

Summary of Submissions
Local Planning Policy P-DEV 62: Maddington Kenwick Strategic Employment Area

Submitter No.	Nature of Submission	City of Kalamunda Response/ Recommended Modifications
1	<p>1. The information provided is entirely inadequate for the purpose of community consultation on future Planning.-</p> <ul style="list-style-type: none"> a) It does not explain the previous Planning Context of MKSEA, the extent of area embraced by that Planning; dates and current standing of Planning Approval for it; or the input was made to that by the (Shire) City of Kalamunda. b) The intention from work that can be seen already commenced on-site is clearly revealed as being to extend the recently placed 1.5m+ deep sand covering over this area within City of Kalamunda boundary herein latterly termed Precinct 3 (A). c) In fact the land area embraced is extremely environmentally sensitive. Firstly in that the natural surface hydrology of it drains into Yule Brook and will impact upon the immediately adjacent biodiverse area of Greater Brixton Street Wetlands (at least 558 native plant species). The development lots (not numbered) are part of a landscape that contains globally - significant biodiversity including rare and threatened species and communities of national significance in accordance with the Commonwealth EPBC Act. d) The area has significant mature tree cover, that by implication of Planning Draft PPDev -062 will be cleared completely save for a narrow 6m strip alongside Welshpool Road East, (barely the root-spread of a single tree.) <p>Each of the above obviously invalidates the leading statement in the draft that "The Policy was written with the intent of protecting the amenity of the locality and that of the surrounding landowners" ...</p> <p>2. Presentation of this as a 'draft Local Planning Policy' for public comment is also inadequate and substantially misleading in its present form (the many photographs included are not of actual proposals, but for design-guide illustrative purposes and selected by Consultants working for commercial Developers, not by City Planning staff.</p>	<ul style="list-style-type: none"> a) The intent of the Design Guidelines is to provide clear and comprehensive development criteria to guide developers, Council and the City on development in the precinct. There is no requirement for the Design Guidelines to provide background planning context. This has been addressed in the report to Council. b) Noted. c) The area subject to the Policy forms part of the Maddington Kenwick Strategic Employment Area (MKSEA) which has been rezoned under the Metropolitan Regional Scheme zone from Rural to Industry (1300/57) and subsequently rezoned under the Local Planning Scheme zone from Special Rural to General Industry and Light Industry (PG-LPS-003/089). Pursuant to Section 81 of the <i>Planning and Development Act 2005</i> and the requirements of the <i>Planning and Development Regulations (Local Planning Schemes) 2015</i>, the amendment was referred to the Environmental Protection Authority for consideration against Section 48A of the Environmental Protection Act 1986. It is noted that the Environmental Protection Authority did not require an assessment. However, it is important to note that Clause 6.8.1(c) of Local Planning Scheme No. 3 requires all subdivision and/or development applications to be supported by investigations to determine if any significant vegetation, flora or fauna habitat occurs within the proposed area. Furthermore, the approved MKSEA Precinct 3A District Water Management Strategy (DWMS) and Local Water Management Strategy (LWMS) models groundwater flow for the precinct and confirms that the area subject to the Policy guidelines is located in a south The DWMS and LWMS also models the pre-development surface water flow, which is also in a south westerly direction (as would be expected as the land also generally slopes in this direction), before discharging to the Yule Brook close to the Roe Highway culverts. This drainage pattern has been maintained in the post-development scenario, as is evidenced by the overland drainage swales which discharge to a large drainage treatment basin at the south west of the development (within the City of Gosnells)westerly direction and away from the Brixton Street wetlands. d) The City will be encouraging developers to give consideration to the retention of vegetation on site at the development application stage of the planning process. <p>Noted.</p>

