the Background Report, the Hills Region is forecast to accommodate a population of 54,000 persons by 2037; which is approaching the population threshold that would support a greater array of non-food retailing.</p> <p>The continued development of the Mundaring Town Centre will reduce the need for residents to travel to centres further afield.</p>	<p>Population growth in the SP34 area would assist the continued development of the Mundaring Town Centre, increase the variety of uses offered, strengthen the activity centre hierarchy and lessen the need for residents to travel further afield.</p>
<p>Consider the potential for one neighbourhood centre in future planning for the North Parkerville and North Stoneville town sites.</p> <p>The location of a neighbourhood centre should be easily accessible to both sites and the surrounding catchment.</p>	<p>SP34 proposes a neighbourhood centre accessible to both townsites.</p>
<p>Advance the preparation of precinct plans described in the Local Planning Strategy for local centres and adjacent areas.</p>	<p>See above.</p>
<p>There is potential for the North Parkerville/Stoneville to accommodate a Small Neighbourhood Centre (up to 2,000m²)</p>	<p>SP34 proposes a Small Neighbourhood Centre of around 1,500sqm.</p> <p>It is not the intention of the Local Commercial Strategy to prescribe floor areas but operate as a guide.</p>
Local Planning Strategy	Assessment
<p>It is envisaged that low order medical facilities will be developed within</p>	<p>SP34 proposes medical suites for GPs and</p>

North Stoneville (“Stoneville Townsite Development”) to cater for the needs of the increased population in both the North Stoneville and North Parkerville developments.	allied health professionals.
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The Applicant’s strategy has been assessed and is consistent with the Shire’s Local Commercial Strategy and LPS with regards to its objectives for commercial land.

Employment Self-Sufficiency

One of the objectives of the Shire’s Local Commercial Strategy is to increase employment self-sufficiency. As explained by the LPS:

...it is recommended that the LCS (1992 Local Commercial Strategy) be reviewed as a matter of priority. Among the matters to be considered in the review of the LCS are... the extent to which controls on the size of individual local centres are consistent with this Strategy’s objectives of reducing transport demand, increasing local employment self-sufficiency.

As well as the commercial uses mentioned in the ‘Commercial Strategy’ section of this report, employment would be expected to be generated from the following sources:

- Schools;
- WTP;
- Subdivision and building works;
- Property sales;
- Maintenance of public places; and
- Home based businesses.

To encourage greater self-sufficiency, officers also believe there may be merit in allowing certain LDP’s to exempt Home Occupation applications from planning approval. This would need to be subject to further discussions, having regard to the characteristics and locational attributes of the different LDP areas.

SP34 is therefore generally consistent with the Shire’s LPS and its objective to increase employment self-sufficiency opportunities both within the SP34 area and the wider Mundaring district.

Mundaring Activity Centre Plan

Various submissions raised concern about the state of parking in the Mundaring Town Centre and cited population growth in the North Stoneville Townsite as potentially worsening this condition. Submissions also raised concern that the variety of businesses in the town centre will need to expand and diversify as the population grows.

The Masterplan which preceded preparation of the Mundaring Activity Centre Plan recognised population and associated traffic growth within the Mundaring town centre as a result of both local and district growth.

The Masterplan:

recognises the need for a more detailed (traffic) assessment, collectively referred to as a Connectivity and Traffic Plan.

The Mundaring Activity Centre Plan itself:

...includes Infrastructure Principles pertaining to laneways, Nichol Street and Great Eastern Highway, as well as detailed development requirements relating to access and parking.

Simply, demand for additional parking spaces within the Mundaring town centre likely to result from a growing population has been anticipated and planned for.

Catering to future demand for additional retail and commercial floorspace within the town centre is one of the main reasons the Mundaring Activity Centre Plan was prepared and numerous strategies/recommendations have been developed in response. Copies of the Mundaring Activity Centre Plan are available online and at the Shire's libraries: [Link](#)

Bushfire Management Plan

The importance of bushfire risk and safety in the Shire cannot be overstated – a matter recognised by the Shire's LPS:

Bushfire hazard is one of the most critical planning considerations for the Shire of Mundaring, given that so many residents of the Shire live in close proximity to native bushland.

...

It is also significant that the bushfire hazard to residents of the Shire is anticipated to increase over time due to the impacts of climate change, such as hotter, drier (in terms of rainfall and humidity) and more extreme weather, and earlier and longer fire seasons.

Importantly, the LPS also states:

The Shire must find an appropriate balance between vegetation protection for environmental or aesthetic reasons and safety of human life and property, but in so doing, bushfire safety objectives must be paramount. Therefore, the underlying principle behind the Shire's approach to bushfire hazard is as follows:

The Shire of Mundaring values, and places strong emphasis on, the protection of vegetation for environmental and aesthetic reasons, but where there is a conflict between vegetation protection and bushfire safety, Council will make decisions having regard to bushfire safety objectives.

Within this context and existing development rights, the LNA within the subject properties was categorised by the LPS as "Limited Protection/Already Committed by Zoning" and "proposed open space within the Parkerville and Stoneville Townsite Development".

The issue of LNA categories and protection is addressed in more detail separately in this report. However, it is important to recognise the strategic position of Council relative to bushfire risk management and LNA protection for the purposes of considering the Bushfire Management Plan prepared in support of SP34.

State Planning Policy 3.7: Planning in Bushfire Prone Areas states that:

Any strategic planning proposal...is to be accompanied by the following information prepared in accordance with the Guidelines:

the results of a BHL (Bushfire Hazard Level) assessment determining the applicable hazard level(s) across the subject land, in accordance with the methodology set out in the Guidelines. BHL assessments should be prepared by an accredited Bushfire Planning Practitioner.

the identification of any bushfire hazard issues arising from the relevant assessment; and

clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent planning stages.

The Bushfire Management Plan forming part of SP34 has been prepared in accordance with these criteria by Strategen Environmental (reviewed by a Level 3 FPA accredited assessor).

State Planning Policy 3.7 further states that structure plans must also contain:

clear demonstration that compliance with the bushfire protection criteria in the Guidelines (for Planning in Bushfire Prone Areas) can be achieved in subsequent planning stages.

The Bushfire Management Plan was referred to DFES which advised that:

...further refinement of the design is necessary to increase hazard separation and provide perimeter access to separate bushfire prone areas from developed areas, and to provide fire service access for bushfire suppression operations and fire prevention work.

The refinements recommended/comments made by DFES and the Shire's corresponding assessment is provided in the table below:

DFES comment	Shire response
<p>A2.1 - not demonstrated:</p> <p>The BMP section 2.2 pg. 7 proposes APZ standards which are inconsistent with A2.1 of the Guidelines through the proposed retention of additional vegetation within the APZ.</p> <p>Only APZ's that comply with the 'Standards for Asset Protection Zones' of the Guidelines (see</p>	<p>A principle embedded in the draft Bushfire Management Plan is to seek to allow some mature tree canopy retention in an 'outer zone' and strictly manage ground fuel loads within an Asset Protection Zone.</p> <p>This is supported and aligns with the intent of the Guidelines for Planning in Bushfire Prone Areas but also delivers an appropriate local response to subdivision</p>

<p>Schedule 1) should be relied upon for hazard separation in planning and building approvals, unless a full performance proposal is provided and consequently supported by DFES.</p> <p>In addition, within this section the BMP proposes using AS3959 Clause 2.2.3.2 (d) to exclude strips of vegetation less than 20m in width. Please note that this exclusion only applies to vegetation at least 20m from the site.</p>	<p>in the Hills. DFES concerns are noted but the Shire, in undertaking its own investigations into tree canopy cover, are of the view that requirements in the Guidelines to clear 85% of the canopy within the APZ is excessive and can inadvertently increase the risk of ember attack to dwellings. The Shire agrees with the intent of the Bushfire Management Plan and is of the view that this level of detail can be more effectively addressed at subsequent planning stages.</p> <p>The Shire accepts DFES's comment that a performance proposal at a subsequent stage may be required.</p> <p>AS3959 standards can be used to inform structure planning. It is acknowledged AS3959 primarily relates to a specific development at subsequent stages. A reasonable attempt must be made to anticipate the application of AS3959 at this stage. Hence the commentary within the BMP is therefore appropriate.</p>
<p>A3.2 Public Road - not demonstrated:</p> <p>The Transect Design Guide appended to the North Stoneville Structure Plan has not considered the impact of its proposed street design specifications on access for emergency services and the evacuation of residents. DFES is concerned that the BMP section 4.2 pg.14 states that <i>"the internal vehicle access network will comply with the guidelines"</i>. However, this statement is inconsistent with the Transect Design Guide as the specifications provided for 'Access Streets' and "Safe Active Streets' in this document are less than the minimum provisions for trafficable surfaces and inner curve radii in Table 6 of the Guidelines.</p>	<p>The transect designs seek to reduce speeds (30km/hr) and improve day-to-day safety for pedestrians and cyclists. The approach also results in less cut and fill and enables more opportunities for tree retention on verges.</p> <p>Access for emergency services is important and can be accommodated given the proposed flush / semi mountable kerbing proposed. DFES access requirements should be acknowledged within the transect design and BMP and addressed at subsequent planning stages.</p>
<p>A3.7 - provision of FSAR's for improved access:</p> <p>DFES is concerned by the significant areas of extreme bushfire hazard level vegetation retained within the proposed rural residential zoned land along the southern boundary of the site. The provision of additional fire service</p>	<p>The Shire agrees that a Fire Service Access Route is appropriate along the southern boundary of the subject property. While some of the vegetation along the southern boundary is identified for Protection as Local Natural Area, firebreaks are already in place and widening these to create a Fire Service</p>

<p>access route's (FSAR's) would provide the necessary access for bushfire suppression operations and fire mitigation activities in these areas. In response, DFES recommend:</p> <ol style="list-style-type: none"> 1. The provision of a continuous FSAR across the rear of the APZ's for the group of steep lots immediately north of Clutterbuck Creek and east of the central drainage line POS, to enable fire services to access the shared internal extreme bushfire hazard level northern boundary. 2. A FSAR along this southern boundary which connects Roland Road to Brindle Road and continues to the eastern extent of Sundowner Grove before connecting with Stoneville Road. 3. A FSAR to be provided along the northern boundary of the last lot that backs onto Roland Road adjacent to the Conservation Area. This will provide vehicle access for fire management and hazard separation between the retained forest vegetation and the rural residential use. 4. A FSAR to connect the internal road network with Cameron Road, providing access and hazard separation between the proposed rural residential and the western boundary of the north eastern area of POS. <p>A FSAR connecting the internal road network with Timbertop Way, along the northern boundary of the proposed rural residential south of the north eastern area of POS.</p>	<p>Access Route will pose negligible impact. The Shire would expect the alignment of any Fire Service Access Route be sympathetic to identified significant environmental feature (black cockatoo habitat / creek line).</p> <p>The suggestion in (1) for an installation of a Fire Service Access Route through the middle of Rural Residential lots (i.e. along the rear of the Asset Protection Zone) is impractical and would create ongoing tenure issues/risks as well as complications regarding gates. Alternatively, coordinated Asset Protection Zones and internal alternative firebreaks would be more appropriate with the consideration of a Fire Service Access Route along the eastern boundary of the creekline but outside the designated area for rehabilitation of the riparian zone.</p> <p>The Shire agrees with (2) that SP34 should be modified to ensure a Fire Service Access Route along the southern boundary of the subject property which connects the proposed and existing roads.</p> <p>The Shire agrees with (3 & 4), that a Fire Service Access Routes should:</p> <ul style="list-style-type: none"> • be provided along the northern boundary of the last lot that backs onto Roland Road adjacent to the Conservation Area; and • connect the internal road network with Cameron Road and Timbertop Way <p>Fire Service Access Routes should also be integrated into the management plan for the POS / conservation reserves.</p> <p>In relation to tenure, the Shire's position is that the proposed Fire Service Access Routes should not be easements or Right of Ways as espoused by the Guidelines, but Public Purpose Reserves for the purpose of Shire management, emergency service personal access, and</p>
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	<p>non-vehicular public access at all times.</p> <p>This classification enables the Shire the ability to effectively restrict public (vehicular) access, and minimise wear and tear and dust nuisance by restricting daily traffic, but still enables these links to be available for pedestrian and cycle access.</p>
<p>Resolve legacy vehicular access:</p> <p>The structure plan provides an opportune mechanism to resolve legacy and potential vehicular access design issues. DFES recommends a redesign of vehicular access for the southern boundary rural residential lots to avoid the proposed cul-de-sac and improve vehicular access throughout the locality. This should be achieved through the provision of a public through road from the proposed perimeter road within the southern section of the structure plan aligned with the perimeter of the Clutterbuck Creek POS to connect with Sundowner Grove.</p>	<p>DFES comments are noted and new road access points have been incorporated. In relation to Sundowner Grove, it is a cul-de-sac which is undesirable.</p> <p>However it is 470 metres long (less than 600) which is technically compliant with the Guidelines for Planning in Bushfire Prone Areas. Further, completion of a subdivision (WAPC Ref: 151221) approved to the south east would connect Peartree Lane to Protea Court and resolve the current dead-end legacy issue.</p> <p>That said, it is advantageous to improve north-south links the locality and it is noted that the Masterplan illustrates access to the rural residential lots via a cul-de-sac, which should be avoided where possible.</p> <p>DFES suggest the cul-de-sacs link via a public road. However this could significantly affect the riparian zone of Clutterbuck Creek. It is recommended that gated Emergency Access Way be required instead to link the proposed cul-de-sac with Peartree Lane cul-de-sac as opposed to a formal public road connection.</p>
<p>Other minor refinements requested include:</p> <ol style="list-style-type: none"> 1. Matching the photographic evidence with the photo points in Figure 3 of the Bushfire Management Plan; 2. Inclusion of additional photo evidence; <p>Modifications to the Bushfire Hazard Level resulting from the changes in "1" and "2";</p>	<p>Agreed.</p>

Contrary to some of DFES conclusions, the Shire believes that with the modifications proposed, SP34 would satisfactorily address and markedly improve emergency access arrangements in the locality.

The following table contains an assessment of SP34 against the provisions of the Guidelines for Planning in Bushfire Prone Areas for matters not otherwise addressed by DFES' submission:

Acceptable Solutions	Assessment
A1.1 – the proposal is located in an area that is or will, on completion, be subject to either a moderate or low bushfire Hazard level, or BAL-29 or below.	<p>The existing Bushfire Hazard Level is a mixture of Moderate and Extreme.</p> <p>Post-development, the levels for developable land are intended to be a mixture of Moderate and Low which would result from vegetation modification consistent with LNA categorisation.</p> <p>Contrary to the proposed Bushfire Management Plan's comments on page 14, section 4.2(1), second dot point, the Shire does not support the creation of Asset Protection Zones around Building Envelopes as this would result in significant environmental impact.</p>
A2.1 – habitable buildings are surrounded by an Asset Protection Zone.	<p>n/a – only relevant to subdivision stage.</p> <p>As stated in the Bushfire Management Plan:</p> <p><i>The required APZs are to be identified at future planning stages based on future subdivision/development design and following a BAL contour assessment.</i></p>
A3.1 – two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions.	<p>The subject properties are connected to:</p> <ul style="list-style-type: none"> • Roland Road; • Stoneville Road; • Brindle Road; and • Hawkestone (Cameron) Road <p>The Bushfire Management Plan states:</p> <p><i>In the event that future development is staged, the developer will ensure that each stage is provided with access/egress routes to two different destinations.</i></p>

	Therefore, the subject properties and each stage of subdivision would connect to the existing road network and/or be provided with appropriate vehicle access at subdivision stage, which is subject to separate assessment.
A3.2 – A public road is to meet the requirements in Table 6, Column 1	As stated in the Bushfire Management Plan: <i>All public roads will be constructed to relevant technical requirements</i> This would be confirmed at subdivision stage.
A3.3 – A cul-de-sac / dead end road should be avoided in bushfire prone areas. Where no alternative exists, the following requirements are to be achieved: <ul style="list-style-type: none"> • Table 6, Column 2; • Maximum length of 200 metres (can be increased to 600 metres); • Turn-around area has a diameter of 17.5 metres. 	All cul-de-sacs less than 200 metres and will include a minimum 17.5m turning diameter, constructed in accordance with the Guidelines for Planning in Bushfire Prone Areas. Construction of Cameron Road is addressed separately in this report.
A3.4 – battleaxe access legs should be avoided in bushfire prone areas.	The Bushfire Management Plan states: <i>No battle-axe lots are currently proposed as part of this development.</i> Should SP34 be approved and battleaxe lots proposed at subdivision stage, they will be assessed in accordance with the Guidelines for Planning in Bushfire Prone Areas.
A3.5 – private driveways.	n/a – only relevant to subdivision and development stages. The Bushfire Management Plan states: <i>Any private driveways longer than 50 m proposed as part of future planning and development proposals are likely to be limited to ‘Natural Living’ lots. Where proposed, these will be constructed to relevant technical requirements</i>
A3.6 – emergency access ways. An access way that does not provide through access to a public road is to be avoided in bushfire prone areas.	As stated in the Bushfire Management Plan: <i>No permanent emergency access ways (EAW) are proposed, however if a permanent EAW is required, or if</i>

	<i>development and vehicular access construction is to be staged, any proposed EAW, temporary or permanent, is to be constructed to relevant technical requirements</i>
A3.7 - Fire service access routes are to be established to provide access within and around the edge of the subdivision and related development to provide direct access to bushfire prone areas for fire fighters and link between public road networks for firefighting purposes.	<p>A fire service access route is proposed between the two plots of conservation forest vegetation, to link Cameron Road to the development thus providing access and a fire fighting interface.</p> <p>The balance of the structure plan is designed with public roads around the edge of the subdivision area.</p>
A3.8 - Lots greater than 0.5 hectares must have an internal perimeter firebreak of a minimum width of three metres or to the level as prescribed in the local firebreak notice issued by the local government.	<p>As stated in the Bushfire Management Plan:</p> <p><i>Land owners/managers are required to install and maintain firebreaks in accordance with the Shire's annual Firebreak Fuel Load Notice...</i></p> <p><i>Future lots created as part of the subdivision process which will have a lot size greater than 0.5 ha will be required to have a minimum 3m firebreak installed and maintained in accordance with the requirements of the Guidelines.</i></p> <p>It is recommended this section of the report be modified to indicate that the installation of alternative firebreaks will be preferred in certain circumstances to retain significant vegetation.</p>
A4.1 - The subdivision, development or land use is provided with a reticulated water supply in accordance with the specifications of the relevant water supply authority and DFES	The SP34 area is intended to be connected to the reticulated water supply.
A4.2 – Non-reticulated areas.	n/a - SP34 area is intended to be connected to the reticulated water supply. Notwithstanding this, the Shire has requested T2 (Rural Residential lots) be provided with 10,000ltr water tanks.
A4.3 – Individual lots within non-reticulated areas.	n/a

Based on an assessment of the Bushfire Management Plan against the provisions of the Guidelines for Planning in Bushfire Prone Areas and LNA classifications, SP34 is found to be compliant.

