

Submission Table

Submitter Assess No.	Nature of Submission	Applicant/Owner Response	Response/Recommended Modifications
Water Corporation	Non-Objection The Water Corporation has no objections to the proposal. Any increased domestic water demands arising from the future development of the site will require further assessment at the building application stage to determine if upgrades are required to the water reticulation mains. Any upgrades to the mains and to the size of the water service (meter) to the site will need to be borne by the proponent.	1.1 Noted	Noted
Department of Mines, Industry Regulation and Safety	Non-Objection The Department of Mines, Industry Regulation and Safety has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.	2.1 Noted	Noted
Department of Health	Thank you for your letter of 30 March 2018 requesting comment from the Department of Health (DOH) on the above proposal. The DOH has no objection to the proposed amendment subject to: The proposed development is required to connect to scheme water and be in accordance with the draft <i>Country Sewerage Policy</i> . For on-site wastewater disposal systems to be approved, a 'site-and-soil evaluation' (SSE) in accordance with Australian Standard 1547 (AS/NZS 1547) is required. A site specific detailed 'site-and-soil evaluation' (SSE) is required to: <ul style="list-style-type: none"> • determine appropriate density • select and size treatment/onsite wastewater management system; and • identify management and monitoring options 	3.1 Noted	Noted

Main Roads WA	<p>Main Roads has now had the opportunity to review the information provided and has no objection to the proposed Scheme Amendment.</p> <p>Would you please forward a copy of the City's final determination on this proposal quoting file reference 05/3167-02 (D18#385538).</p>	4.1 Noted	Noted
1, 4, 5, 6, 8, 9, 16, 17, 18, 20, 21, 39	<p>Objection</p> <p>Comments and Objections to: Proposed Scheme Amendment 97 – Special Use Zone (Aged and Dependant Persons Dwellings) – Lot 7 (41) Marion Way, Gooseberry Hill (PG-LPS-003/097)</p> <p>I/We express genuine concern and objections regarding the proposed rezoning of 41 Marion Way, Gooseberry Hill, WA, 6076 from R5 to R12.5. The comments and objections are to be taken as opposition to the rezoning. This proposal to create greater density in this neighbourhood, some distance from the city centre (see 5#), is not a genuine design to replace an enviable and pleasant "hills" neighbourhood.</p> <p style="text-align: center;">Comment</p> <p>1) Almost all owners in the immediate vicinity of Marion Way, Farrant Street, Landor Road and Girrawheen Drive had no inkling of the proposal until a sign was erected outside 41 Marion Way, Gooseberry Hill about three weeks ago. It was ascertained from the City's Planning & Development Services staff that only adjoining neighbours <i>may</i> have received direct communication from the City about the proposal. An advertisement in a local newspaper completed the minimal requirements required of the City. Many neighbours are affronted by this minimalistic approach for such a significant impact upon the local owners and residents.</p>	5.1 Signage was erected onsite in accordance with local government requirements.	All advertising was completed in accordance with the City's Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals.