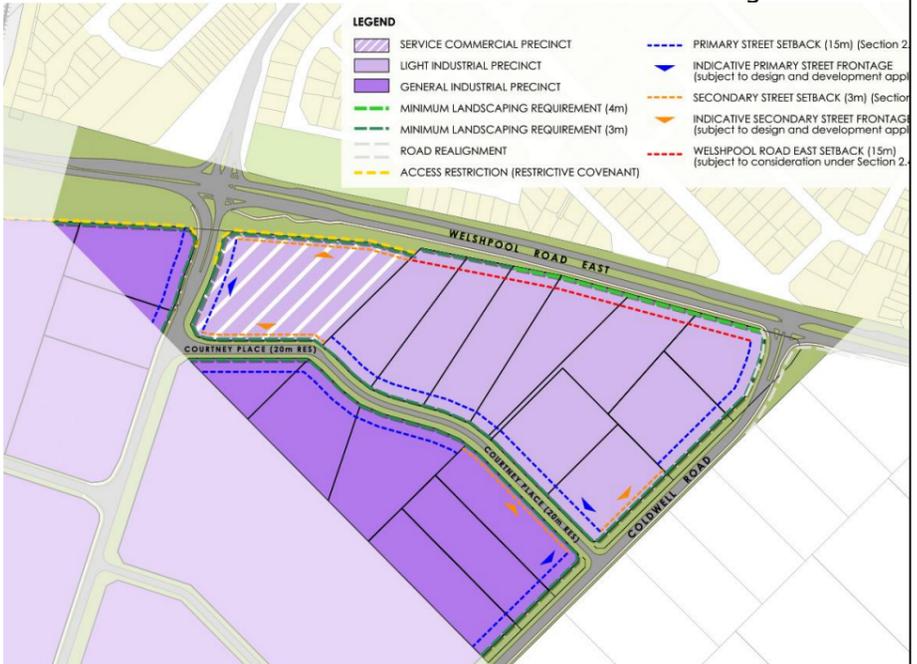
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	<p>'Built form' for instanced does not specify relative scale, heights and limitations on vertical surfaces; or specifying how roof treatments could make any contribution to limiting the 'Heat Island' (+9Cdeg.) effect of removing mature vegetation as proposed; that will certainly affect neighbouring domestic properties, noting particularly that this locality has the highest summer temperatures in the region – lacking penetration of afternoon sea breeze.</p>	
	<p>While Council agreed to release this Draft for public comment at the 25th September OCM members then made no public comment on it. I asked Council to note the (avoidable) environmental destruction; note the damaging effect on local site hydrology and pointed out that the whole of the MKSEA was/is marginally wetland – (as apparently discovered recently by the Developers, after recent heavy rainfall flooding) – who are now busy re- excavating the tens of thousands of tonnes of sand imported from off-site to place precast concrete drainage culverts !</p> <p>Council should also be asked to note that both Community and State Government awareness of environmental issues and sustainability have changed substantially since this MKSEA area was first designated many years ago. They will be expected to reflect that change in their approach to Planning Approvals - especially where known threats arise from large scale development. (Council will certainly be subject <u>to community criticism if it accepts this further and blatantly anti-sustainable activity</u>).</p> <p>Council should also be asked to reflect on the high level of detail they have been guided to impose on small domestic projects; and why that level of detailed scrutiny of form, spatial assembly and surface textures should not be extended to each and every industrial building?</p> <p>Some Alternative proposals.-</p> <ul style="list-style-type: none"> a) The existing largely level ground throughout the Precinct 3A should be maintained without surface overfill. b) All mature trees existing on-site with a bole diameter of 30cm or over remain in place and be protected during development (with a map-located Preservation Order) and 	<p>The area subject to the Policy forms part of MKSEA which has been rezoned under the Metropolitan Regional Scheme zone from Rural to Industry (1300/57) and subsequently rezoned under the Local Planning Scheme zone from Special Rural to General Industry and Light Industry (PG-LPS-003/089). Pursuant to Section 81 of the Planning and Development Act 2005 and the requirements of the Planning and Development Regulations (Local Planning Schemes) 2015, the amendment was referred to the Environmental Protection Authority for consideration against Section 48A of the Environmental Protection Act 1986. It is noted that the Environmental Protection Authority did not require an assessment. However, it is important to note that Clause 6.8.1(c) of Local Planning Scheme No. 3 requires all subdivision and/or development applications are to be supported by investigations to determine if any significant vegetation, flora or fauna habitat occurs within the proposed area. Furthermore, the approved MKSEA Precinct 3A District Water Management Strategy (DWMS) and Local Water Management Strategy (LWMS) models groundwater flow for the precinct and confirms that the area subject to the Policy guidelines is located in a south The DWMS and LWMS also models the pre-development surface water flow, which is also in a south westerly direction (as would be expected as the land also generally slopes in this direction), before discharging to the Yule Brook close to the Roe Highway culverts. This drainage pattern has been maintained in the post-development scenario, as is evidenced by the overland drainage swales which discharge to a large drainage treatment basin at the south west of the development (within the City of Gosnells) westerly direction and away from the Brixton Street wetlands.</p> <p>The City will encourage the retention of vegetation where practicable at the Development Application stage of development. Clause 6.8.1(c) of Local Planning Scheme No. 3 requires all subdivision and/or development applications to be supported by investigations to determine if any significant vegetation, flora or fauna habitat occurs within the proposed area.</p> <p>Noted.</p> <ul style="list-style-type: none"> a) Any modifications to ground levels will be determined by the requirements of the Local Water Management Strategy and will be assessed at the Development Application and/or subdivision stage. b) The City does not currently have any statutory mechanism to require the retention of vegetation on private properties, unless the