Other management strategies are proposed within the Bushfire Management Plan. These have been identified and assessed in the table below:

Page	Management Strategy / Statement	Assessment
5	It is anticipated that any impacts to ecological values will be determined and quantified at future planning stages where detailed development design is known.	Ecological impacts have also been addressed separately in this report.
5	There are no mapped watercourses within the site.	The Bushfire Management Plan should be amended to align with the DWER hydrography layer and the LWMS.
6	The areas within the site proposed for future urban development will be predominantly cleared with the exception of trees and vegetation retained in POS and road verges (retained in a low-threat state in accordance with Clause 2.2.3.2 (f) of AS3959, or configured in a way that another vegetation exclusion applies)	Noted. Ecological impacts have also been addressed separately in this report.
6	<p>Vegetation within lots proposed for Natural Living will be retained except where clearing is necessary to facilitate driveways, fence-lines, building envelopes and Asset Protection Zones (APZs).</p> <p>In order to mitigate the bushfire hazard posed to urban lots adjacent to the Natural Living areas, whilst retaining vegetation and 'rural' character, a strip of native vegetation no greater than 20 m wide at the Urban/Natural Living interfaces may be retained in a manner consistent with exclusion Clause 2.2.3.2 (d) of AS3959. Use of the Clause 2.2.3.2 (d) exclusion will require the alignment of building envelopes between lots, to ensure the APZs and the strips of retained vegetation are also able to be aligned. Where this is approach not achievable, APZs will be created around standalone building envelopes located within suitably sized lots.</p> <p>The default specification for APZs is defined as Schedule 1 within the Guidelines...with the intent that this APZ specification is implemented throughout most APZs, with the exception of APZs containing significant environmental values such as potential black cockatoo</p>	<p>Any proposed vegetation removal in the Natural Living area would be subject to Shire consideration. The installation of driveways or fences are unlikely to be satisfactory reasons for clearing, but will need to be considered on a site by site basis.</p> <p>Building envelopes would be nominated by the subdivider/landowner but subject to review by Shire environmental staff.</p>

	breeding trees.	
7	<p>...the site contains habitat for Threatened species protected under the EPBC Act. The environmental impacts resulting from implementation of the proposal will be addressed in accordance with standard State and Commonwealth legislative requirements through the State planning and development processes, as well as the Commonwealth EPBC Act.</p>	Regardless of planning decisions on SP34 by the WAPC, the proponent would still be required to satisfy the requirements of the EPBC Act.
8	<p>The development proposes the retention of vegetation and/or trees in POS consistent with a low threat vegetation exclusion...</p> <p>The proponent is currently considering selective planting and/or revegetation within POS areas and the conservation area, with planting in the conservation area to be determined in consultation with...the Shire.</p> <p>Careful consideration will be given to any revegetation and landscaping to ensure that these works do not result in an unacceptable risk to future habitable buildings.</p> <p>Revegetation and landscaping plans will be prepared in consultation with a certified bushfire practitioner and will be provided as part of the subdivision process.</p>	The retention of vegetation in POS and appropriate revegetation is supported and would normally be addressed at subdivision stage.
13	<p>Bushfire history within, and near, the project area is infrequent, however, recent bushfires in the Perth Hills in 2011 and Stoneville/Parkerville in 2013 and Sawyers Valley in 2018 to the east, highlight the need for serious consideration of bushfire planning in future developments in the shire.</p>	This report recommends that the bushfire history section of the Bushfire Management Plan be updated to reflect recent bushfire history.
13	<p>Strategen considers a bushfire approaching the site from the west, to be the worst-case bushfire scenario.</p> <p>This is due to the potential for landscape bushfire behaviour that could develop in the long fire runs through forest vegetation within John Forrest National Park, and the ability for bushfire to spread from the national park to the site, through relatively continuous forest vegetation within adjacent rural residential development, in particular to the north-west of the project area.</p>	<p>Vegetation modification would occur should SP34 be approved and subdivision proceed.</p> <p>The removal of vegetation would decrease the threat of a bushfire spreading through continuous forest vegetation.</p> <p>The principle of vegetation removal for bushfire risk mitigation is one which has been considered separately in this report.</p>

14	Ensuring any POS or drainage areas within the urban core, especially those with direct interfaces with habitable development, are created and maintained in a low threat state, or otherwise excludable	Detailed design for drainage and POS are addressed at the subdivision stage and would be informed by the requirements of the Bushfire Management Plan.
15	<p>A section on bushfire is to be included in the resident information package issued to all landowners upon purchase of their lot.</p> <p>This will include information on bushfire behaviour, building construction and APZ specifications, vehicular access, firebreak requirements and ongoing maintenance and housekeeping requirements for buildings and APZs.</p> <p>Additionally, information will also be provided on developing a bushfire survival plan for the residence including evacuation planning, and where to access information on bushfire status.</p>	Noted.
15	Strategen considers the bushfire hazards within and adjacent to project area and the associated bushfire risks are manageable through standard management responses outlined in the Guidelines and AS 3959.	Noted.
19	<p>if future development (and therefore clearing) is to occur on a staged basis, clearing in advance of adjacent areas may need to occur to ensure building construction is not inhibited by a temporary vegetation extent located within adjacent development stages yet to be cleared...</p> <p>Once the buffers are created, they will need to be maintained on a regular and ongoing basis at a fuel load less than 2 t/ha to achieve a low threat minimal fuel condition all year round until such time that the buffer area is developed as part of the next development stage. This will assist in managing the current on-site temporary vegetation hazards.</p>	Noted.
19	if development (and therefore construction of vehicle access) is to occur on a staged basis, vehicle access arrangements will need to ensure that all occupiers and visitors are provided with at least two vehicular access routes at all stages.	Noted.
19	cleared lots awaiting development may need to be managed on a regular and ongoing basis to	Noted

	ensure that no bushfire hazard is introduced to adjacent lots/ buildings.	
19	surrounding road verges that have been excluded as low-threat (Clause 2.2.3.2 (f) of AS3959) will need to continue to be managed to ensure the understorey and surface fuels remain in a low threat, minimal fuel condition in accordance with Clause 2.2.3.2 (f) of AS 3959. Ongoing road verge management is the responsibility of the Shire.	Noted
19	All Class 1, 2, 3 and associated Class 10a buildings within the proposed development are required to comply with AS 3959 to the BAL assessed at the time of building license application.	Noted.
19	where high-risk or vulnerable land-uses are proposed in future, planning and development applications will need to comply with Policy Measure 6.6 of SPP 3.7 which requires them to be accompanied by a Bushfire Risk Management Plan and Bushfire Emergency Evacuation Plan...	Noted.
19	notification is to be placed on the Title of proposed lots subject to BAL-12.5 or higher (either through condition of subdivision or other head of power) to ensure landowners/proponents and prospective purchasers are aware that their lot is subject to an approved BMP and BAL assessment	Notifications being placed on the certificate of title are supported.
19	a BAL compliance report and/or individual lot BAL assessment may be prepared at the discretion of the Shire/WAPC following completion of subdivisional works and prior to lot title to validate and confirm the accuracy of BAL assessments depicted in the BMP or demonstrate any change in the assessed BAL or other management measures documented in this BMP, which may occur as a result of changes in building location, vegetation class or bushfire management approach.	Noted.

The Bushfire Management Plan, if implemented, would reduce the bushfire risk on the subject property and for the wider locality by limiting movement of bushfire through continuous vegetation.

Bushfire risk mitigation measures would also occur at subsequent stages of planning should SP34 be approved. These measures would include ongoing management and revegetation of the environment.

Modifications recommended to the BMP generally align with DFES requests and are provided in the recommendations of this report.

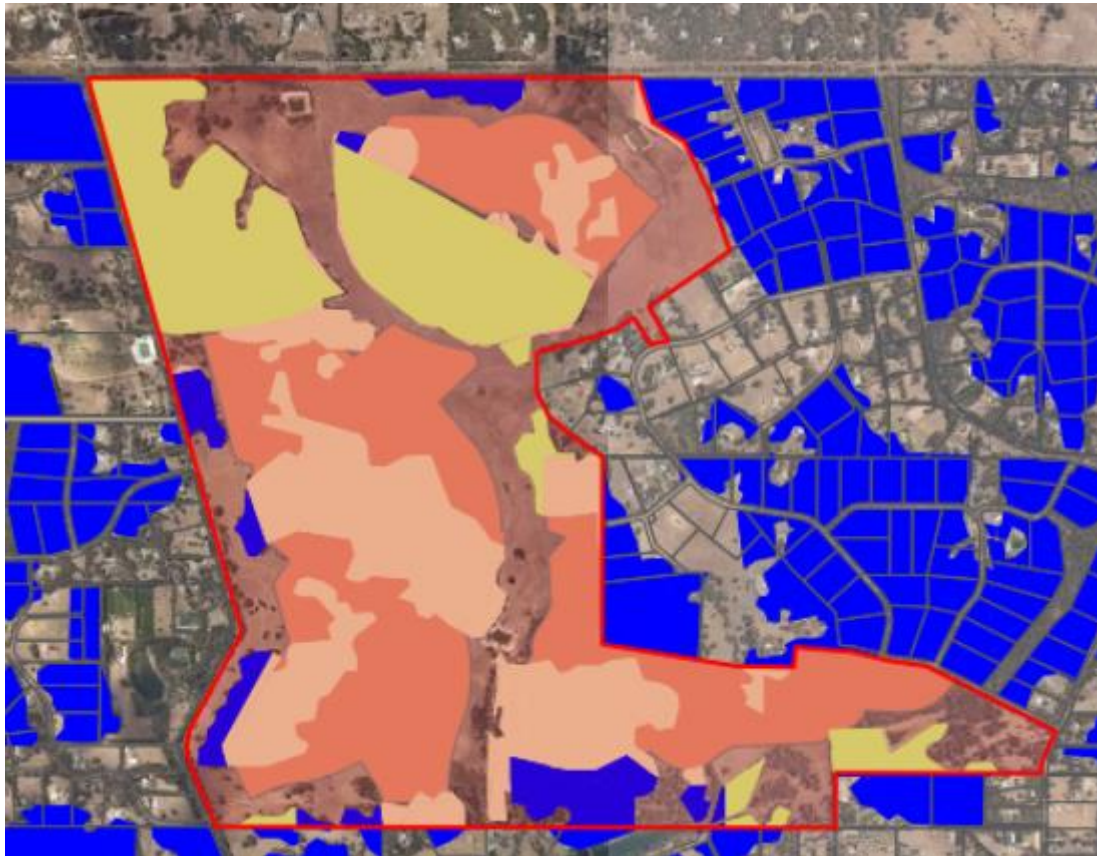
Environmental Preservation

Vegetation

The figure below shows the extent of the Urban zone in the MRS overlaid with the LNA categories of the Shire's Local Biodiversity Strategy/LPS:

Dark Blue	- Protection
Light Green	- Proposed open space within the Stoneville Townsite Development
Tan	- Limited Protection/Already Committed by Zoning

As shown, the LNA categories correspond with the underlying zones of the MRS.

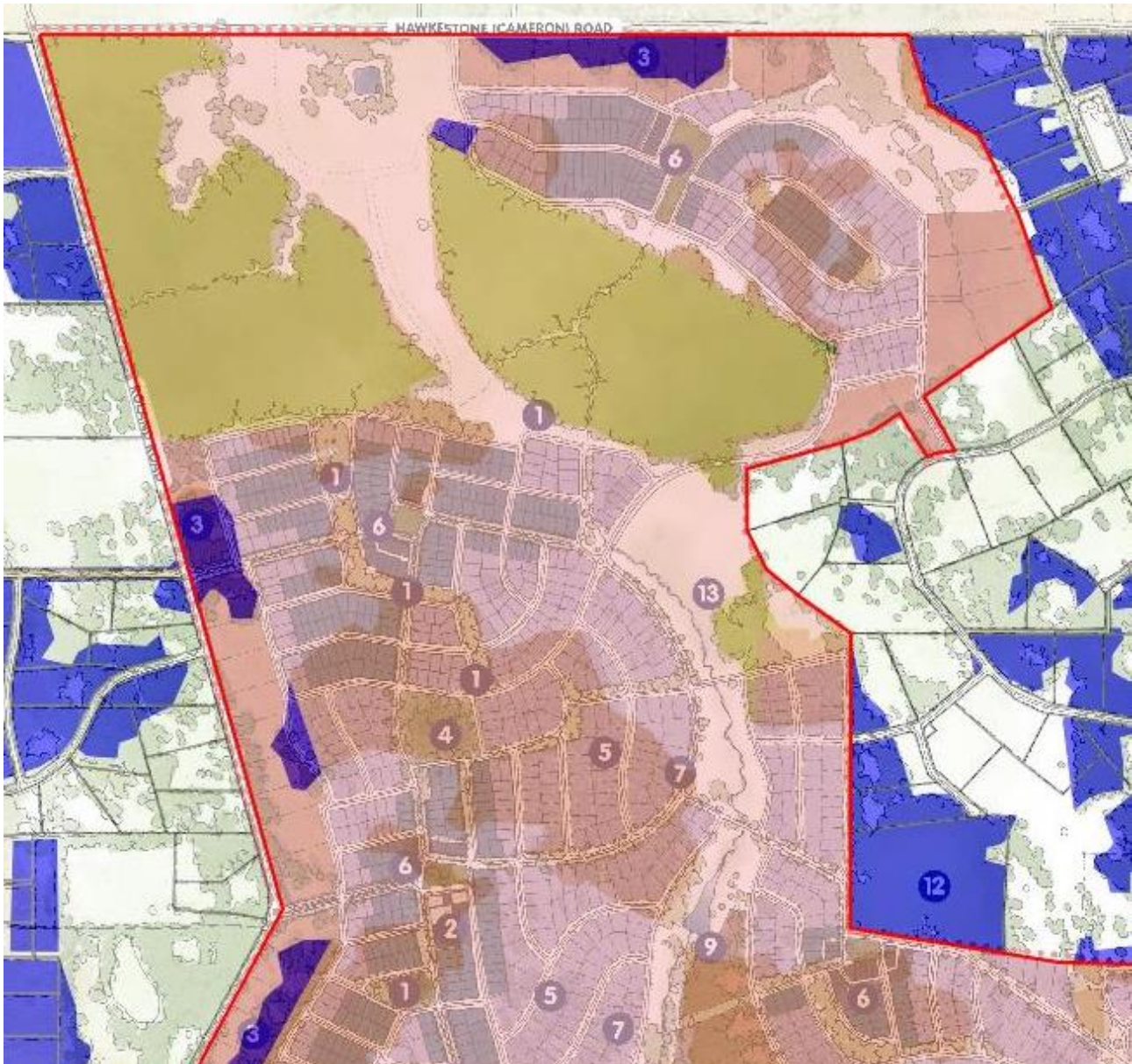


When the LNA mapping is overlaid on the SP34 Masterplan (see figure below), it is evident that the design of SP34 intends to align with Council's adopted LNA categories.

For example:

- larger residential lots and POS (on which there is an ability to preserve some vegetation) are shown over LNA with "Limited Protection/Already Committed by Zoning". It should be noted, however, that some vegetation modification would need to occur on these larger lots at subdivision stage to ensure that they comply with the necessary BAL;
- smaller residential lots, where there is less ability to retain vegetation, are shown in predominantly cleared areas;
- rural lots are aligned with "Protection" category LNA; and

- The “Proposed Open Space” category LNA is shown over the proposed Conservation/Recreation Reserve (wood lot), POS and school sites.