	<p>2) There is concern about the enforcement of “Aged and Dependent Persons Dwelling” covenants which would be included in each green title to restrict ownership and residency to “over 55s”. Such covenants may easily be circumvented by renting out to any person or group under 55 years of age. The readiness of the City of Kalamunda to uphold the covenants may well be a present and future issue.</p> <p>3) There is a tendency with owners of smaller blocks <i>not</i> to grow trees and maintain a “hills” environment. A current redevelopment at the western end of Farrant Street is an example of this trend where the streetscape to the site presents as a limestone walled block devoid of trees and made ready for a substantial residence. The principle of “living in the forest” which is promoted as an ideal by the City appears difficult to enforce and is a present and future issue for owners and residents.</p> <p>4) It is recognised that the City may only enforce normal building conditions. It is of concern that the redeveloped site may have standardised units built upon each site, such as those built a number of years ago opposite the Museum in Railway Road. It is also acknowledged that “beauty is in the eyes of the beholder”, but such a uniform build on all blocks would be detrimental to the general diversity and standard of the neighbourhood.</p>	<p>5.2 Unrelated to the proposed Scheme Amendment.</p> <p>5.3 Vegetation: The site has already been primarily cleared, with most of the established vegetation located within the road reservation and not impacted by this scheme amendment request. Trees on the Site will be retained where possible (and in compliance with bushfire management requirements). On-site vegetation retention will be addressed through the subsequent development approval process.</p> <p>5.4 Amenity: The provision of diverse housing stock is not considered to be a negative outcome or result in ‘out of character’ development. Appropriate development and built form controlled through subsequent development approvals process.</p>	<p>Any future development on site would include notifications that would enforce this requirement.</p> <p>Impacts on vegetation is a factor that would be assessed as part of any subdivision or development application.</p> <p>Any development application for the site will be assessed based on the requirements of the Residential Design Codes. The City currently has no mechanism to enforce design requirements beyond this.</p>
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	<p style="text-align: center;">Objections</p> <p>5) Most owners have lived in the neighbourhood for many years and enjoy the bushy hills environment on R5 blocks of land. Greater density is best confined to streets nearer the city centre, as is the case now with infill and rezoning occurring in the vicinity of the City offices etc. The original R5 zoning was done for good reason, and careful reading of the SITE Planning & Design town planning submission should not sway any owner and resident of the fundamental attack on our local environment.</p> <p>6) The Site Plan indicates four separate residences facing Marion Way with septic sewerage at the rear facing Girrawheen Drive. Three extra driveways connecting to Marion Way will pose traffic problems. If the proposal was to progress, a single driveway connecting to Marion Way is the preferred and safest way of handling additional vehicle traffic.</p>	<p>5.5 Amenity refer 5.4</p> <p>5.6 Traffic: Three (3) additional crossovers upon the 145m Marion Way frontage will have no impact on the function of Marion Way or the immediate road network. Details of crossover locations dealt with through subsequent subdivision and development approvals.</p>	<p>Provision of diverse housing stock within all the suburbs of the City of Kalamunda is not considered to be a negative outcome.</p> <p>Prior to Council adopting the proposed amendment for advertising it was internally referred to all departments for their comments, including the City's Assets Services. Asset Services returned no objections to the proposal. Any concerns raised regarding future traffic movements can be assessed as part of future development applications and may be mitigated with the provision of a suitable Traffic Impact Statement.</p>
5, 6, 7, 9, 10, 11, 12, 16, 23, 24, 25, 32, 33, 36, 37	Objection		

<p>RE: LOCAL PLANNING SCHEME NO. 3, AMENDMENT NO. 97 Rezoning Lot 7 (41) Marion Way, Gooseberry Hill from "Residential – R5" To "Special Use" (Aged and Dependant Persons Dwellings Zone)</p>		
<p>The following comments and concerns are objecting to the proposed re-zoning from R5 to R12.5.</p>		
<p><u>Density</u></p>		
<p>The proposed zoning increase by a factor of 5 to allow a minimum lot size of just 462 sqm would significantly alter the fabric of the area. Kalamunda has an abundant supply of small lots zoned as part of a recent and comprehensive Town Planning Scheme in the town centre where sewerage is connected. An ad hoc individual lot subdivision in an area where there is no sewage system cannot be justified given the significant areas that are properly zoned from the Poets' Lanes to the area bounded by Railway Rd, Canning Rd and Burts St, and the large area to the West off Canning Rd running both sides of Brook St and more, which are all serviced accordingly.</p>	<p>6.1 Amenity refer 5.4.</p>	<p>Provision of diverse housing stock within all the suburbs of the City of Kalamunda is not considered to be a negative outcome.</p>