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	<p>c) That instead of 6m (barely the root spread of a single tree) a minimum 40m visual buffer of existing trees/ground vegetation remain along the whole of the combined sites frontage to Welshpool Road East. (To allow some managed long term natural self-regeneration under them).</p> <p>d) Council should also seriously consider the inevitable further slowing of currently increasing vehicle movement along westerly metro-bound Welshpool Road East by the implied introduction of much more major heavy vehicle traffic entering and leaving Coldwell Road. Therefore slightly lengthen central turn-off lanes on this dual carriageway but definitely oppose traffic lights at that junction.-This section of dual carriageway, the main traffic route from the Hills to central Perth is already subject to 1km westbound tail-back congestion at peak hours, as well as being already a designated route for north-westward bound heavy multi-trailer heavy freight vehicles from Brookton Hwy via Canning Mills.</p>	<p>vegetation is protected by state or federal legislation. Nonetheless, the City will encourage the retention of vegetation where practicable at the Development Application stage of development.</p> <p>c) Refer comments to b).</p> <p>d) Vehicle movements on Welshpool Road East are not a consideration of the Local Planning Policy. Nonetheless as a Primary Regional Road, vehicle movements are a consideration for MRWA.</p>
2	<p>I refer to the City's letter of 17 October 2018 advertising the Kalamunda Wedge Industrial Area – Precinct 3A Design Guidelines, September 2018, for public comment. We submit our comments as land owners in the wedge area.</p> <p>The design guidelines are clear on what is intended for the area as a light industrial and general industrial area as far as site design, building design and facilities for the lots. The photographs and artists' impressions show traditional industrial estate ambience from all aspects. However the City's proposal for the Welshpool Road Interface is inconsistent with this.</p> <p>The City rezoned our land, clearly voted to sell out our Special Rural zoning, and made our land Light Industrial. Now the City is seeking to retain it as "Rural Looking". We are very disappointed that the City of Kalamunda has uprooted our rural lifestyle, damaged a wonderful 'green belt' at the bottom of the scarp ... but now wants to pretend to the rest of the world that our properties are still rural. A façade only.</p> <p>We have serious doubts from a natural environment perspective of the existing trees surviving along the Welshpool Road East verge and future plantings within this 6 metre nature strip proposed. The existing trees have grown and been conditioned in a rural setting with adjoining land areas having tall trees and other vegetation. Their roots and growth is according to the existing water sources, wind and weather protection of surrounding trees and vegetation.</p> <p>An industrial estate, similar to that already developing in the area, with no large trees will cause different water channelling, wind directions and forces of Nature. These factors will not enhance the longevity of the existing trees. Changes to water run off and water entrapment in this clay soiled area, resulting for the lots being developed with industrial buildings and carparks, will also impact on the viability of the existing trees.</p> <p>In our experience, when trees become exposed due to removal of adjacent trees that previously protected them, they become prone to losing limbs and falling over. Westerly winds, until now not encountered by the existing tall gum trees on the Welshpool Road East verge, will be more likely to cause branches, and maybe the trees themselves, to fall or encroach onto Welshpool Road East.</p> <p>The verge, which the Council currently does not clear of fallen branches and fire hazard combustible materials, and a further 6 metres of nature strip will become a bigger litter trap and fire hazard. The light industrial land owners will have no interest in this land area, as they have any not true street frontage. The foliage will also provide cover for those intent on committing break-ins at the commercial premises.</p> <p>This 6 metres per lot nature strip will cumulatively create "Bush" of greater than 1 hectare. These lots and all other properties, including the residential suburb of Wattle Grove, will then need to comply with the new fire prevention legislation. The height and materials used for the buildings due to closeness to bush/tall trees will also need to be compliant with this legislation. There may also be a requirement for firebreak around this bush. If this is done on a per lot basis, then the 3 metre firebreak between</p>	<p>The intent of the Landscaping strip along Welshpool Road East is to mitigate the bulk and scale of any subsequent industrial development, which is common place throughout the Perth Metropolitan Area. For example, the Forrestfield/High Wycombe Industrial Area imposes a 6-8 metre wide landscaping strip.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. Firebreak requirements apply to individual lots greater than 2000m² in area for lots that are vacant and 4000m² for properties that are occupied. Any lots exceeding the aforementioned areas will be required to comply with the Firebreak requirements.</p>