A number of subdivisional roads are shown over the subject property in the above Masterplan. While much of this vegetation would be removed for the constructed portion of the road and to comply with safety standards, trees are able to be protected within road reserves pursuant to the Shire’s Street Tree Policy – refer to following section. In many cases, the protection of trees within public road reserve is a preferable option than protection on private land where the risk of removal is greater. The wider road reserve widths proposed by the Transect Design Guide would greatly assist in this objective. It is important to note that the Masterplan which forms part of the SP34 report and shows detailed road alignments is not the plan which would be approved if the WAPC decided to approve SP34. SP34 is contained in **Attachment 1** and, in accordance with the WAPC’s Structure Plan Guidelines, does not show detailed road alignments as these are to be confirmed by later planning stages (subdivision).

Vegetation Removal

Following an officer enquiry, the Applicant undertook a comparative analysis of the amount of existing vegetation required to be removed by LSIP 265 and SP34 if they were both implemented under the current planning framework.

A conservative (i.e. overestimated) approach to the analysis was taken since the exact details of some vegetation retention/removal/replanting only become known at subdivision stage. For example, the retention of vegetation in POS has not been calculated as this ultimately depends on the final management regime which needs to be reconciled with bushfire risk management and revegetation works. In most instances, pocket parks have been designated specifically to retain stands of existing trees. Therefore, the figures provided in the table below are considered to be sufficiently accurate for the purposes of structure planning.

	LSIP 265	SP34
Clearing required for development areas and building envelopes only (excluding Asset Protection Zones)	158.4900 hectares	158.5429 hectares
Clearing required for Asset Protection Zones only Note: Asset Protection Zones do not require total clearing. Therefore, figure is conservative (i.e. overestimates the amount of clearing required).	29.9145 hectares	27.8218 hectares
Total clearing footprint – all vegetation mapped within development areas, building envelopes and Asset Protection Zones.	188.4000 hectares	186.3600 hectares

The conclusion of this analysis is that it is likely that SP34 would likely require marginally less vegetation removal than the existing LSIP 265 and that approximately 186 hectares of vegetation would be cleared of vegetation.

Based on an assessment of the planning framework and a comparison of SP34 and LSIP 265, it can be concluded that:

- some vegetation was committed to removal when the Urban zone of the MRS and LSIP 265 were approved, a commitment reflected in subsequent categorisation of LNAs;
- the extent of vegetation removal is required for proper bushfire risk mitigation both within the subject properties and wider locality; and

- SP34 proposed to retain marginally more vegetation than the current LSIP 265.

Therefore, in the context of current development potential under LSIP 265, LNA classification and bushfire risk management requirements, the extent of vegetation removal anticipated by SP34 is considered acceptable.

There is a very clear view in a number of submissions that no vegetation should be removed from the subject properties and that it should remain intact in perpetuity. Submission 450 states:

The eradication of the trees in this proposed development, when there is alternative areas within this land holding, is unacceptable.

The vegetation protection controls reflect the Shire's endorsed Local Biodiversity Strategy and align with existing development rights. On review, the design of SP34 – including minor variations to the MRS - represents a more environmentally sensitive outcome than LSIP 265. The Shire therefore has no grounds to refuse SP34 on the basis of the proposed clearing of vegetation.

In addition, there are existing development rights conferred by the zone of the property (under MRS & LPS4) and LSIP 265. Within this context – and appreciating the community's sensitivity towards the preservation of the natural environment – SP34 is found to comply with environmental obligations under both the LPS and LPS4.

Since the approval of LSIP 265, there have been advances in the Shire's planning framework to achieve higher levels of tree preservation and restoration – set out below.

Street Tree Policy

The table below contains an assessment of SP34 against the relevant provisions of the Shire's Street Tree Policy:

Policy Provision	Assessment
3.1 - a minimum road reservation of 16 metres is preferred but the Shire may require a wider reservation subject to the current and future role and function of the road and having regard to any infrastructure corridors, traffic safety and vegetation considerations.	All road typologies within the Transect Design Guide have a minimum width of 20 metres and "may be increased to retain vegetation."
Table 1 – Minimum street tree requirements	<p>The Shire's Street Tree Policy encourages retention of existing trees as a first principle of design.</p> <p>Therefore, it is recommended that the "Streets Transect Design Guide" be modified with the following requirements:</p> <p>On streets abutting land zoned:</p> <p>R12.5 or higher – one tree per 10m or one tree per lot (whichever is the greater) unless otherwise determined by the Shire.</p>

	<p>R10 or lower – one tree per 10m unless otherwise determined by the Shire.</p> <p>Rural Residential – one tree per 15m unless otherwise determined by the Shire.</p> <p>Local Centre – one tree per 10m or one tree per lot (whichever is the greater), unless otherwise determined by the Shire.</p> <p>Although these provisions exist in Shire Planning Policy, the WAPC is not bound by Shire Planning Policy when determining subdivision applications.</p> <p>To increase the likelihood of the WAPC applying the Shire's provisions for street trees as conditions of subdivision should it resolve to approve SP34, it is recommended that these provisions be directly incorporated into the Transect Design Guide of SP34.</p>
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Environmental Sustainability Policy is not a formal planning policy however it provides some broad parameters to review SP34. The table below is an assessment of SP34 against the relevant provisions of the Shire's:

Policy Provision	Assessment
1.1 – biodiversity and watercourse integrity should be maintained	<p>SP34 proposes large areas of relatively intact bushland in POS.</p> <p>SP34 also proposes the reservation of watercourses in POS which are required to be rehabilitated and maintained by the developer for two years.</p> <p>Some natural areas may be retained within the proposed larger lots.</p>
1.2 – lead by example in balancing bushfire risk management with maintaining biodiversity and conservation of natural landscapes.	SP34 has been assessed against LPS4 and the LPS which represents current best-practice in balancing bushfire risk management and biodiversity protection.
4.4 – Where the Shire has an opportunity to influence state government decisions on proposals that may have a significant environmental impact, the Shire will advocate for a precautionary approach to environmental risks and for decisions that can achieve a net environmental benefit.	<p>The decision on the location of a townsite in North Stoneville has been made by virtue of the MRS zones and the continuation of LSIP 265 as SP34 under LPS4.</p> <p>The environmental risks associated with SP34 are reflected in the LNA categorisation contained in the Local</p>

Section 4.9.8 of SP34 highlights the proponent's intention to seek independent sustainability accreditation. While this is not a statutory or policy requirement, the Shire supports the proponent's pursuit of accreditation and also encourages the use of the Shire's Environmental Sustainability Policy.

Fauna Management

Subdivision and development of the subject properties would require proper flora and fauna management.

The DBCA (submission 950) recommends that displaced fauna relocation (in particular, kangaroos) be managed by way of Wildlife Protection Management Plan and Kangaroo Management Plan as a requirement of subdivision. A number of other submissions also raise fauna management as a matter of concern e.g. for a mating pair of Wedgetail Eagles.

Fauna management plans are normally prepared to DBCA's standards and include:

- A fauna survey;
- Actions for relocation;
- Timing (e.g. ensuring that relocation does not interfere with breeding periods); and
- Requirements for minimising disturbance to fauna at development stages.

Since SP34 is a guide to subdivision and the final form and timing of subdivision is subject to separate approvals, it is considered prudent for fauna management requirements to be identified and applied at subdivision stage rather than as part of SP34.

This report therefore recommends that SP34 be modified to note the requirement for a Fauna Management Plan to be prepared should townsite development progress to subdivision stage.

Other Plans

Other plans normally required at subdivision stage include:

- Dieback Management Plan;
- Weed Management Plan;
- Erosion and Sediment Management Plan;
- Detailed flora, fauna & habitat surveys;
- POS Management Plan; and
- Revegetation/Landscaping/Tree Retention Plan aligned with the Fire Management Plan.

These (and others) would be applied as standard conditions should subdivision proceed.

Domestic Pets

Some submissions have recommended that restrictions be placed on future property owners preventing ownership of domestic pets due to the environmental risks they pose e.g. submission 753.

There are two local laws relevant to the keeping of cats and dogs: Dogs Local Law and Keeping of Cats. Both contain provisions for management of environmental impacts potentially caused by domestic pets.

It is therefore considered that sufficient regulation exists to permit the appropriate keeping of domestic pets. Further, SP34 is a guide to subdivision and cannot impose such restrictions.

Any other keeping of stock would be managed under the Shire's Guidelines for Keeping of Stock.

Black Cockatoos & Referral under EPBC Act

Separate to the WAPC determination of SP34, the applicant is also responsible for referral of actions (e.g. structure plans) to the federal Department of Environment and Energy. As stated by DBCA in their submission:

...there may be an impact to threatened species listed under the EPBC Act. Consideration should therefore be given to the obligations for assessment of the proposal in accordance with the Commonwealth EPBC Act. The proponent should be advised to contact the Commonwealth Department of Environment and Energy for further information on these responsibilities, prior to development.

Since EPBC Act referrals are a separate process to structure plan assessments, it is usual for them to run in parallel. Should the necessary approvals from the Department of Environment and Energy not be granted, development would not proceed. This is a risk acknowledged and borne by the applicant.

Salinity

Section 4.3.2 of the Environmental Assessment Report notes elevated levels of salinity which was also noted in Council's resolution on LSIP 265.

If SP34 is supported, more information on salinity (presence and mitigation) would be required at subdivision stage and is noted as a matter which was also raised during the determination of LSIP 265 – refer to 'Development History.'

This report therefore recommends that SP34 be modified to note the requirement for a Salinity Management Plan to be prepared should townsite development progress to subdivision stage.

Local Water Management Strategy

An LWMS is a document which:

...demonstrates how the proposed urban structure addresses water use and management to guide all stages of subdivision.

Under the WAPC's Better Urban Water Management framework, LWMSs are required to be incorporated into structure plans. Responsibility for determining LWMSs rests with DWER. As explained by DWER's Guidance Note 3:

In accordance with Better Urban Water Management the Department of Water (now DWER) is responsible for assessing and endorsing the required water management reports... It is important to note that the department does not undertake a comprehensive assessment of detailed engineering design. This is the responsibility of local government as the future asset owner and manager. The department only undertakes a "fatal flaw" assessment of design, unless the assessment of detailed design is critical to the proposed water management approach.

That is, DWER's responsibilities relative to LWMSs is to assess the LWMS for fatal flaws unless detailed design matters are considered critical.

DWER's original submission (submission 943) states that the LWMS forming part of SP34 has:

...not yet been comprehensively assessed. However, a preliminary review has identified that the document does not contain sufficient information on the proposed wastewater treatment plant and recycling system and its potential impacts on water resources and water quality.

*Consistent with the WAPC's (Better Urban Water Management) Policy the **DWER is unable to support the progression of this proposed Structure Plan as the potential water resource impacts from the development have not yet been comprehensively identified and sufficient management measures have not yet been proposed.** The DWER recommends that the LWMS is revised to include all relevant information on the wastewater treatment plant and recycling water quality matters... and resubmitted to the Shire of Mundaring and the DWER for assessment.*

In addition, a meeting should be held with the proponent, their consultants and Water West with the DWER, the Department of Health and the Shire of Mundaring in order for the proposal to be presented in detail and discussed.

The original LWMS modelling showed that, in wetter months, there would be an excess of treated wastewater which would need to be discharged into the environment (watercourses/constructed wetlands).

A number of submissions also raised concerns about the potential eutrophication of watercourses resulting from the operation of the proposed WTP.

Subsequent to these submissions, the Applicant undertook a review of their LWMS.

The applicant's LWMS is formulated around the concept of using treated wastewater for the irrigation of POS so that POS maintenance and effluent disposal would operate within a closed system and not draw on the potable water supply.

As discussions with DWER/DBCA progressed, the amount of POS able to be used for irrigation was recalculated and it was found that more POS would require irrigation than originally anticipated. As a result, the need to discharge excess treated wastewater into the environment was removed.

It was found that if, in wetter months, there was an excess of treated wastewater, this could be stored and retreated without the need to discharge into watercourses.

This modification resolves DWER/DBCA's principal concern. Further, DWER/DBCA's have recently advised the Shire that based on the revised LWMS, the proposal can proceed to the next stage of the planning process.

The Shire assessment of the LWMS will be guided by the expertise within DWER/DBCA. At this point in time, the Shire supports the reuse of treated wastewater for POS irrigation, and the approach to managing stormwater.

As noted by DBCA: *'Once agricultural use has ceased and a living stream, tree pits, bioretention areas (BRAs), vegetated swales and constructed wetlands have been constructed, the water quality is expected to improve.'* This observation should also address various community concerns regarding water quality management.

Water Education

Should SP34 and subsequent subdivision be approved, it is the developer's intention to showcase the stormwater and waste management system as an example of sustainable development.

The service provider's (Water West) intent is to make certain infrastructure accessible to the public (schools for field trips etc.) Information signage may also be displayed near the parks where recycled water is intended for use. However, the specifics of such showcasing would be subject to further consideration at detailed design phase.

Celebrating sustainability; information, education, interpretation and art is increasingly a feature of development in sensitive environments and is supported. A recent example includes the development of Bellevue farm (Structure Plan 74) where watercourse and heritage information/interpretation is planned adjacent to the Helena River and historical homestead.

It is recommended that SP34, if approved, be amended to include provisions for the implementation of these elements at the relevant planning stages.

Light and noise pollution

Some submissions have raised concerns about light and noise impacts that SP34 may create - specifically, light and noise pollution:

- At construction and subdivision stages to manage construction impacts;
- Impacts on wildlife;
- Created by antisocial behaviour and domestic activity;
- Caused by the keeping of domestic pets;
- Disrupting amenity; and
- Caused by the operation of the proposed WTP.

As stated in Submission 177:

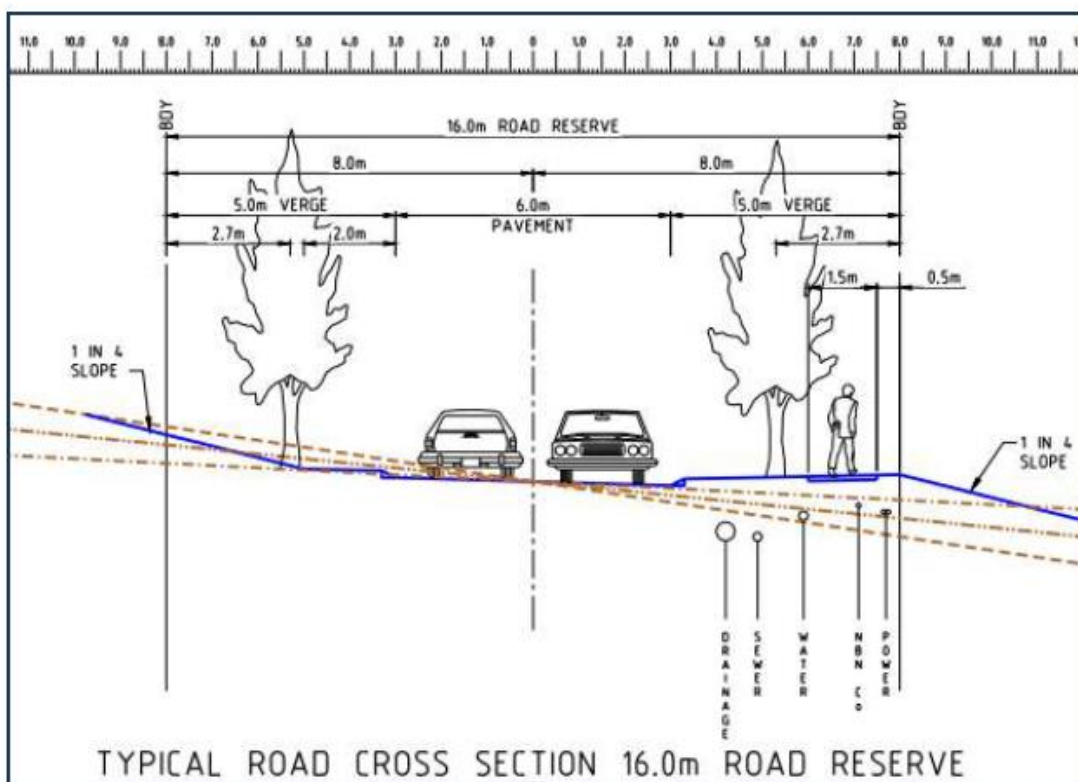
A rapid influx in population to our quiet and friendly neighbourhood means that there will be more noise pollution, light pollution and more traffic and an impact on my daily lifestyle of walking my dogs around a quiet and secluded neighbourhood.

Relative to the points above:

- As stated in the schedule of submissions, Construction Management Plans are routinely required at subdivision and development stages;
- The light and noise impacts of the WTP are addressed separately in this report;
- SP34 has been referred to environmental agencies which have recommended that a Fauna Management Plan be required at subdivision stage;
- Antisocial activity is managed by the police and domestic activities (including the keeping of pets) by the Shire's local laws; and
- A townsite would change current amenity. As explained earlier in this report, the WAPC has determined that a townsite in this locality would preserve 'hills lifestyle' and amenity expectations were established when LSIP 265 was approved and carried over into LPS4 as SP34.

Earthworks

Due to the presence of caprock (granite and laterite) and servicing requirements, the design has been configured to minimise excavation works and to retain the natural landform. A typical cut/fill plan for roads is provided in the image below.



(Source: Engineering Service Report)

A grid street network requiring minimal earthworks is proposed within the T4 and T5 transects where the terrain is around the 2%-6% grade (refer to Figures 1 and 2 of this report). Where the grades become steeper (>6%), lots are larger and streets are able to be aligned to topographical contours e.g. T3 transect. In certain locations, the Safe Active Streets model of roads allow for alternative design criteria which reduce the requirements for landform intervention.