<p><u>Flora & Fauna</u></p>		
<p>Residents express great concern about the inevitable loss of trees, shrubs, shade, native birds and wildlife if this lot is converted from a single dwelling to 4 or even 7 lots – R12.5 doubles to an effective R25 for aged and dependant use, thus giving a potential 7 lots.</p>	<p>6.2 Vegetation refer 5.3. Subdivision and development subject to separate approval requirements.</p>	<p>Impacts on vegetation is a factor that would be assessed as part of any subdivision or development application.</p>

	<p><u>Visual Impact</u></p> <p>The proposed development would be entirely out of the character of the area, to the detriment of the local environment.</p> <p><u>Traffic & Noise</u></p> <p>The four (or seven) driveways all enter Marion Way at the point of concentration of danger from the bend and from the Farrant St intersection. With aged carers and aged drivers, and possibly several attendees daily for each non-independent person, the traffic hazard will be very significantly increased and the timing of</p> <p>this traffic may create late and early noise, as well as an increase in daily noise. Current residents old and new have a right to enjoy a quiet and safe residential environment that Marion Way and Farrant St allow.</p>	<p>6.3 Amenity refer 5.4</p> <p>6.4 Traffic refer 5.6.</p>	<p>Any development application for the site will be assessed based on the requirements of the Residential Design Codes. The City currently has no mechanism to enforce design requirements beyond this.</p> <p>Prior to Council adopting the proposed amendment for advertising it was internally referred to all departments for their comments, including the City's Assets Services. Asset Services returned no objections to the proposal. Any concerns raised regarding future traffic movements can be assessed as part of future development applications and may be mitigated with the provision of a suitable Traffic Impact Statement.</p>
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	<p><u>What does “dependant living” mean?</u></p> <p>Does this expression include recently released prisoners on parole, persons subject to Court Orders for residential placement and supervision, intellectually disabled persons unable to stand trial or awaiting trial, recent refugees or other recent arrivals dependant on aid, and/or what other types of dependency; e.g. drug & alcohol dependant persons of any age?</p> <p><u>Drainage</u></p> <p>Marion Way drains down an easement to Girrawheen Drive. This has not been designed to take the driveway runoff for an additional 4 or 7 lots. This may lead to flooding downhill – meaning every house North and West of this development.</p> <p><u>Drop in Values</u></p> <p>Our resident university degree qualified valuer suggests every lot in Marion (except no.41 of course) will lose \$100,000 in value. However, the increase in value to no.41 is in the range of \$1.2m, less consultancy fees.</p> <p><u>Services</u></p> <p>The consultants clearly do not live in Gooseberry Hill. There is no Deli. It is a long uphill battle for a battery powered gopher to get to Kalamunda where there is a true shopping centre as well as a hospital, the large Mead Medical Centre which has specialist aged care doctors and admission rights to the adjoining hospital. There is also Stirk Medical Centre with about 7 doctors, including female doctors. Gooseberry Hill Village Centre has only one male doctor who is mostly fully booked and closed every Wednesday afternoon and is not open on weekends. Kalamunda also has podiatrists and other specialists to care for the aged. Gooseberry Hill does not have any specialists in any field to care for aged or dependent persons of any type and if those persons cannot drive, they cannot be expected to walk 3 km uphill to Kalamunda on a gravel track or footpath in all sorts of weather.</p> <p><u>Streetscape</u></p> <p>The impact is doubled because it affects Girrawheen Dr as well as Marion and Farrant. The narrowness of the lot means that the streetscape and vegetation</p>	<p>6.5 Not a relevant planning consideration.</p> <p>6.6 Drainage: The rezoning of the site will not impact existing drainage. Drainage requirements will be addressed through the subsequent development approvals process.</p> <p>6.7 Not a relevant planning consideration.</p> <p>6.8 Local Services: The local centre would provide for local convenience, medical needs and public transport access. The site is also within proximity to the Kalamunda District Centre.</p> <p>6.9 Vegetation and Amenity refer 5.3 and 5.4</p>	<p>In accordance with the definitions of the Residential Design Codes a Dependent Person is “A person with a recognised form of disability requiring special accommodation for independent living or special care.</p> <p>A condition of any approval granted by the City is that all stormwater generated on the site shall be disposed of on-site.</p> <p>This is not a valid planning concern.</p> <p>It is noted that the subject lot is located 1.9 kilometres to the Kalamunda District Shopping Centre for their daily/weekly shopping needs and 300m from the Gooseberry Hill shops on Railway Road. In addition to this, a search of the Trans Perth website indicates that there are seven bus stops within 500m of the subject site. It is considered that there is ample access to public transport.</p> <p>Impacts on vegetation is a factor that would be assessed as part of any</p>