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	<p>lots, on each side of the adjoining boundary, will create 6 metre gaps in the bush between lots. This means the nature strip will become patches of bush with 6 metre gaps, which defeats the whole purpose of its role as a screen to hide the buildings.</p> <p>I am not sure whether this would also mean that a further 3 metre firebreak will be required on the lot adjoining this bush strip. While this may comply if used for parking or as part of a perimeter road on the lot, imposing this development control restricts property owners' design of their light industrial site.</p> <p>The proposed development controls which require landscaping of a minimum 6 metres of land adjacent to the lot boundary to Welshpool Road East effectively renders this land, and any additional firebreak areas, to restricted use and unusable for light industrial purposes or any other purpose.</p> <p>If the City proceeds with this 6 metre 'Rural/nature strip' requirement for the light industrial properties adjacent to Welshpool Road East, then we, as land owners of an affected property will be claiming compensation from the City of Kalamunda for the land they rezoned for use as Light Industrial, but can only be used as a nature strip. The City's development guidelines clearly render the 6 metre strip as unusable for industrial or any other purpose.</p> <p>Furthermore, as these lots will not be solely 'light industrial', as they will still have a minimum of 6 metre as 'special rural', then the City's annual rates should also be proportionately discounted for this restriction imposed by the City's development controls.</p> <p>We recommend that the City of Kalamunda revise their Kalamunda Wedge Design Guidelines to remove the requirement for light industrial landowners to have a 6 metre nature strip along their boundary adjacent to Welshpool Road East.</p>	<p>No compensation will be provided. The provision of landscaping to be provided as part of the development approval process represents a well-established statutory requirement with the aim of improving the level of amenity associated with the provision of high quality landscaped areas. In this instance, the intent of the landscaping strip along Welshpool Road East is to mitigate the bulk and scale of development and provide a suitable interface to existing residential development, which is common place throughout the Perth Metropolitan Area. For example, the Forrestfield/High Wycombe Industrial Area imposes a 6-8 metre wide landscaping strip.</p> <p>In in light of the submissions received however, the landscaping requirements have been revised from a minimum of six metres to a minimum of three to four metres as illustrated in the below figure.</p> 
3	<p>I have read and reviewed the Planning Policy P-DEV 62 Kalamunda Wedge Industrial Area - Precinct 3A.</p> <p>I strongly object to the requirement of properties along Welshpool Road East to have an additional 6 meter setback (Minimum Landscaping requirement 6m, as shown in Figure 7)</p> <p>As a result, this area of land, in my case 333 Square Meters, will have no value.</p>	<p>No compensation will be provided. The provision of landscaping to be provided as part of the development approval process represents a well-established statutory requirement with the aim of improving the level of amenity associated with the provision of high quality landscaped areas. In this instance, the intent of the landscaping strip along Welshpool Road East is to mitigate the bulk and scale of development and provide a suitable interface to existing residential development, which is common place throughout the Perth Metropolitan Area. For example, the</p>

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	<p>What compensation is in place for the loss of what is currently useable and valuable land?</p> <p>I look forward to hearing back from you.</p>	<p>Forrestfield/High Wycombe Industrial Area imposes a 6-8 metre wide landscaping strip.</p> <p>In in light of the submissions received however, the landscaping requirements have been revised from a minimum of six metres to a minimum of three to four metres as illustrated in the above figure.</p>
<p>4</p>	<p>Properties with the same zoning need to be treated, equitably, equally and fairly. The Commercial precinct is a manufacture of the the current developer (Linc) and Council. The zoning is still light industrial for the commercial precinct like other properties between Courtney Place and Welshpool Road. I re-iterate, that we expect to be treated in the same manner as the commercial precinct.</p>	<p>One of the submissions raised concerns regarding the equitable application of landscape buffers. It is acknowledged that while all properties abutting Welshpool Road East are zoned Light Industry there are different landscaping buffer requirements; with the Design Guidelines requiring the majority of properties to provide a landscaping buffer of a minimum of six metres fronting Welshpool Road East, with the exception of the 'Commercial Precinct' which is required to provide a minimum of 3 metres.</p>  <p>The corresponding verge widths along Welshpool Road East also vary considerably as illustrated in the Verge Sections as at Attachment 2 and the below image.</p>