The proposed WTP is intended to operate via independent domestic pumping stations and a pressure main network which would help retain natural topography and vegetation as compared to a conventional gravity sewer network.

It is anticipated that some building pads would be required within the T3 and T4 transects. However, each subdivision application is intended to be supported by a detailed slope analysis.

The design of Structure Plan 34 intends to minimise disturbance to the natural landform in response to the presence of cap rock, a desire to retain the natural landform and in response to engineering requirements for transport and utility infrastructure.

Environmental Policy Revision

Some submissions have called for a wholesale review of state and local environmental policies prior to the determination of SP34. This is not considered a reasonable position for the Shire to take as planning proposals are expected to be assessed under the framework in place at the time of application.

Aboriginal Heritage

A consultant was engaged by Satterley to investigate identified Aboriginal heritage sites on the subject property. As stated in the report:

The purpose of this investigation was to identify the location and extent of Registered Sites Site ID 15733 and Site ID 15734 and make recommendations regarding their management.

The recommendations of the report is that works may proceed subject to a number of conditions see **Attachment 6**.

A review of these conditions finds that the majority do not require modification to SP34. One which may be incorporated into Council's recommendation is the following:

consider incorporating heritage interpretation into the residential designs near the Public Open Space around Site ID 15734 to better inform local residents.

However, it is also apparent that some of the recommendations may need to be reconciled with bushfire protection and Shire maintenance requirements at a later stage. For example:

*...ensure that all landscaping work be kept to a minimum in accordance with the Section 18 Notice and use techniques such as spray mulch or the laying of turf and **surface reticulation pipes** to minimise impact to the site (emphasis added).*

Surface reticulation pipes can prevent the proper maintenance of POS for fuel load reduction and its intended use for active and passive recreation.

SP34 was also referred to SWALSC (submission 925). SWALSC advised that:

On the 17 November 1998, the Minister for Aboriginal Affairs the Hon Dr Kim Hames MLA, gave Ministerial Consent under section 18(3) of the Aboriginal Heritage Act 1972 (WA) to destroy or alter Aboriginal Registered Heritage Sites located within the Project Area. Consent was granted with conditions...The grant of the section 18 application by the Minister raises several issues that SWALSC, on behalf of its clients has concerns with. Those concerns relate to whether the conditions of grant have been met

...

In accordance with our client's rights and interests under the Native Title Act and Aboriginal Heritage Act 1972 (WA) we request feedback on compliance with the section 18 application Conditions of Consent and Native Title rights and interests.

Correspondence was subsequently sent by SWALSC to Satterley requesting a response to the matters raised in its submission.

In reply, Satterley advised that:

- A Heritage Management Plan is intended to be prepared following approval of the Section 16 permit application to monitor ground disturbance around the heritage sites;
- Follow-up consultation was undertaken with Traditional Owners or their direct descendants who had requested further information during the original 1996 consultation, as directed by the Minister;
- It will work with the Aboriginal Community to set aside land within the POS around Parkerville Complex 1 for use by the Aboriginal Community for ceremonial and other activities and dedicated to the relocation/burial of artefacts;
- Native title rights and interests pertaining to the North Stoneville Townsite landholdings are extinguished; and
- The Aboriginal heritage consultant has completed a project plan and submitted a Section 16 permit application. The application is still to be considered by the Department of Planning, Lands and Heritage and the Aboriginal Cultural Materials Committee.

Similar to referrals under the EPBC Act, referrals under the *Aboriginal Heritage Act 1972* may run in parallel to the Shire's assessment of SP34 under the Regulations.

Should the referral under the Aboriginal Heritage Act 1972 result in a requirement to modify SP34, these will be considered by the WAPC.

European heritage

There are no known European heritage listing or sites within the SP34 area.

Liveable Neighbourhoods

Draft Liveable Neighbourhoods (2015) is the WAPC's operational policy that guides structure planning and is aligned with the state's strategic planning direction. It adopts a performance-based approach to urban design. As stated in the document:

In cases where objectives, design principles and requirements may be difficult to achieve together, the WAPC will assess the merits of a proposal against the overall objectives and specific site circumstances.

As set out in the 'Design Philosophy' section of this report, SP34 provides a unique design response in the form of the Transect Design Guide. The following table assesses how the design of SP34 compares with the WAPC's metropolitan standard.

Requirements	Assessment
ELEMENT 1 – COMMUNITY DESIGN	
<p>1.2 - Identify and respond to significant environmental assets such as:</p> <ul style="list-style-type: none"> • Landform; • Geology; • Areas of landscape significance; • Environmental Protection Policy areas; • Bushland; • Wetlands; and • Foreshore reserves in the proposed urban structure. 	<p>Significant landform, geological conditions, bushland and wetland have been mapped and underpin the overall layout of SP34 (refer to Part Two, Sections 2.0 and 3.0 of SP34 report – in particular, Figure 17).</p> <p>The WAPC use a separate document, Visual Landscape Planning in Western Australia, to set out methodology with which to assess landscapes for their protection in regional strategies, region schemes, local planning strategies, local planning schemes and development assessment.</p> <p>This document was published in 2007 i.e. subsequent to the identification of the North Stoneville and North Parkerville townsites and is therefore of limited usefulness in the assessment of SP34.</p> <p>However, it should not be inferred that the distribution of the MRS zones or SP34 have failed to recognise landscapes as significant design element. As explained previously, the zones of the MRS are aligned to protect watercourses and the allocation of 'village greens' is the product of more detailed landscape analysis (refer to section 3.3 of SP34 report).</p>
<p>1.3 - Enhance local identity by recognising and incorporating:</p> <ul style="list-style-type: none"> • local character values; • landmarks; • heritage; 	<p>Natural assets, including bushland, watercourses and topography, are identified for protection in conservation areas and POS, together with Aboriginal heritage</p>

<ul style="list-style-type: none"> • views; and • any other significant natural and cultural assets. 	<p>features.</p>
<p>1.5 - Facilitate climate-responsive design where topography and other site conditions allow; and avoid the need for major earth works, which increase demand for basic raw materials and reduce loss of remnant vegetation.</p>	<p>The extent of the urban zoned land within the subject property dictates the extent of land identified for residential development in SP34.</p> <p>As shown in the Slope Analysis Map (section 2.1.2 of SP34), the urban zoned land covers land with slopes between 0%->10%.</p> <p>When the Slope Analysis Map is overlaid on SP34, it is evident that lower-density lots are designated over land with >10% slope and medium-density lots/commercial floorspace has been clustered to the land with 0%-4% slope.</p> <p>It is considered that reasonable effort has been made to contain more intensive land uses to flatter points in the landscape, thereby avoiding the need for excessive topographical alterations and earthworks.</p> <p>The road alignments attempt to follow the contours of land – particularly in areas where the slope is 8%->10% - recognising that some “cutting across” the landscape is needed to avoid overly long street blocks and facilitate the northern-oriented lots.</p> <p>This design response is intended to reduce the proliferation of retaining walls. However, it does not prevent future landowners from proposing retaining walls to increase the useable space on properties. Should the Shire receive an application for retaining walls, the following provision of LPS4 would apply:</p> <p style="padding-left: 40px;"><i>Any sand pad for a new dwelling or outbuilding shall not exceed 1.5 metres at its maximum depth and, where a sand pad exceeds 1 metre in vertical height, it shall be retained by material approved by the Shire.</i></p> <p>And</p> <p style="padding-left: 40px;"><i>The preservation of the amenity of the locality</i></p>

	<p>In addition, the Residential Design Codes site works design principles reinforce the minimisation of excavation/fill and retention of natural ground level.</p>
<p>2.2 - Connect new urban areas to existing, or proposed urban areas ensuring permeability and synergies of land uses.</p> <p>3.1 - The urban structure (is) comprised of a highly interconnected movement network with route choice for pedestrians, cyclists and vehicles, to and between key destinations such as neighbouring centres, community facilities, schools and public open space.</p>	<p>SP34 proposes to increase permeability in and out of the development area via:</p> <ul style="list-style-type: none"> • Hawkestone Road (x2 points); • Roland Road (x3 points); • Brindle Road (x2 points); • Woodlands Road (x4 points); and • La Grange Road <p>The interconnectedness of the townsite is discussed in greater detail below.</p>
<p>2.3 - At least 60 per cent of dwellings to be in a 400 metre walk from an activity centre or an existing or future public transit stop or station.</p> <p>3.5 - High-frequency public transport services located along integrator streets or neighbourhood connectors to provide highly accessible and direct routes.</p>	<p>Public transport provision is addressed as a separate topic in this report.</p>
<p>3.2 - The operation of all major intersections assessed at full traffic capacity to ensure suitability of control proposed.</p> <p>3.3 - Integrator arterials spaced between 1.6-2 kilometres apart, linked by neighbourhood connectors spaced between 800 metres–1 kilometre.</p> <p>3.4 - Integrator arterials located and designed to:</p> <ul style="list-style-type: none"> • maximise through traffic, rather than local traffic movement; • maintain efficiency levels during peak periods; • enable development to front the street; • consider the changing urban context (land uses, densities and development types) along their length, while maintaining appropriate safety standards and efficiency for all users; and 	<p>Refer to assessment of Element 2, below.</p>

<ul style="list-style-type: none"> ensure safe and efficient crossing points for pedestrians and cyclists. <p>3.6 - Ensure measures are in place to manage noise and visual impact for noise sensitive land uses abutting arterial streets, rail lines and major freight routes.</p>	
<p>3.7 - Provide a safe, convenient, permeable and legible pedestrian and bicycle network.</p>	<p>A network of “Safe Active Streets” (30km/h) is proposed around each village centre, connected to the wider network via “Neighbourhood Connector B” and “Access Street A” roads.</p> <p>The street typologies in SP34’s Transect Design Guide identify that the latter two street types would contain:</p> <p><i>a dual use path and on-street cycle lanes...separated cycle paths for key routes” with 2.4m shared path on one side & >1.5m path on one side for T4 (village urban) and T5 (village core) only.</i></p> <p>The “Safe Active Streets”, as well as having a reduced posted speed, would include shared space for cyclists on the pavement.</p> <p>Typical “Access Streets” would not have any provision for cyclists but would contain footpaths between 1.5 and 1.8 metres wide.</p> <p>Each of these design elements would contribute to an overall safe, convenient, permeable and legible pedestrian and bicycle network.</p>
<p>4.1 - Neighbourhoods serviced by a distribution of activity centres that support and enhance existing centres and linked by activity corridors and high-frequency public transport.</p>	<p>Refer to “Commercial Land Use” and “Public Transport” sections of this report.</p>
<p>4.3 - Neighbourhood and local activity centres located centrally within a 400 metre walkable catchment area, located on or at the intersection of local streets.</p>	<p>Complies.</p>
<p>4.5 - Locate lifestyle, retirement or other special-interest development close to activity centres and located and designed to form the core of the neighbourhood centre not provided in gated communities or campus-style layouts.</p>	<p>Three “special use” locations are proposed within SP34. According to the Commercial Strategy forming part of SP34, these “special use” locations would be suitable for a cidery/micro-brewery/cafe or similar.</p> <p>These uses are often compatible with</p>

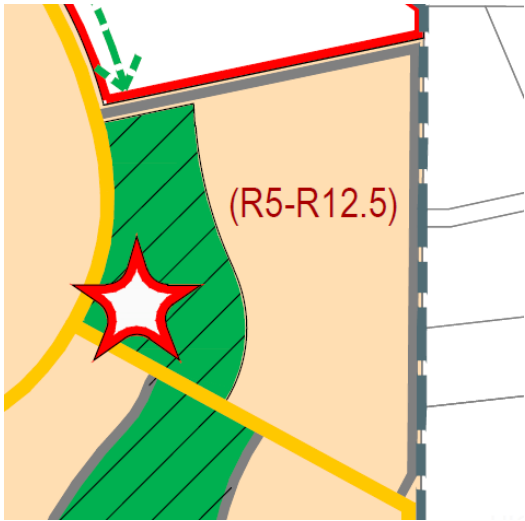

	<p>rural/nature settings, hence being identified in conservation and recreation reserves i.e. although not at the “core of the neighbourhood centre” are still considered to be appropriately located.</p> <p>The suitability or otherwise of these uses in the locations indicated would be the subject of a future planning application/s.</p>
5.1 - Public open space to be provided within 300 metres (of safe walking distance) to all residential lots.	Complies.
<p>5.2 - Design a site-responsive public open space network to enhance community wellbeing, facilitate a sense of place and one that encourages physical activity and community interaction by:</p> <ul style="list-style-type: none"> • providing all residents with access to opportunities for sport, nature and recreation; • connecting existing or proposed public open space to destinations such as schools, community facilities and activity centres by locating each within walking distance of each other; • connecting these sites with linear public open space and/or legible shaded walking routes and cycle networks; and • co-locating public open space with activity centres, schools and community facilities where possible. 	<p>The POS network would be readily accessible to residents (refer to 5.1 above).</p> <p>Section 4.5.1 of SP34 states that:</p> <p>“A 3.5 ha site is proposed to be co-located with a junior size oval on 1.5 ha of public open space, in accordance with accepted policy and practice of the Department of Education and Liveable Neighbourhoods.”</p> <p>This report recommends that, if SP34 is approved, that a senior-sized oval be considered for the locality in accordance with the recently adopted Recreation Facilities Informing Strategy which has been discussed in the “Ovals” section of this report.</p> <p>The POS network’s interconnectedness with the commercial centres is identified in Attachment 8.</p>
5.3 - Major linear, district or regional open spaces and regional or arterial drainage should be located to define the boundaries of neighbourhoods rather than dissect them.	Since the zones have already been established, it is not practical to comply with this provision.
6.1 - Water sensitive urban design to be incorporated into all new urban areas in accordance with the Better Urban Water Management (WAPC, 2008) framework.	Water sensitive urban design is normally incorporated into development at subdivision stage.
6.2 - Surface water and groundwater quality is to be maintained at pre-development levels (summer and winter concentration) and where possible, improve the quality of water leaving the urban area to maintain and restore ecological systems in the sub-catchment in which the land is located.	SP34 includes watercourse protection in POS and revegetation consistent with expectations for restoring ecological systems in the sub-catchment. As noted elsewhere in this report, the Local Water Management Strategy has been revised to address concerns raised by DWER.

<p>6.4 - Maintain pre-development flood heights, peak flow rates and runoff discharge volume, unless otherwise established in an approved water management strategy or plan that includes determination of ecological water requirements for sensitive receiving environments, risks to life and infrastructure, and asset manager/owner requirements.</p> <p>6.5 - All urban development is to be protected from flooding by being located above the one per cent annual exceedance probability. Where overland flow paths exist, the design of urban water management systems should take into consideration volume and speed of water during a flood event due to the potential risk to adjoining property and public safety.</p>	<p>The Better Urban Water Management framework provides for more detailed assessment and calculation of post development flows and water quality at subdivision stage.</p>
<p>6.3 - The design of the urban stormwater management system to provide for the removal of potential pollutants using a treatment train before it enters surface or ground water sources.</p>	<p>This matter is normally addressed at subdivision stage.</p>
<p>6.6 - Design the street network to assist in providing for effective stormwater management including the retention, detention, low velocity flows and treatment of stormwater through the use of landscaping, swales and/or gravel filters, vegetated filter strips, retention devices, permeable surfaces or other appropriate source controls.</p>	<p>Engineering standards for stormwater management are normally addressed at subdivision stage</p>
<p>6.7 - The distribution and design of the public open space network is to be integrated with urban water management systems in accordance with water sensitive urban design principles.</p>	<p>POS within the urban zone has been designed to include the rehabilitated watercourses and spaces for passive and active recreation.</p>
<p>7.1 - Provide higher-density housing in areas close to activity centres (neighbourhood and above), high-frequency public transport, and public open space through a mix of housing types and lot sizes to support self-contained activity centres and facilitate an increase in the use of public transport, walking and cycling.</p>	<p>The medium density housing in SP34 (T5 within the Transect Design Guide) is nucleated around the “village greens” and proposed Neighbourhood Centre (refer to “Commercial Land Use” section of this report).</p>
<p>8.1 - The number of educational facilities provided generally in accordance with Table 2:</p> <ul style="list-style-type: none"> • 1 x government primary school per 	<p>Complies – located in southern portion of</p>