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1, 3, 35	<p>Objection</p> <p>Comments and Objections to: Proposed Scheme Amendment 97 – Special Use Zone (Aged and Dependant Persons Dwellings) – Lot 7 (41) Marion Way, Gooseberry Hill (PG-LPS-003/097)</p> <p>These comments and objections to the proposed rezoning of 41 Marion Way are in addition to the comments and objections made by Ian Rintoul through email to The Chief Executive Officer on 28th April 2018 and are the views of both Mr and Mrs Rintoul.</p> <p>We express genuine concern and objections regarding the proposed rezoning of 41 Marion Way, Gooseberry Hill, WA, 6076 from R5 to R12.5. This proposal to create greater density in this neighbourhood, some distance from the city centre, is not a genuine design, which if adopted, diminishes an enviable and pleasant “hills” neighbourhood.</p> <p>The comments and objections are to be taken as opposition to the rezoning.</p> <p style="text-align: center;">Comment</p> <p>1) Almost all owners in the immediate vicinity of Marion Way, Farrant Street, Landor Road and Girrawheen Drive had no inkling of the proposal until a sign was erected outside 41 Marion Way, Gooseberry Hill about three weeks ago. It was ascertained from the City’s Planning & Development Services staff that only adjoining neighbours <i>may</i> have received direct communication from the City about the proposal. An advertisement in a local newspaper completed the minimal requirements required of the City. Many neighbours are affronted by this minimalistic approach for such a significant impact upon the local owners and residents.</p>		
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	<p>2) There is concern about the enforcement of “Aged and Dependent Persons Dwelling” covenants which would be included in each green title to restrict ownership and residency to “over 55s”. Such covenants may easily be circumvented by renting out to any person or group under 55 years of age. The readiness of the City of Kalamunda to uphold the covenants is a present and future issue.</p> <p>3) There is a tendency with owners of smaller blocks <i>not</i> to grow trees and maintain a “hills” environment. A current redevelopment at the western end of Farrant Street is an example of this trend where the streetscape to the site presents as a limestone walled block devoid of trees and made ready for a substantial residence. The principle of “living in the forest” which is promoted as an ideal by the City appears difficult to enforce and is a present and future issue for owners and residents.</p>	<p>7.1 Onsite signage provided consistent with local government requirements.</p> <p>7.2 Comment unrelated to the proposed Scheme Amendment.</p> <p>7.3 Vegetation refer 5.3</p>	<p>All advertising was completed in accordance with the City’s Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals.</p> <p>Any future development on site would include notifications that would enforce this requirement.</p> <p>Impacts on vegetation is a factor that would be assessed as part of any subdivision or development application.</p>
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	<p>4) It is recognised that the City may only enforce normal building conditions. It is of concern that the redeveloped site may have standardised units built upon each site, such as those built a number of years ago opposite the Museum in Railway Road. It is also acknowledged that “beauty is in the eyes of the beholder”, but such a uniform build on all blocks would be detrimental to the general diversity and standard of the neighbourhood.</p> <p>5) An alternative to the proposal, which has been canvassed amongst local residents, is the possibility of an application by the owners to subdivide into two blocks of about 1,750^{m²} each. This would be less than the 10% variation to the standard 2,000^{m²} standard but may be regarded as a viable proposal. Driveway access either from Marion Way or Girrawheen Drive will add only one additional driveway as 41 Marion Way presently has dual access from both roads.</p> <p>6) The SITE Proposal:</p> <p>a) <u>Item 6.1.1:</u> Second paragraph states the: “Lot 7 is located within 500m of the Gooseberry Hill Neighbourhood (‘Village’) Centre which contains a delicatessen and a doctor, dental and natural medicine clinic.” No delicatessen exists. There is a restaurant, a cafe and a pizza shop.</p> <p>b) <u>Item 6.1.4:</u> states that “aged persons” lot size may be one third less than the standard minimum size of 700^{m²} at 462^{m²}. The possibility of the proposal changing to 462^{m²} would be a travesty of the present process.</p> <p>c) <u>Item 6.1.6:</u> indicates consideration of reticulated sewerage and the <i>possibility</i> of exemption from the provision. The decision regarding satisfactory sewerage taken “as part of subsequent subdivision” is belated and should be taken at the proposal stage.</p>	<p>7.4 Amenity refer 5.4</p> <p>7.5 Subdivision and development subject to separate approvals.</p> <p>7.6.1 Local Services refer 6.8</p>	<p>Any development application for the site will be assessed based on the requirements of the Residential Design Codes. The City currently has no mechanism to enforce design requirements beyond this.</p> <p>Noted. However, the application at hand is what is being assessed.</p> <p>a) It is noted that the subject lot is located 1.9 kilometres to the Kalamunda District Shopping Centre for their daily/weekly shopping needs and 300m from the</p>