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As illustrated above, the verge widths along Welshpool Road east vary considerably from 28 metres (approximately) at its greatest extent adjacent to the Service Commercial Precinct to four metres (approximately) at its narrowest extent adjacent to Lot 17 (581) Welshpool Road East, Wattle Grove.

More specifically as illustrated in Attachment 2:

- a) Cross section A (adjacent to the Service Commercial Precinct) has a verge width of approximately 22 metres and a minimum landscaping buffer of 3 metres in width which equates to a 25-metre landscaping buffer to Welshpool Road East;
- b) Cross section B (representative of the balance of land fronting Welshpool Road East) has a verge width of six metres and a minimum landscaping buffer of six metres which equates to a 12-metre landscaping buffer to Welshpool Road East.

The reduced landscaping strip for the 'Commercial Precinct' is therefore a response to the corresponding verge widths, with the varying landscaping requirements intended to ensure a visually consistent vegetation buffer when viewed from Welshpool Road East.

5	<p>I refer to your letter dated 17 October 2018 in relation to advertising of the above design guidelines for public comment. The City provides the following comments:</p> <p>The City is supportive of the intent of the design guidelines to enhance the overall aesthetics of the area which will contribute overall to the creation of a quality industrial estate for the MKSEA.</p> <p>This said, the use of turf as a landscaping treatment as described in the design guidelines is questioned on the basis of its incompatibility with the surrounding conservation areas.</p> <p>Turf as a landscape treatment (on both the verge and individual properties) is not supported given the environmental significance of the surrounding Yule Brook and Greater Brixton Street Wetlands (GBSW).</p> <p>The City is seeking to achieve best environmental practice in the Maddington Kenwick Strategic Employment Area (MKSEA). Irrigated, fertilised turf should be avoided as it generally involves higher water and nutrient requirements and has the potential to become an invasive weed.</p> <p>In relation to a suitable verge treatment, the City considers an alternative to turf is to mulch to the back-of-kerb at an appropriate width to provide pedestrian access with the balance of the verge being planted with species endemic to the GBSW. The verge treatment should attempt to communicate a sense of place and biodiversity reimbursement.</p>	<p>It is acknowledged that irrigated grass treatments appear in conflict with sound objectives for protection and enhancement of local biodiversity. However, the approved MKSEA Precinct 3A District Water Management Strategy (DWMS) and Local Water Management Strategy (LWMS) models groundwater flow for the precinct and confirms that the area subject to the Policy guidelines is located in a south westerly direction and away from the Brixton Street wetlands.</p> <p>The DWMS and LWMS also models the pre-development surface water flow, which is also in a south westerly direction (as would be expected as the land also generally slopes in this direction), before discharging to the Yule Brook close to the Roe Highway culverts. This drainage pattern has been maintained in the post-development scenario, as is evidenced by the overland drainage swales which discharge to a large drainage</p>
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Attached are two separate lists provided by the Department of Biodiversity, Conservation and Attractions containing endemic species.

In relation to suitable street trees, *Corymbia ficifolia* and/or *Eucalyptus sideroxylon rosea* are deemed acceptable.

The design guidelines (under the heading Introduction) do not address fully the subject site's location and adjacent land use, specifically high-value conservation areas in Yule Brook and Greater Brixton Street Wetlands, which are important downstream considerations, particularly with regard to stormwater and groundwater management.

The water-wise landscaping objective in the design guidelines (under the heading 1.2 Design Principles) is in conflict with 2.5.2 Verge Amenity (Development Guidance) where it is specified that manicured grasses are accepted as a verge treatment.

treatment basin at the south west of the development (within the City of Gosnells). Nonetheless, landscaping treatments will be appropriately assessed at the Development Approval phase of development in respect to the approved LWMS and DWMS.