<p>1,500 dwellings or portion thereof.</p> <ul style="list-style-type: none"> • 1 x non-government primary school for every three primary government school sites • 1 x government secondary school site per 6,500-7,000 dwellings or portion thereof • 1 x non-government secondary school for every two government secondary schools • 1 x government education support centre/special education facility per 3-5 high schools school facility co-located per 3-5 primary and high schools. • 1 x non-government education support centre/special education facility subject to non-government school provider requirements. 	<p>the site</p> <p>Complies – located in the eastern portion of the site</p> <p>Complies – located adjacent to subject property at Lot 13418 Kanangra Court but does not form part of SP34.</p> <p>Complies – located in the eastern portion of the site.</p> <p>Department of Education did not provide any recommendations regarding education support facilities.</p>
<p>8.3 - Secondary schools, senior colleges and non-government schools (K-12 years) are generally located:</p> <ul style="list-style-type: none"> • within its sub regional and/or district catchment; • on the edge of an 800 metres walkable catchment of an activity centres and/or high-frequency public transport service (or dedicated bus service during peak demand periods); • with other community facilities and/or public open space; and • serviced by integrator arterials, cycle and pedestrian networks. 	<p>Complies</p>
<p>8.4 - Primary schools are generally located:</p> <ul style="list-style-type: none"> • centrally within its catchment (comprising two to three neighbourhoods); • with other community facilities and/or public open space; and • serviced by a dedicated local bus service (during peak demand periods) and cycle, pedestrian and street networks. 	<p>The proposed primary school is located on the outer edge of the SP34 area but centrally within the wider catchment.</p> <p>Complies</p> <p>The topic of public transport provision is addressed separately in this report.</p>
<p>8.5 - Primary schools are generally located in accordance with Figure 8;</p> <p>a) at the edge or outside of the 400 metre</p>	<p>The proposed primary school is located on the corner of an Access Street A and Safe Active Street, approximately 500 metres south of the proposed Neighbourhood</p>

<p>walkable catchment, serving approximately three neighbourhoods;</p> <p>b) on the neighbourhood connector between two neighbourhoods; or</p> <p>c) near the centre of one neighbourhood.</p>	<p>Centre.</p> <p>This proposed location, being towards the south of the subject property, is situated so as to also serve the existing catchment in Parkerville's residential area.</p> <p>The DoE was involved in the TAG meetings and made the following comment regarding the location of the proposed primary school:</p> <p><i>careful design consideration is to be given to the movement network to facilitate a safe, legible and convenient access for the students from the residential area to the subject school site, particularly with crossing of roads where high volume of traffic is anticipated.</i></p>
<p>8.6 - Locating primary schools in activity centres (other than a local or neighbourhood centre) is not supported unless included in an approved activity centre plan.</p>	<p>Complies.</p>
<p>8.7 - Education facilities should have access to safe, continuous and interconnected walking and cycling routes and linked, where possible, to strategic bike networks.</p> <p>Where significant arterial route(s) need to be crossed, careful consideration should be given to the nature of the crossing, whether by grade separated crossing, controlled lights, dedicated crossing or other appropriate alternative.</p>	<p>Refer to Element 6 – Education.</p> <p>It is intended that Roland Road reserve be widened by five metres to retain stands of trees and facilitate the construction of a path network. This report incorporates the widening of Roland Road reserve as a recommendation to the WAPC.</p>
<p>8.8 - The co-location of educational sites with community facilities and public open space is encouraged and should be considered at the earliest opportunity at structure planning stage in consultation with relevant stakeholders.</p>	<p>The proposed primary school proposes to share a 1.5 hectare oval as Public Open Space.</p>
<p>9.1 - Consolidate all utility services in existing alignments and service corridors, with preference to upgrading and optimising existing infrastructure rather than installing new services whenever practicable.</p>	<p>The installation of new services e.g. water, power, effluent disposal and so on is required for development to proceed.</p> <p>Where possible, utility services are encouraged to be installed along existing alignments and corridors.</p> <p>This report recommends that section 4.9.7 of the SP34 text be amended to reflect this</p>

	objective.
9.2 - Locate and design emergency services and utility infrastructure to minimise amenity impacts and reduce land use conflict.	The WTP has been assessed separately in this report.
ELEMENT 2 – MOVEMENT NETWORK	
1.1 - Provide a site responsive and highly connected street network, with street blocks no greater than 240 metres in length and 120 metres in width to facilitate walking, cycling and public transport.	<p>Street blocks proposed within SP34 exceed 240 metres in length with some proposed in excess of 500m.</p> <p>To support the overall permeability of development, this report recommends that proposed street blocks in excess of 240 metres be provided with an additional road unless construction of a road would result in excessive earthworks, clearing or be impractical due to the presence of cap rock.</p>
<p>1.2 - Ensure the street layout provides for lots that are designed with a continuous street frontage that is safe, attractive and efficient for pedestrians, cyclists and vehicles and creates a sense of place.</p> <p>Where direct frontage is not provided, alternative vehicle access is required.</p>	<p>It is unclear what is intended by this provision.</p> <p>Based on the explanatory text, it is expected that this relates to “continuous building frontage” i.e. the minimisation of battleaxe lots which discourage buildings from having street frontage, in which case the proposal complies.</p>
1.3 - Balance vehicle traffic management with walking, cycling parking, the streetscape and community spaces.	<p>Street transect design guidelines form part of SP34 and make specific provision for walking, cycling, the streetscape and community spaces.</p> <p>Urban design includes community spaces and application of the Shire’s adopted Street Tree Policy at subdivision stage (presuming SP34 is approved) would see the retention and planting of trees in road reserves.</p>
1.4 - In neighbourhoods abutting areas at risk from natural disasters including bushfires, provide streets designed, located and connected to allow safe and efficient movement of emergency vehicles.	<p>Streets have been designed to abut POS and rural lots for community safety. Coupled with the grid-pattern design, SP34 is considered to respond to bushfire risk and allow the safe and efficient movement of emergency vehicles.</p> <p>Bushfire risk mitigation is addressed separately in this report.</p> <p>One area that warrants closer consideration is the POS to the immediate south of the</p>

	<p>proposed private secondary school site.</p> <p>SP34 shows that the eastern boundary of the POS directly abuts an area shown as Residential R5-R12.5 – see image below:</p>  <p>The Masterplan shows this POS abutting a road:</p>  <p>This report recommends that SP34 be modified to show a road abutting this portion of POS along its eastern boundary, should it be approved.</p>
<p>1.5 – 3.6 – (Requirements 1.5 to 3.6 of Liveable Neighbourhoods contains various detailed road design criteria).</p>	<p>A comparative analysis of the Street Transect Design Guidelines against the provisions of Liveable Neighbourhoods has been provided in the “Infrastructure” section of this report.</p>
<p>ELEMENT 3 – ACTIVITY CENTRES</p>	
<p>4.1 - Activity centres are structured in a</p>	<p>The proposed neighbourhood centre is</p>

<p>predominantly main street mixed-use layout. Development is preferably multi-storey, and is located to front streets and or a public plaza/park.</p> <p>Buildings are located close to, or with minimal street setback and detailed to create a strong and identifiable sense of place at a pedestrian scale.</p>	<p>located on a main street (Neighbourhood Connector B & Access Street A).</p> <p>Densities around the main street (up to R60) could facilitate multi-storey development around a 'village green.'</p> <p>Setbacks in these localities would be as per the Transect Design Guide: Private Land which 2m-4.5m in the Village Core.</p>
<p>4.2 - Activity centres to comprise a network of pedestrian-scale street blocks that:</p> <ul style="list-style-type: none"> • encourage pedestrian activity; • facilitate crossing of busy streets; and • enable vehicle movement within well-defined street blocks where development fronts the street and off-street car parking is located at the rear or side of lots. <p>4.4 - Within neighbourhood activity centres, the spacing of local streets is reduced to create relatively small pedestrian-scale street blocks designed to restrict vehicular speeds to a level appropriate for an activity centre environment.</p> <p>4.7 - Activity centres to include lots to accommodate a mix of uses including retail, office, community purposes, residential and home-based business.</p>	<p>Pedestrian activity is encouraged around the neighbourhood centre by incorporation of smaller street blocks (facilitating pedestrian permeability and human scale), 'village greens' and a mixture of uses connected by 'Safe Active Streets', 'Access Street A' and 'Neighbourhood Connector B' roads.</p> <p>Design of street crossings and off-street parking are normally matters addressed at the detailed design stage.</p>
<p>ELEMENT 4 – LOT DESIGN</p>	
<p>Note: The WAPC's Structure Plan Framework states that:</p> <p><i>a structure plan is to identify the layout that will be used to guide subdivision, including neighbourhood connector roads and the open space network. Individual lot layout is not to be pre-determined by the structure plan, as the design may be further refined prior to final approval of the subdivision.</i></p> <p>However, the layout of the road network has a significant bearing on final lot design.</p> <p>Therefore, while not technically required, an assessment of relevant provisions related to lot design under Liveable Neighbourhoods is considered prudent.</p>	
<p>5.1 - Street and lot design is to:</p> <ul style="list-style-type: none"> • facilitate climate responsive design; 	<p>The applicant undertook additional assessment of passive solar design and confirmed that approximately 80% of lots would have correct solar orientation.</p>

<ul style="list-style-type: none"> • protect natural and cultural features; • acknowledge site constraints including: <ul style="list-style-type: none"> ○ noise; ○ soil erosion; ○ drainage; ○ saline or acid sulphate soils; and ○ bushfire risk • accommodate natural topography and minimise earthworks, fill/excavation and retaining walls on sloping sites and responding to views; • minimise overlooking and 	<p>The alignment of roads has a significant bearing on the orientation of lots. Roads are, in turn, required to respond to topography, presence of rock and stormwater velocity management. Therefore, it is not feasible for all lots to be oriented to address climate responsive design unless other environmental values are compromised.</p> <p>Since the WAPC does not require lot alignment details to be provided at structure plan stage under the Structure Plan Framework and given the variability of slope across the site, the estimate provided above is considered an acceptable percentage and level of detail for this stage of planning.</p> <p>The underlying zone, to a large extent, determines which natural features are able to be protected. Rural lots have been designed to retain as much of the native vegetation as possible while still complying with bushfire planning guidelines. The designation of land for public open space has been informed by the location of watercourses, heritage features and the areas of LNA identified for protection.</p> <p>The site is not subject to noise constraints from major transport corridors or aircraft flight paths. Drainage issues will be assessed and managed through the Urban Water Management Plan. Section 2.3.2 of SP34 states that acid sulphate soils were not encountered. Soil erosion will be a factor to be managed through construction practices, maintaining natural topography and minimising the extent of earthworks where possible (as proposed).</p> <p>Bushfire risk is acknowledged as a site constraint and has been separately addressed in this report.</p> <p>The retention of natural topography has been addressed previously in this report.</p>
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<p>overshadowing;</p> <ul style="list-style-type: none"> • provide for appropriate planting for microclimate management and energy conservation; • accommodate on-lot and streetscape stormwater management in accordance with water sensitive urban design principles (e.g. tree pits, swales, etc.); and • maximise opportunities for retention of mature trees. 	<p>Assessment of privacy and overshadowing is normally undertaken at development stage in accordance with the provisions of the R-Codes.</p> <p>SP34 has been assessed in accordance with the Shire's Street Trees Policy.</p> <p>Stormwater management is normally addressed at subdivision and development stages.</p> <p>The retention of vegetation has been addressed previously in this report.</p>
5.2 - Lots to be of a size, width and shape (generally rectangular or square).	Complies
5.5 - Orient lots to front all streets, including integrator arterials to provide streetscape amenity and passive surveillance to create a pedestrian friendly environment.	Complies
5.6 - Lot design to avoid vehicles reversing onto streets with vehicle volumes greater than 5,000 vehicles per day.	<p>According to the Transect Design Guide in SP34, the 'Access Street A' and 'Neighbourhood Connector B' streets are proposed to carry up to 3,000 vehicles per day.</p> <p>Lots fronting Roland Road and Stoneville Road ('Important Local Roads') are rural and have sufficient space for vehicles to enter these roads in forward gear.</p> <p>SP34 should include a presumption against the creation of lots gaining direct access from Roland Road, unless explored by way of a Local Development Plan.</p>
<p>5.8 - Laneways to be provided for vehicular access to lots:</p> <ul style="list-style-type: none"> • to provide opportunities to improve amenity of selected streets; • where lot widths are narrow; • for higher density residential or mixed use development; • where lots front public open space in some circumstances; or • where lots front busy streets where direct vehicular access is undesirable. 	Detailed design for smaller lots is intended to be by way of LDP.

<p>5.10 - Lots may front directly onto public open space in limited circumstances where:</p> <ul style="list-style-type: none"> • access is provided, by a rear laneway which has a maximum length of 80m and is located at the end of a street block; or by battle-axe lots; • there is a footpath or shared-use path along the public open space providing pedestrian access to the lots; • a street is located on the opposite side of the public open space of the lots fronting POS; and • visitor parking is provided along side streets. 	<p>SP34 proposes the preparation of LDPs where Residential zoned lots directly abut POS.</p> <p>This report recommends to the WAPC that Residential lots directly abutting POS not be supported unless a suitable alternative design is not possible.</p>
<p>5.11 - Battle-axe lots to be used in limited circumstances, where amenity and safety can be maintained and where no alternative is available to address site constraints.</p>	<p>Clause 5.7.4 of LPS4 states:</p> <p>The Shire will not recommend approval for a proposed subdivision or adopt a proposed Structure Plan, in any zone, where that subdivision or Structure Plan proposes any battle-axe lots, except where, in the opinion of the Shire:</p> <ul style="list-style-type: none"> • any alternative subdivision layout without battle-axe lots is rendered impractical by the shape or topography of the land or other factor(s); or • there is an overriding benefit from the creation of one or more battle-axe lots in terms of reduced environmental impact or improved traffic circulation which outweighs the adverse impacts of the proposed battle-axe lot(s). <p>In accordance with the statement above and the similar provision of Liveable Neighbourhoods, this report recommends that battleaxe lots shown in the detailed plans of the SP34 report be removed and the creation of battleaxe lots be subject to detailed design in future planning stages.</p>
<p>5.12 - Lots having frontage and access to streets at both front and rear boundaries, other than rear laneways, are not supported, although exceptions may be made if the proposed lot is specifically designed and intended to be developed for commercial, industrial or high density residential land uses where multiple</p>	<p>SP34 proposes lots with roads abutting front and rear boundaries. However, these are confined to: rural zoned lots, commercial lots and school sites. Laneways may also potentially be used for lots zoned R60.</p> <p>These are deemed acceptable circumstances, particularly since the dual</p>

vehicular access points are required and where consistent with the operational and safety requirements of fronting streets.	road frontages around rural lots are, according to DFES, an important bushfire risk mitigation measure.
6.1 - A range of residential lot sizes suitable for a variety of housing types and densities provided, preferably within each street block.	SP34 proposes a range of lot sizes: <ul style="list-style-type: none"> • RMD 25-R60 • R12.5-R25 • R5-R12.5 • Rural Residential 1; and • Rural Residential 2.
6.2 - Lots capable of supporting higher density residential located within 400 metres of local and neighbourhood activity centres and 800 metres of higher order activity and specialised centres.	No high density lots are proposed within SP34, but the medium-density lots are nucleated around the village centres.
6.3 - Local development plans may be prepared for lots: <ul style="list-style-type: none"> • where specific vehicle access and egress control is required; • abutting public open space; • on main streets and within and abutting local and neighbourhood activity centres that have been identified to accommodate a future change of use or future development intensification; or • with particular site constraints; for example, where topography requires the construction of retaining walls to streets or boundaries. 	SP34 proposes preparation of LDPs in circumstances set out by the Regulations (section 7.1). A modification would be required. This report recommends that SP34, should the WAPC have a view to approving it, be amended to include a requirement for LDPs to be prepared in the circumstances set out by Draft Liveable Neighbourhoods.
7.1 - Each lot provided with utility services appropriate for its intended use in a timely, efficient and cost effective manner over the short and long-term. 7.4 - In areas of bushfire risk, independent permanent and secure water supply to be provided that is sufficient for firefighting purposes.	SP34 proposes connection to: <ul style="list-style-type: none"> • Power; • Mains water; • Reticulated sewer system (private); and • Telecommunications. No connection to the gas network is proposed. The Bushfire Management Plan proposes installation of water supply for firefighting purposes.
7.5 - Minimise the environmental impact of utility service infrastructure, including visual and landscape impact, while balancing service delivery. 7.7 - Provision of easements or infrastructure (third pipe) for non-drinking water supply is encouraged, subject to available and reliable sources, taking into account existing and planned water	The impacts of the WTP have been considered separately in this report.

infrastructure, compatibility and ongoing management and maintenance of infrastructure.	
ELEMENT 5 – PUBLIC OPEN SPACE	
<p>8.1 - Sport spaces are designed to:</p> <ul style="list-style-type: none"> • provide a venue for structured sporting activities, auxiliary infrastructure and buffer zones; • meet the appropriate size, access and parking requirements for competition use; • provide an efficient layout that maximises useability; and • be located on a site providing at least one other function (recreation and/or nature). 	<p>A 1.5 hectare shared oval is proposed adjacent to the public primary school.</p> <p>An oval of this size, while being compliant with the minimum standards of Liveable Neighbourhoods, is inconsistent with Council's recently adopted Recreation Facilities Informing Strategy - discussed separately in this report.</p> <p>Should the WAPC have a view to approving SP34, this report recommends that a senior-sized oval be considered in this location which has been addressed separately in this report.</p> <p>The Shire's Long-Term Financial Plan does not currently make provision for a senior sized oval in the locality. Until such time as the oval and associated facilities are known, the implication for the Long Term Financial Plan will not be known, including the timing and costs associated with its construction and maintenance.</p>
<p>8.2 - Nature spaces are designed to:</p> <ul style="list-style-type: none"> • provide residents with access to natural areas (not fenced off); • support the preservation of natural features (e.g. native vegetation, trees, key views, rock outcrops, creek-lines); and • support any Local Government Local Biodiversity Strategy, where applicable. 	<p>Approximately 36.4 hectares of the 45 hectares of POS is for the protection of watercourses and riparian area. The other linear parks and village greens have largely been allocated to protect stands of vegetation.</p> <p>The conservation area forming the curtilage of the WTP does not contribute to the overall POS area but has also been allocated to protect significant LNA identified in the Shire's Local Biodiversity Strategy and LPS4.</p>
<p>8.4 - Community purpose sites provide space for facilities and are:</p> <ul style="list-style-type: none"> • located in activity centres or adjoining POS; • generally at least 2000m² in size; • generally provided on the basis of one for each group of three neighbourhoods (1500–1800 dwellings); and 	<p>'Community Purpose Sites' are defined as:</p> <p><i>an area of land more than 2,000m² to accommodate community land uses such as community centres, meeting halls, libraries and kindergartens. Community purpose sites may form part of the public open space contribution.</i></p> <p>An area of approximately 2 hectares is designated in SP34 for:</p>

<ul style="list-style-type: none"> identified on an approved structure plan and will be required to be transferred free of cost to the local government where included as part of the 10 per cent public open space contribution. 	<p><i>Water tower/hilltop park provides a potential secondary community hub, including play/kick-about areas and picnic grounds.</i></p> <p>This is a flat and heavily vegetated site which could be used to accommodate future community land uses.</p> <p>Council's Recreation Facilities Informing Strategy makes provision for community facilities within the SP34 area. The type, cost and timing of these facilities would be subject to agreement between the Shire and Applicant at subdivision/development stage.</p>
<p>8.5 - Linear open space sites are to be:</p> <ul style="list-style-type: none"> at least 15 metres wide on average (less than 15 metres wide is a pedestrian access way and not credited as POS); designed in accordance with Designing Out Crime Guidelines (WAPC 2006); used to connect at least two key destinations in the public open space network; and overlooked by residential lots for at least 50 per cent of their length. 	<p>SP34 proposes linear open space sites (refer to Figure 24 on page 66 of SP34). Linear open space is that which:</p> <p><i>...can assist with connectivity, encourage pedestrian movement along park avenues and provide ecological corridors and opportunities for living streams by retaining key landform features.</i></p> <p>The SP34 report recommends that LDPs be prepared to ensure lots achieve passive surveillance of POS.</p>
<p>8.7 - Land area and infrastructure required for urban water management in public open space is:</p> <ul style="list-style-type: none"> integrated into the overall park design to ensure it does not compromise the public open space function; and not to include traditional drainage infrastructure, such as trapezoidal drains and steep-sided sumps/basins. 	<p>The Shires supports these principles. Application of these requirements would normally apply at subdivision stage in accordance with the Urban Water Management Plan and the provisions of the <i>Planning and Development Act 2005</i> relating to POS.</p>
<p>8.8 - Constructed permanent water bodies (e.g. ornamental lakes) are only permitted where designed in accordance with water sensitive urban design principles and approved in the Local Water Management Strategy and Urban Water Management Plan.</p>	<p>Dams are proposed within POS. This report recommends that the WAPC require dams be modified so as to be suitable for incorporation into POS, should it intend to approve SP34.</p>
<p>8.9 - Public open space is developed by the proponent to a minimum standard (as described in the approved public open</p>	<p>This standard requirement is normally applied as a condition of subdivision.</p>

space management plan) and maintained for at least two summers (or as guided by the local government public open space Strategy where applicable).	
<p>9.1 - A minimum contribution of 10 per cent of the gross subdivisible area must be provided free of cost by the subdivider for public open space.</p> <p>9.2 - A public open space schedule detailing the amount, distribution and function of public open space must be submitted with structure plans and verified at subdivision.</p>	<p>The gross subdivisible area is 238.2958 hectares (POS is generally not ceded over rural zoned areas).</p> <p>The total POS provision is 47.2840 hectares which represents 16.2% of the gross subdivisible area (there was a miscalculation of POS in the advertised version of SP34).</p> <p>That is, SP34 proposed 6.2% more POS than is normally required from subdivision.</p> <p>Since structure plans operate as a guide to subdivision, DPLH staff will ensure that an appropriate amount of POS is ceded at subdivision stage. For example, POS containing infrastructure is normally excluded from the POS calculation or only partially credited.</p>
ELEMENT 6 - EDUCATION	
10.2 – Government primary schools can be situated on 3.5 hectare sites where co-located with POS.	Proposed primary school situated on 3.5 hectares co-located with a 1.5 hectares POS (oval).
10.5(b) – not be on a slope greater than 1:20 (5%)	<p>Primary school proposed in a location with slope ranging between 0%-6%.</p> <p>The private high school site is proposed on land ranging from 2% to greater than 10%.</p> <p>It is recommended that SP34 be modified to identify that there is a presumption against development of a school on vegetated land with a slope exceeding 5%.</p>
10.6 – school sites located and designed to support passive surveillance.	<p>Residential lots are proposed to front both the high school and primary school sites with roads abutting most boundaries.</p> <p>Detailed design factors (e.g. visually permeable fencing) would be considered at subdivision and development stages.</p>
11.1 - Access streets fronting educational facilities should be designed to create safe and efficient cyclist, pedestrian and public transport priority environments.	“Safe Active Streets” and “Access Street A” road types are proposed adjacent to the public primary school under the Transect Design Guide.

<p>11.5 - Primary schools to be bounded by a minimum of three streets including:</p> <ul style="list-style-type: none"> • not more than one neighbourhood connector; and • a minimum two local access streets, including an Access B street. If the school is not located on a neighbourhood connector then a shared path must be provided from the nearest neighbourhood connector to the school site. <p>11.4 - Secondary schools to be bounded by a minimum of three streets including:</p> <ul style="list-style-type: none"> • not more than one integrator arterial / neighbourhood connector; • a minimum two local access streets, including an Access B street. <p>11.6 - The longest boundaries of the school should be along local access streets to maximise the length of the street that can accommodate on-street parking and access to on-site parking.</p> <p>11.7 - The provision of staff and visitor on-site car parking is supported as part of an integrated development of the school site and co-location with other community and other open space facilities. The provision of large scale on-site car parking is generally discouraged.</p> <p>11.8 - On street parking and access for off-street parking for student drop off/pick-up to be designed and located to allow for pedestrian-priority and maximise safety, preferably on local access streets with low traffic volumes.</p> <p>11.9 - Provide and facilitate shared use of parking facilities and secure end of trip</p>	<p>“Access Street” and “Neighbourhood Connector B” roads are proposed adjacent to proposed private high school.</p> <p>Under the Transect Design Guide, Safe Active Streets and Access Street A types are designed specifically to create pedestrian and cyclist-friendly environments.</p> <p>Access Streets have a 50 km/h design speed with footpaths expected in T2-T5 transects. Neighbourhood Connector B streets identify footpaths and cyclist infrastructure in all transects.</p> <p>The proposed government primary school has a surrounding road network more conducive to cyclists and pedestrians than the proposed high school.</p> <p>The proposed high school site does not comply with the criteria in the adjacent column.</p> <p>However, it should not be inferred that the road network surrounding the proposed high school would, by extension, be unsafe as this is a matter for specific design consideration at later planning stages (subdivision).</p> <p>To uphold the tenet of safe and efficient cyclist and pedestrian movements around the proposed schools, it is recommended that SP34 be amended to state that the design factors listed in the adjacent column will be given detailed consideration at subdivision and development stage.</p> <p>The matter of public transport has been addressed separately in the “Non-Standard Infrastructure” section of this report.</p>
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facilities for cyclists between education sites, co-located community facilities and public open space.	
11.2 – adequate on-street embayment parking on the school-site side to be provided.	It is recommended that SP34 be amended to state that on-street embayment parking will be given detailed consideration at subdivision stage.
11.3 - Educational facilities sited to facilitate public transport servicing with bus drop off and pick up of students (preferably on the school side of a street) at stops in close proximity to main entrances.	It is recommended that SP34 be amended to state that bus stops will be given detailed consideration at subdivision stage. The matter of public transport has been addressed separately in the “Non-Standard Infrastructure” section of this report.

Ovals

Council, at its meeting of 9 July 2019, resolved to adopt the Shire of Mundaring Recreation Facilities Informing Strategy.

One of the ‘Strategic Recommendations’ relates to the North Stoneville Townsite:

North Stoneville Community Centre / Clubrooms: ensure provision of a new community centre (neighbourhood level) and clubrooms in one facility adjacent to the new oval in proposed North Stoneville development.

It is anticipated that the new oval would require a land area of approximately 4.5 hectares. The land area proposed by SP34 for the primary school shared oval is 1.5 hectares i.e. an additional three hectares would be required to accommodate an oval of the size anticipated by the Shire of Mundaring Recreation Facilities Informing Strategy.

The details of the Recreation Facilities Informing Strategy became available subsequent to the advertising of SP34 and it is therefore reasonable that they are not reflected in SP34. However, the LPS makes the following provision:

Any review or revision of the current structure plans for the townsites should determine, and demonstrate provision for, the active recreation needs generated by the developments. The possibility of sharing of an oval, and other recreational facilities, between the community and the proposed high school in North Stoneville should be explored.

So as to advance the implementation of the Recreation Facilities Informing Strategy, but in recognition of the date the plan was adopted relative to the assessment of SP34, this report recommends that space for a senior (rather than junior) size oval and associated facilities be considered for co-location with the proposed public primary school.

The Applicant was informed of the Recreation Facilities Informing Strategy and advised that it will:

...review (SP34) with a view to incorporating provision for a senior sized oval and new community centre and clubrooms proposed in the Shire's new Recreation Plan.

It is important to note that this change would first require detailed consideration of a number of planning implications eg the inclusion of Lot 1, removal of vegetation, the suitability of topography and the shared use / management arrangements.

Utilities

Section 4.9.7 of SP34 proposes to service subdivision with the following utilities. The cost to connect to these utilities is borne by the developer at subdivision stage:

Utility	Comment
Power	An extension of the 22 kV High Voltage feeder cables is required. Sustainable power generation (e.g. solar, batteries) is being explored.
Water	Potable water can be provided to service the site via an extension of the existing water main network along Roland Road from the Zamia Water Tank Source seven kilometres south of the subject property.
Drainage	The site has low drainage permeability. Stormwater conveyance to occur through the road network and into designated stormwater detention areas and natural watercourses.
Recycled Water Facility and Waste Water Connections	See below.
Telecommunications	Telecommunications and NBN will be connected to the site on a stage-by-stage basis
Gas	Not available

Non-Standard Infrastructure

Wastewater Treatment Plant

Section 4.9.7.4 of SP34 notes that the subject properties are outside of the Water Corporation's servicing area for sewer.

It is intended that:

Water West, a private-sector water utility and licenced wastewater provider under the Water Services Act 2012, will service the development. Water West will design, build and operate the scheme.

The key feature of the scheme entails all wastewater...being collected, treated and reused entirely within the development...The Recycled Water Plant (would) not require any noise or odour buffers but will...be screened from Cameron Road and Roland Roads.

Servicing will involve a pressure pipe sewerage system, with individual lots to be provided with a macerator pump, to be owned and operated by Water West.

Various concerns have been raised during the public consultation period regarding the operation of the WTP in relation to:

- Odour;
- Noise;
- Visual intrusion;
- Watercourse eutrophication (nutrient leaching);
- Compromised public health;
- Impact on surrounding land uses; and
- Responsibilities for maintenance of infrastructure on private lots.

Submission 414 provides a particularly cogent description of the main concerns.

It is important to note that approval and licencing of WTPs is subject state government endorsement. Specifically, DoH (approval) and DWER (licencing). DBCA has also provided detailed comments on the WTP in its submission (submission 951). In addition, the section of this report addressing the findings of the LWMS concludes that discharge of treated wastewater into the environment is no longer required for water balance management.

Therefore, it is considered that sufficient checks and balances exist within the various approval processes to address the concerns raised about a privately operated WTP.

To address a number of community concerns regarding the WTP, Water West has provided supplementary information on:

- licencing requirements (commercial viability);
- continuity of service in the event that the service provider is no longer able to operate as provided for under the *Water Services Act 2012*;
- responsibilities of the Shire (nil);
- resident responsibilities (other than those within the SP34 area) including financial contributions (nil);
- the operation of standby assets and processes in the event of unscheduled disruption;
- design of dams and approval processes;
- odour management;
- aesthetic impact; and
- various approvals required of different agencies.

A copy of Water West's information is provided in **Attachment 8**.

Macerator Pumps

Submission 728 draws attention to concerns with each lot being provided with its own macerator pump:

To locate powered wastewater treatment equipment on each lot within an area supposedly serviced by a reticulated sewerage network is a disincentive to purchase/occupy such a lot due to considerations of the location of such equipment and the servicing, maintenance and repair of such equipment that could be expected to be required from time to time.

The submission raises the issue of macerator pumps on individual lots as a factor which might impact on the sale of properties. Market forces are not a matter in which the Shire is involved. However, the Applicant may wish to consider this as part of any future development application for the WTP.

Submission 835 states:

The Local Water Management Strategy (LWMS) makes mention that each lot is to be connected to the sewage treatment plant by way of a macerator pump station located on each lot. What is not articulated is who will be responsible for the management and maintenance for each of these pump pits. This has the potential to be a considerable problem, be it the responsibility lying with Water West or the property owner.

If the responsibility lies with Water West, then there will be access issues that will need to be addressed. If the responsibility lies with the land owner then there is the foreseeable potential for owners not acting appropriately to necessary pump pit maintenance. This could in turn lead to a decline in public health standards.

As stated above, approval for the WTP is subject to licences and approvals from state government agencies which are responsible for maintaining public and environmental health. It is considered that, should those agencies issue an approval/licence, then these factors would have been appropriately addressed.

Further, Water West would own and operate the system as per their report (see **Attachment 9**).

Submission 875 states:

The Structure Plan - Engineering Servicing Report (Cossill & Webley Pty Ltd and McDowell Affleck Pty Ltd, 2018) outlines in Section 8 that waste water will be transported to the WWTP via "the use of macerator pumps on each lot, centrally controlled to produce consistent flows through a network of pressure mains to the Treatment Plant". Those familiar with the Parkerville / Stoneville area recognise that frequent power outages are common in the Hills areas, often lasting for several hours. A system that relies on constant power supply for the transport of sewage from each lot via independent pumps has a high potential for failure and spillage of raw sewage.

Standby assets for unscheduled interruptions have been addressed in Water West's supplementary information and would be factored into licensing/approval by DWER and DoH respectively.

Wood Lot

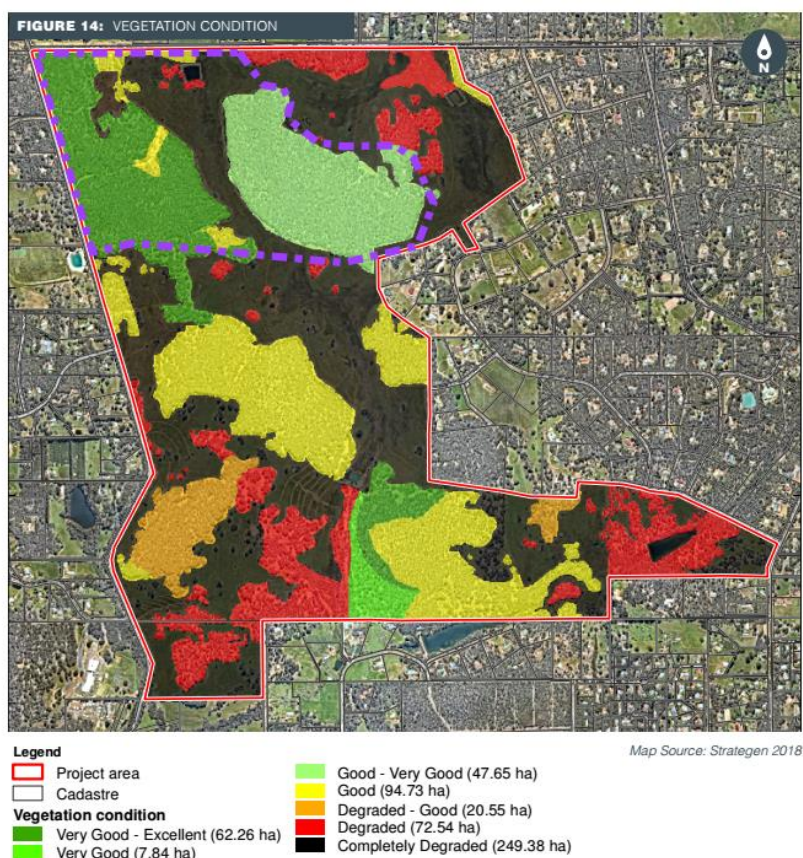
The WTP is intended to be situated adjacent to a wood lot comprising over 100 hectares of land in the northern part of the subject property. SP34 proposes that this land be retained as a reserve for conservation/recreation and be managed by way of Conservation Management Plan. This reserve is also intended to be used for:

- Bike and hike trails;
- Rehabilitation;
- Central fire access route and fuel break;
- Two Special Use sites; and
- WTP.

The Shire's Local Planning Strategy provides guidance on the use of reserves:

...the identification of land as a Conservation Reserve does not exclude the possibility that some recreational use (generally passive recreation) may be made of that land or facilities provided to enable this (eg. car parks, walk trails). Nor does the identification of land as a Recreation Reserve indicate that bushland and other native vegetation on a site should all be cleared; rather it identifies that the primary purpose of that reserve is recreation, whether active or passive.

Environmental reporting on and around this proposed reserve identifies the vegetation as ranging in quality from 'Very Good – Excellent' to 'Completely Degraded' with the majority being in the 'Very Good – Excellent' and 'Good – Very Good' condition – see image below (approximate conservation area outlined in purple).



The land area and management requirements of the WTP and two Special Use sites are not known at this stage, so it is unclear how portions of this site will be maintained in perpetuity, but it is intended that a Conservation Management Plan be prepared over the wood lot.

The principles underpinning that portion of the wood lot managed by the Shire are recommended to be that, given the vegetation condition and quantity, public access should be limited for portions of the site identified as being in 'Very Good – Excellent' and 'Good – Very Good' condition which is not otherwise used for a WTP, Special Use or fire access and the land used only for conservation and fire management only.

The intention behind this would be to reduce human interference, allow for environmental conservation and rehabilitation to be a land use in its own right and manage bushfire risk.

Staging

A matter raised during advertising and also during the preparation of LSIP 265 is the staging of infrastructure/development.

The concern is that lots will be created without the supporting infrastructure (e.g. schools, WTP, POS, shops etc) being provided - leaving a 'stranded' population and detrimenting existing residents. This is a legitimate concern as there have been examples in Perth where this has occurred. The topic of development staging has also been addressed in the assessment of the Applicant's commercial strategy earlier in this report.

Technically, however, because structure plans are not statutory documents, they cannot 'bind' the developer to provide infrastructure at any particular stage of subdivision/development.

There is merit in providing a greater level of certainty around the timing of infrastructure relative to population/number of lots created. SP34 has attempted to address this in Part One – Implementation, Section 5.0 – Staging:

5.1 - Development of the Structure Plan area will occur progressively over a number of stages. The timing, location and composition of the stages will be guided by the following triggers:

- a) market conditions*
- b) Provision of reticulated water via construction and commissioning of a 7km trunk main extension from the Zamia Water Tank to ground level tanks and an elevated water tank to provide sufficient pressure to lots over RL 295 AHD.*
- c) Construction and commissioning of a recycled water facility for the provision of reticulated sewerage services by a licensed service provider.*
- d) Provision of electrical services by extension of the existing high voltage feeders from adjacent roads.*

5.2 - It is proposed that development will commence initially from the west with construction of road access to Roland Road.

It is also described in Part Two – Explanatory, Section 4.9.9 – Staging:

Development of the site will be carried out in stages, with staging anticipated to commence from Roland Road to the west and focus around the establishment of the first Village Core.

The design allows for a variety of different lot sizes to be presented for sale within each stage.

The first stages require essential services to be provided, as outlined in the Engineering Servicing Report.

Refer Appendix 4, Engineering Servicing Report.

Public agencies require that all essential services are connected at subdivision stage. However, the provision of other infrastructure – for example, schools, shops and office spaces - is more complex. Provision of these facilities is market-driven. Nevertheless, they are important components of a community's proper functioning.

The matter was raised with the Applicant who agreed that Section 4.9.9 of Part Two of SP34 could be modified as follows:

Development of the site will be carried out in stages, with staging anticipated to commence from Roland Road to the west and focus around the establishment of the first Village Core.

The design allows for a variety of different lot sizes to be presented for sale within each stage.

~~The first stages require essential services to be provided, as outlined in the Engineering Servicing Report.~~

Stage 1 is likely to include infrastructure for essential services including:

- potable Water Tanks;
- the Recycled Water Facility and associated Pressure Mains; and
- High Voltage Transformer and 22 kV High Voltage Backbone Feeder extension.

Public Open Space areas will be provided generally in accordance with the indicative POS plan at Figure 24. The size and location of stages will dictate the Recreation Reserves that are to be included in any plan of subdivision.

The Department of Education suggests that the Primary School site may be required following the construction of 500 or so lots, subject to further detailed feasibility.

Although timing for the future K-12 Private School is subject to further investigation by the Anglican Schools Commission, it is likely that its viability will be reliant on the full townsite nearing completion. A staged approach to the Private School itself will also be investigated, which may allow a smaller facility to occur in the short-medium term if demand exists.

The Department of Education has indicated that the Future High School adjoining (not within the Structure Plan area) may not be needed until the 2031 planning horizon, and is also subject to further investigation.

Within the first few stages, the intent is to provide a small convenience retail/hospitality land use in association with a Sales Office within the Local Centre. Further details on the evolution of the Local Centre and expected land uses can be obtained from Appendix 3, Commercial Strategy.

The information provided on staging is guidance only and based on information available at the time of preparation. There may be variances to staging depending on prevailing circumstances.

Refer Appendix 4, Engineering Servicing Report for more details on essential infrastructure.

Some submissions also suggested that the developer should be responsible for providing community infrastructure above what is normally required. Developer provision of community infrastructure is guided by State Planning Policy 3.6.

As explained earlier, contributions towards community infrastructure is an expectation within the State planning framework. The extent to which these can be required as mandatory contributions can be contested.

The revised wording provides more detailed guidance around the staging of infrastructure and is therefore supported for inclusion in the report supporting SP34. As described earlier in this report, it is also recommended that the provision of certain infrastructure be contained in a legal agreement in lieu of a Development Contribution Plan.

Public transport

Section 4.9.6 of SP34 states that:

At present, there are no plans to provide a public transport service...

However, Access Street A and Neighbourhood Connector B streets have been designed to accommodate future bus routes.

SP34 was referred to the Public Transport Authority which stated that:

...(it) is supportive of the proposed Structure Plan and finds the proposed Structure Plan to be generally conducive to the operation of the Transperth network.

Whilst the PTA is supportive of the proposed development, it is recommended that future residents are made aware of the low likelihood of having access to a Transperth bus service.

As mentioned in section 5.3 Public Transport of the Transport Impact Assessment, an opportunity has been identified for a privately sponsored community service to provide future residents access to existing Transperth services.

While Transperth is not opposed to a privately supported service, it should be noted that Transperth will require a long term funding commitment from the proponents which would require them to wholly cover all costs associated with the provision of a service.

Based on the submission, it appears very unlikely that the Public Transport Authority would extend services to the SP34 area during initial stages of development.

The Shire's Local Planning Strategy states that:

...it is unlikely that sufficient demand exists to profitably increase bus service within the area, and that it is unlikely that the frequency of Transperth services will be increased in the near future... However, with the onset of Peak Oil and the significant fuel price increases it will bring, the level of public transport service will strongly disadvantage many residents of the Shire. Given that there is a community service obligation for the state government, through the Public Transport Authority, to improve public transport services within the Shire, the Shire should aggressively lobby for these improvements.

Like most state agencies responsible for the delivery of services, a critical mass of population is required to justify expenditure on service delivery. Therefore, it is important that the Shire continue to lobby for the extension of public transport services to the townsite should SP34 be approved and subdivision proceed to serve the current and future population.

District Traffic Impacts

The creation of approximately 1,410 lots would generate a number of vehicle movements - both within the SP34 area and outside of it – on the local and district road network.

Before exploring this issue, it is important to first consider the relevant strategies of the LPS.

Strategic Road Requirements

The Shire's LPS identifies a number of strategic roads required to be constructed/upgraded in conjunction with the North Stoneville / Parkerville Townsites.

Since the LPS has been publicly advertised, considered and endorsed by the Shire and WAPC, they are highly relevant to the assessment of SP34:

...development of the Stoneville Townsite Development (along with full development of the Parkerville Townsite Development) will necessitate:

- *construction of the Hills Spine Road, including widening of existing Cameron Road, with the section between Toodyay Road and Roland Road being a four-lane divided road;*
- *construction of a new bypass around the Parkerville town centre by diverting Roland Road to connect with Brooking Road;*
- *widening of Brooking Road;*
- *construction of a new intersection at Brooking Road and Great Eastern Highway;*
- *widening Roland Road north of the Hills Spine Road (to be done by the Shire [now City] of Swan;*
- *widening of Roland Road south of the Hills Spine Road to a 10m seal, with a median to control turning movements required should vehicle movements exceed 9600 vehicles per day (vpd); and*
- *widening and upgrading of Stoneville Road south of Riley Road.*

The LSIP notes that upgrading of Stoneville Road north of Riley Road will not be necessitated by the increased traffic volume generated by the development, but that sight lines on Stoneville Road at Richardson Road and Riley Road require improvement in any case [work has since been carried out by the Shire in this regard]. However, it is considered that this matter should be reviewed as part of a review of LSIP 265.

LSIP 265 technical provisions require the proponent to negotiate with the Shire to determine cost-sharing arrangements relating to the design, construction and upgrading of the external road network to provide access to the LSIP area, with agreement to be reached on the proportion to be paid by the proponent of total estimated costs of upgrading the external road network.

The technical provisions specifically require the availability of a northern external road network providing linkages to Toodyay Road as a prerequisite to creation of any residential lots.

Main Roads WA response and advice on the Shire's LPS, amongst other points, was as follows:

Main Roads....suggested that a Vehicle Access Strategy for the whole length of the Highway be developed to determine future access points in order to guide future development” (May 2011)

...

Reference has also been made in the Strategy Background document to the Hills Spine Road connecting to Toodyay Road and ultimately the Perth – Adelaide Highway. As there is doubt regarding the need for a grade separation at this intersection, it was agreed...that this would be discussed further...

Main Roads WA submission on the LPS suggests that the Shire should take responsibility for undertaking planning for Great Eastern Highway and its intersections. Great Eastern Highway and its intersections is within Main Roads WA's jurisdiction. In addition, it is not within the Shire's remit or resources to undertake this work. Importantly, no comments were made by Main Roads WA anticipating a new Brooking Road / Great Eastern Highway intersection when the LPS (which included plans for North Stoneville) was advertised.

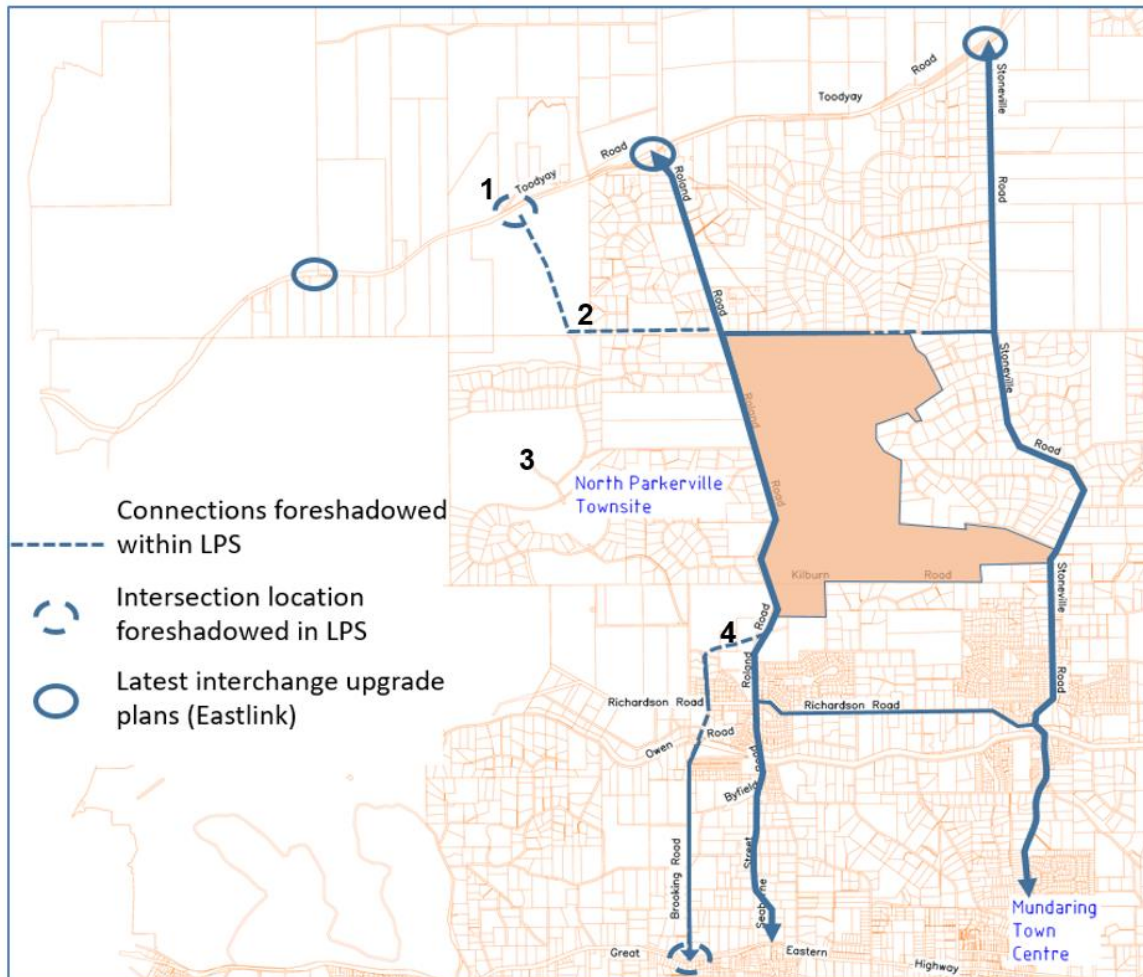
Previous Agreement

The Shire's previous approval of LSIP 265 included a corresponding road infrastructure contributions arrangement which identified a series of local network upgrades required to manage traffic generated from the North Stoneville and North Parkerville townsites.

The agreement was overseen by the then Department of Planning (now DPLH) but was never finalised. At that time, no upgrades were identified in relation to regional intersections. Traffic volumes and freight task along regional roads 20 years ago when the agreement was prepared have since significantly increased.

Other aspects and assumptions regarding the wider road network have also changed, for example:

1. Main Roads WA has progressed investigations regarding preferred intersection locations along the future Eastlink corridor, which no longer aligns with the previous (north-south) portion of the Hills Spine Route (see 1 in the image below);
2. Based on the new interchange locations, doubt has been raised by the City of Swan, Main Roads WA and the Shire regarding the need for a Hills Spine Route (see 2);
3. The North Parkerville site remains 'Urban Deferred' (see 3).
4. Current plans for the Roland Road by-pass to Brooking Road run parallel with Clutterbuck Creek and may not represent the most environmentally responsive alignment (see 4).
5. Eastlink will be subject to further design work over the coming years - WAPC's sub-regional structure plan notes this as a long term (2031-2050) initiative; and
6. Natural traffic growth has occurred and intersections at Great Eastern Highway have limited spare capacity.



Traffic Impact Assessment

The Applicant engaged a consultant (Transcore) to prepare a Traffic Impact Assessment in support of SP34 and to address the strategic matters identified above. The scope and assumptions were peer reviewed consultants appointed by the Shire.

The findings of the Transport Impact Assessment are summarised in the table below:

Page No.	Summary
6	All intersections proposed in the form of full-movement intersections.
6	Modelling assumes that Hills Spine Road, Brooking Road (extension) and Fringleaf Drive (extension) are constructed.
12-13	Pedestrian and cyclist infrastructure will be constructed by the Applicant and connect to existing infrastructure as per the Transect Design Guide forming part of SP34.
13-14	Once fully developed, the PTA may be receptive to introducing a bus service. Privately sponsored service could be provided subject to consultation.

17	Modelling assumes the North Parkerville Townsite and Roland Road realignment are constructed.
19	Modelling assumes development would take 12 years to complete.
21	<p>Trip distribution was assumed as follows:</p> <ul style="list-style-type: none"> • 30% - Toodyay Road (west) • 2.5% - Toodyay Road (east) • 2% - areas north of Toodyay Road • 56% - Great Eastern Highway (west) • 5% - Great Eastern Highway (east) • 2.5% - areas east of Stoneville Road • 2% - Mundaring Weir Road.
25-26, 29-30	<p>Based on full development of the North Stoneville and Parkerville townsites:</p> <ul style="list-style-type: none"> • <u>Toodyay Road</u> - can accommodate traffic similar to current configuration; • <u>Great Eastern Highway</u> – can accommodate traffic without upgrade; • <u>Roland Road</u> – single carriageway with wide shoulders would be adequate. Roads carrying 3,000 vehicles per day warrant carriageway width of 12 metres comprising 2 x 3.5 metre wide trafficable lanes and 2.5 metre wide shoulders with sealed width of 1.5 metre. Intersection with Brooking Road and Richardson Road does not require upgrade. Intersection with Fringeleaf Drive, McDowell Loop and new accesses within SP34 required as a roundabout. • <u>Seaborne Street</u> – road profile comprising 2 x 3.5 metre wide trafficable lanes and 2.5 metre wide shoulders with seal width of 1.5 metres would be sufficient. Intersection with Great Eastern Highway would require upgrades by Main Roads. • <u>Brooking Road</u> – upgraded to a 2 x 3.5 metre wide trafficable lanes and 2.5 metre wide shoulders with seal width of 1.5 metres. Intersection with Great Eastern Highway requires signalisation or roundabout. • <u>Stoneville Road</u> – similar standards to Roland Road except adjacent to Mundaring Town Centre which would require localised widening to provide for sheltered turning facilities at key intersections. Intersection with Woodlands Road sufficient but localised widening of Stoneville Road required. • <u>Brindle Road</u> – upgrade and construction of the unconstructed portion. • <u>Cameron Road (Hills Spine Road)</u> – no upgrade required. • Appropriate intersection treatments needed. Design to occur at subdivision stage.

The Transport Impact Assessment outlines the road network changes which, in their view, would be needed to safely accommodate townsite development. However, the study does not ascribe responsibilities for undertaking these changes (with the exception of Main Roads for Great Eastern Highway).

Main Roads WA assert that there is insufficient capacity at Great Eastern Highway to accommodate the traffic volumes generated by the structure plan and further mitigation measures need to be investigated by the proponent.

City of Swan have also recently advised that it cannot support SP34 due to the lack of information regarding the impact on the City of Swan road infrastructure (see **Attachment 10**).

In line with the expectations within the Shire's LPS, the Shire has been investigating how to manage traffic growth for those areas with established development rights i.e. the North Parkerville and North Stoneville Townsites.

District Transport Investigation

Recognising the Shire's commitments within the LPS to advance strategic transport discussions related to townsite development, a district transport investigation is underway.

In essence, this study's approach has been to apply a "pressure test" of the current and road network foreshadowed in the LPS, based on an assumption of full development within the townsites. The preliminary findings reveal weaknesses in the wider network's capacity to accommodate anticipated traffic volumes.

An update on the work completed to-date is provided in **Attachment 11**.

Based on the analysis undertaken so far, the following observations and recommendations are made:

1. *Investigations undertaken on the cumulative impact of development growth within the District (including SP34), and background traffic growth along Great Eastern Highway suggest that there is insufficient capacity to accommodate the proposed development. The assertion in the Transcore Traffic Impact Assessment that SP34 has no material impact on the system cannot be supported in this context.*
2. *Preliminary analysis suggests that the existing intersections along Great Eastern Highway have sufficient capacity to accommodate a maximum of 70 more dwellings.*
3. *Any further development within the District would therefore need to be supported by improved connections to Great Eastern Highway, potentially in the form of signalisation.*
4. *The construction of both Eastlink and the improved connection to Great Eastern Highway would be required to accommodate the development build-out scenario.*
5. *Distributor Road corridors within the District would also require upgrade to support their intended function.*

The Shire has endeavoured to fulfil its obligation under the LPS to investigate solutions to the local road network. Given the passage of time and natural growth on the regional network, research to date demonstrate that if SP34 was approved, key regional road intersections would fail.

Main Roads WA has confirmed there are no plans to upgrade either the Seaborne Street / Great Eastern Highway or Brooking Road / Great Eastern Highway intersections further. This conflict's with the applicant's Transport Impact Assessment which presumes Main Roads WA is responsible for funding regional intersection upgrades on the basis that these would inevitably fail due to natural background traffic growth.

The Shire does not have the authority or whole of government oversight to resolve regional road issues that cut across other planning jurisdictions (i.e. City of Swan/Main Roads WA).

Responsible Authority

Planning regional road upgrades and intersections takes significant resources and time. Implementation also depends on various factors beyond the Shire's control e.g. federal / state political commitments and state agency priorities.

The Shire has been advocating for Eastlink, however the only indication of timing at this stage is that it's a long term 2031-2050 initiative (North East Sub-Regional Structure Plan).

While it seems logical that Brooking Road / Great Eastern Highway be upgraded, Main Roads WA has expressed no indication that this would be entertained. The proponent has expressed 'in-principle' agreement that their fair and reasonable contribution could be made to the wider traffic network. This is acknowledged, but the Shire cannot progress road planning and negotiations such as the Brooking Road / Roland Road realignment in the absence of a State position on what higher order road upgrades are acceptable, both north and south of the SP34 area.

State intervention would be required. Only at that point could local road planning / improvements be progressed as anticipated within the Shire's LPS.

Typically, developers deriving sole benefit from a road must fund its construction; which is generally the case for internal roads and those immediately adjoining or in proximity to a site. For regional roads / intersections which fulfil a higher order role in the network and have a district/regional benefit, determining contributions becomes more complex and problematic.

The planning system can only require developers contribute their proportional share towards higher order roads/intersections. While there are methods to model traffic generation and allocate proportional share, legally, neither the Shire or State can require the developer of SP34 be solely responsible for resolving traffic issues caused, in part, by factors external to the proposed development - including natural traffic growth. From a practical and operation view, traffic lights or significant intersection upgrades cannot be staged (i.e. rely on partial contribution) and must be fully funded.

Based on the information and position of stakeholders so far, achieving agreement will be a challenge. Even though the Shire's LPS foreshadows particular routes; the scope for disagreement between the stakeholders still remains. Further, any significant departure from the network upgrades anticipated within LPS would raise procedural fairness issues. It may become appropriate and necessary that further community engagement occur relative to any revised road alignments.

Issues regarding what represents a 'fair' proportional share and the order / sequencing of works between the developer's intended subdivision stages and any publicly funded works / initiatives would need to align – which further complicates a solution being reached.

Road and intersection capacity issues were raised by the community and, from a technical planning perspective, remain a legitimate planning concern.

Bushfire Risk

DFES has encouraged the Shire of Mundaring and the WAPC to give strategic consideration to the construction and upgrade of the road network within the area. Although DFES' own requirements do not specifically address 'regional' road capacity for evacuation, ensuring capacity within the wider road network for safe 'early' evacuation access is paramount.

The site's strategic location within a bushfire prone area must be given due regard, which in turn elevates the importance of ensuring a safe and efficient road and intersection network.

Resolution

Under the Regulations, a Structure Plan must provide for the coordination of key transport infrastructure (Part 4 Section 16 (vi)). It was not possible at the time of lodgement for officers to determine whether the submitted TIA made provision for the proper coordination of traffic infrastructure, as this requires consultation with other agencies.

Given the agency and community feedback, and the further district traffic analysis completed by the Shire, and complexities and uncertainties outlined above, the Shire has no option but to conclude that SP34 does not provide for the coordination of key transport infrastructure.

Officers are of the view that, while other substantive planning issues can be addressed by recommending modifications, it would be inappropriate and presumptuous to address road capacity concerns the same way.

If the WAPC sought to approve SP34 subject to a modification that 'subdivision not progress until road and intersection agreements are resolved', SP34 would then be in place as an approved guide to subdivision. In this scenario, a subdivision application could be lodged and the decision appealed to SAT which, regardless of the WAPC's decision and whether agreements have been achieved, would open a right of appeal.

SAT would likely be compelled to give primacy to the established development rights under LSIP 265 and seek to limit the extent of road works required, undermining the intent of providing for a coordinated approach to road network planning.

Taking a broader view, structure plans exist to guide subdivision and achieve coordinated planning outcomes. They lack the statutory weight and influence required to appropriately capture, address and overcome cumulative impacts on shared public assets, such as regional road intersections.

Given this complexity and uncertainty, and the implications on community safety, a far more precautionary response is warranted.

Traffic Amenity Impacts

Safety:

A number of submissions suggested that SP34 should be refused on the basis that more traffic would result in more accidents. Submission 158 notes:

The roads are a main transport route for heavy vehicles and a dramatic increase in additional car users will see a spike in road vehicle accidents, wear and tear on the road infrastructure and further damage to our native wildlife, ie: kangaroos.

Roads are required to be engineered/constructed to relevant safety and performance standards and traffic laws exist to provide controls around driver behaviour. The Transect Design Guide: Streets proposes road designs to slow traffic speeds and be more conducive to pedestrians and cyclists.

Suitable measures exist / are proposed to ensure safe traffic movement within and immediately adjoining the site should SP34 be approved and subdivision proceed. However, capacity issues exist at key intersections which remain unresolved which are further discussed within the 'District Traffic Impacts' section above.

Noise:

Noise management in Western Australia is governed by the *Environmental Protection (Noise) Regulations 1997*. These regulations do not address noise produced by traffic on roads. Should SP34 be approved, it is reasonable to expect that more traffic noise would result. It may also be considered that when LSIP 265 was approved, that it established certain expectations for the locality i.e. an increase in population size and attendant changes to the volume of traffic.

Management of traffic noise by government agencies is only triggered when it becomes unlawful e.g. hooning. Management in this instance is by WA Police. However, it should be noted that the design of streets within the Transect Design Guide is intended to reduce vehicle speeds to create an environment more conducive to walking and cycling which would have some beneficial impacts on traffic noise.

Light:

Should SP34 be approved and subdivision result, it would be reasonable to expect additional light from car headlights and street lights.

Hypothetically, if SP34 was refused by the WAPC on the basis that light would be produced by street lighting and headlights, it is highly likely that the decision would be appealed to SAT.

Due to the development rights conferred by the current zone, it is probable that the WAPC's refusal would be overturned since lighting is a reasonable and expected result of development permissible by virtue of the underlying zones of the MRS and LPS4 and existing approval of LSIP 265.

Pollution:

Development of the North Stoneville townsite would likely be car-dependent, giving rise to pollutants entering the environment.

The risks associated with development in the locality have been weighed against the benefits of a consolidated urban form within the state government's North-East Sub-Regional Planning Framework and have been addressed previously in the report.

It is therefore considered that the strategic trade-offs of development in Stoneville have been properly weighed and that pollution associated with car dependence does not outweigh the benefits of a consolidated urban form.

Conclusion

The decision before Council is not whether a new townsite in North Stoneville is appropriate. Council must determine whether the revised structure plan aligns with contemporary planning requirements.

Many objections have been lodged on SP34 for reasons mainly related to the preservation of amenity. By definition, amenity includes the likely future amenity of an area. As LSIP 265 has been embedded within the planning framework for considerable time - it too forms part of the 'likely future amenity'.

Based on a technical analysis of SP34 against the planning framework and in light of submissions, SP34 is found to be generally compliant and represents a superior outcome when compared to LSIP 265.

Development would deliver a number of sustainability benefits to the community and would accommodate a growing population in a location long-identified for growth.

It would also, of course, have effects – both positive and in some cases negative – which have been and will continue to be important considerations for the Shire and other agencies in the future.

Despite SP34's compliance with majority of planning requirements, based on an assessment of anticipated traffic growth, this report finds that there is currently insufficient certainty that traffic growth could be safely accommodated on the district and regional road network.

Further, a review of district traffic network confirms that the network improvements foreshadowed within the Shire's LPS still require Main Roads WA and the City of Swan support.

The Shire has therefore concluded that the only prudent course of action at this point in time would be to recommend that SP34 be refused.

Lastly, Council's recommendation is not binding and it is the WAPC which will determine SP34. In the event that the WAPC resolves to approve SP34, this report recommends that a number of modifications be made to reflect the Shire's assessment.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council: -

- A. Acknowledges all submissions made on Structure Plan 34 have been considered;
- B. Acknowledges the assessment demonstrates that Structure Plan 34 is generally compliant the relevant parts of the planning framework;
- C. Acknowledges it would be inconsistent with orderly and proper planning to support Structure Plan 34 as the traffic generated would exacerbate capacity constraints on the surrounding road network; compromising community safety.
- D. Pursuant to 'C', recommends the Western Australian Planning Commission **refuse** Structure Plan 34 due to the absence of coordinated response to the provision/upgrade of/contribution toward road infrastructure.
- E. Advise the Western Australian Planning Commission that should it entertain approving Structure Plan 34, the following modifications are recommended:
 - i. The applicant providing evidence that the proposed private K-12 school site is appropriate for its intended use in accordance with Element 6 of Draft Liveable Neighbourhoods;
 - ii. The Bushfire Management Plan being modified:
 - 1. To require consideration of alternative firebreaks to protect vegetation;
 - 2. To update bushfire history;
 - 3. to align with the DWER hydrography layer and the LWMS;
 - 4. to note the creation of Asset Protection Zones around Building Envelopes is not supported as this would result in significant environmental impact.
 - 5. In accordance with DFES' comments;
 - a. Aligning the photo evidence in Appendix 1 with the photo points in Figure 3;
 - b. Photo evidence being provided for Plot 4;
 - c. Photo evidence to support vegetation exclusion in Plot 7;
 - d. If ongoing vegetation management is assumed, demonstration that vegetation management can be maintained and legally enforced in perpetuity;
 - 6. Figure 6 of the Bushfire Management Plan and corresponding text updated to include provision for additional Fire Safe Access Routes in the following locations:
 - i. Adjoining the eastern boundary of central creekline POS adjacent to the proposed RR2 lots. The alignment should be outside the designated area for rehabilitation of the riparian zone.
 - ii. lots immediately north of Clutterbuck Creek and

-
- east of the central drainage line POS;
 - iii. Along the southern boundary which connects Roland Road to Brindle Road and continues to the eastern extent of Sundowner Grove before connecting with Stoneville Road;
 - iv. Along the northern boundary of the last lot that backs onto Roland Road adjacent to the Conservation Area;
 - v. Connecting the internal road network with Cameron Road;
 - vi. Connecting the internal road network with Timbertop Way, along the northern boundary of the proposed rural residential zoned land south of the north eastern area of POS;
 - b. Provision of an EAW connecting Sundowner Grove in a north-easterly direction with the cul-de-sac proposed to access the proposed Rural Residential 2 lots.
 - c. Final alignments and design of FSAR's and the EAW are to be sensitively designed to minimise the impact on key environmental features.

iii. The "Streets Transect Design Guide" incorporating the following requirements – on streets abutting land zoned:

R12.5 or higher – one tree per 10m or one tree per lot (whichever is the greater) unless otherwise determined by the Shire.

R10 or lower – one tree per 10m unless otherwise determined by the Shire.

Rural Residential – one tree per 15m unless otherwise determined by the Shire.

Local Centre – one tree per 10m or one tree per lot (whichever is the greater), unless otherwise determined by the Shire.

iv. Section 4.9.9 of Part Two of Structure Plan 34 being modified as follows:

Development of the site will be carried out in stages, with staging anticipated to commence from Roland Road to the west and focus around the establishment of the first Village Core.

The design allows for a variety of different lot sizes to be presented for sale within each stage.

~~*The first stages require essential services to be provided, as outlined in the Engineering Servicing Report.*~~

Stage 1 is likely to include infrastructure for essential services including:

- *potable Water Tanks;*
- *the Recycled Water Facility and associated Pressure Mains;*

and

- *High Voltage Transformer and 22 kV High Voltage Backbone Feeder extension.*

Public Open Space areas will be provided generally in accordance with the indicative POS plan at Figure 24. The size and location of stages will dictate the Recreation Reserves that are to be included in any plan of subdivision.

The Department of Education suggests that the Primary School site may be required following the construction of 500 or so lots, subject to further detailed feasibility.

Although timing for the future K-12 Private School is subject to further investigation by the Anglican Schools Commission, it is likely that its viability will be reliant on the full townsite nearing completion. A staged approach to the Private School itself will also be investigated, which may allow a smaller facility to occur in the short-medium term if demand exists.

The Department of Education has indicated that the Future High School adjoining (not within the Structure Plan area) may not be needed until the 2031 planning horizon, and is also subject to further investigation.

Within the first few stages, the intent is to provide a small convenience retail/hospitality land use in association with a Sales Office within the Local Centre. Further details on the evolution of the Local Centre and expected land uses can be obtained from Appendix 3, Commercial Strategy.

The information provided on staging is guidance only and based on information available at the time of preparation. There may be variances to staging depending on prevailing circumstances.

Refer Appendix 4, Engineering Servicing Report for more details on essential infrastructure.

v. Structure Plan 34 being redesigned so that:

1. A road is shown abutting the eastern boundary of POS located to the immediate south of the proposed private K-12 school;
2. no residential zoned land is shown directly abut POS unless there is no appropriate design alternative;
3. land abutting the subject property's eastern boundary, between the public high school site (Lot 13418 Kanangra Court) and proposed private K-12 school is shown as not having a residential density greater than R5;
4. Roland Road reserve is being shown as widened by five metres along its eastern boundary so as to retain existing vegetation and provide for the installation of a dual use path.

vi. The Structure Plan 34 report being modified to include requirement for:

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1. preparation of a plan addressing detailed urban design within and around the proposed Neighbourhood Centre;
 2. an agreement with the Shire regarding the provision and timing of community infrastructure in lieu of a Development Contribution Plan.
 3. lots being grouped so as to create a consistent streetscape without adversely affecting environmental features or creating excessive levels of cut/fill.
 4. no street block being longer than 240 metres unless construction of a road would result in excessive earthworks or be impractical due to the presence of caprock or other environmental feature;
 5. preparation of Local Development Plans in the circumstances set out by Draft Liveable Neighbourhoods and to restrict direct access from proposed lots onto Roland Road;
 6. detailed design consideration being given to on-street embayment parking, end-of-trip facilities and bus stops;
 7. preparation of a Fauna Management Plan to the satisfaction of DBCA;
 8. preparation of a Salinity Management Plan;
 9. subdivision applications to demonstrate how a diversity of lot sizes within each transect, commensurate with the Transect Design Guide, would be achieved;
 10. consideration of water infrastructure education and programs;
 11. consideration of incorporating heritage interpretation into the residential designs near the Public Open Space around Site ID 15734;
 12. consideration of co-locating utility infrastructure;
 13. consideration of a shared senior size oval with the proposed public primary school in accordance with the Shire's Recreation Facilities Informing Strategy;
 14. modification to dams so that they are compatible for use within POS.

vii. Figures 18, 19, 22, 27, 28, 29 and 30 of the Structure Plan 34 report being modified to remove indication of battleaxe lots.

F. forwards its recommendation to the Western Australian Planning Commission for final determination.

7.0 CLOSING PROCEDURES

7.1 Date, Time and Place of the Next Meeting

The next Ordinary Council meeting will be held on Tuesday, 10 September 2019 at 6.30pm in the Council Chamber.

7.2 Closure of the Meeting