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	<p>d) <u>Item 6.2.1, Local Planning Strategy</u>: the claim that the proposed amendment LPS3 addresses higher density within 500m of the “Village” is not sound, given comment “a” above”. Similarly, the statement of “providing an alternative to surrounding large lots....”, given the recent adoption of LPS No.3, with the area zoned as R5, (and the reason most neighbours have bought in and lived in the area for considerable time), the notion of rezoning to R12.5 under the guise of “aged care” is a complete contrivance. People wishing for a smaller lot could conveniently <i>travel east</i> to the R10 area or, as many have and may, move closer to central Kalamunda with its extensive shops, medical and dental services and reticulated sewerage and where LPS No. 3 already caters for this important demand.</p> <p>e) <u>Item 6.2.5.1 Zoning</u>: The second bullet point “Lot 7 is near amenities and can be integrated into the single residential environment.” should be understood in the context of comments “a” and “d”.</p> <p>f) <u>Item 8, Conclusion</u>: Given that LPS No.3 has recently been adopted after lengthy considerations and applications, it is incongruous to propose further amendments based upon “consistent with State and local strategy objectives with respect to increased diversity of housing options.” The claim that “The amendment to LPS3 will have no impact on the amenity of the locality....” and “....the amendment to LPS3 is considered consistent with orderly and proper planning.” is in contrast to the complete opposition by many of the local residents to this proposal.</p>	<p>7.6.2 Subdivision and development subject to separate approvals.</p> <p>7.6.3 Sewerage refer 6.12. Department of Health have indicated no objection to the proposed scheme amendment.</p> <p>7.6.4 Amenity refer 5.4</p> <p>7.6.5 Local Services refer 5.8</p>	<p>Gooseberry Hill shops on Railway Road. In addition to this, a search of the Trans Perth website indicates that there are seven bus stops within 500m of the subject site. It is considered that there is ample access to public transport.</p> <p>b) Noted as an opinion of the submitter.</p> <p>c)The Department of Health has raised no objection to the proposed Amendment. Any future application for development will be required to comply with the requirements of the Department of Health.</p> <p>d) Provision of diverse housing stock within all the suburbs of the City of Kalamunda is not considered to be a negative outcome.</p> <p>e) please note ‘a)’ above.</p>
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	<p>7) Most owners have lived in the neighbourhood for many years and enjoy the bushy hills environment on R5 blocks of land. Greater density is best confined to streets nearer the city centre, as is the case now with infill and rezoning occurring in the vicinity of the City offices etc. The recent adoption of Local Planning Scheme No. 3 where the areas of Marion Way, Farrant Street, Landor Road and Girrawheen Drive etc which are zoned R5, raises the question of the disconnection with this proposal and the established zoning requirements. The incongruity is noted. The R5 zoning was done for good reason, and careful reading of the SITE Planning & Design town planning submission should not sway any owner and resident of the fundamental attack on our local environment.</p> <p>8) The Site Plan indicates four separate residences facing Marion Way with septic sewerage at the rear facing Girrawheen Drive. It is noted that this area is not connected to reticulated sewerage and relies upon septic systems. The proposal, with the smaller lots sizes, may require reticulated sewerage and is a condition which should be ascertained prior to any City decision on this proposal.</p> <p>9) Similarly, due to the proposed orientation of the houses, three extra driveways connecting to Marion Way will pose traffic problems.</p>	<p>7.6.6 Detail on consistency with local and state planning policy is outlined in the scheme amendment report.</p> <p>7.7 Amenity refer 5.4</p> <p>7.8 Sewerage refer 6.12</p>	<p>The applicant has provided a report that indicates how the proposal will meet with local and state planning requirements and is in line with orderly and proper planning.</p> <p>Provision of diverse housing stock within all the suburbs of the City of Kalamunda is not considered to be a negative outcome.</p> <p>The Department of Health has raised no objection to</p>
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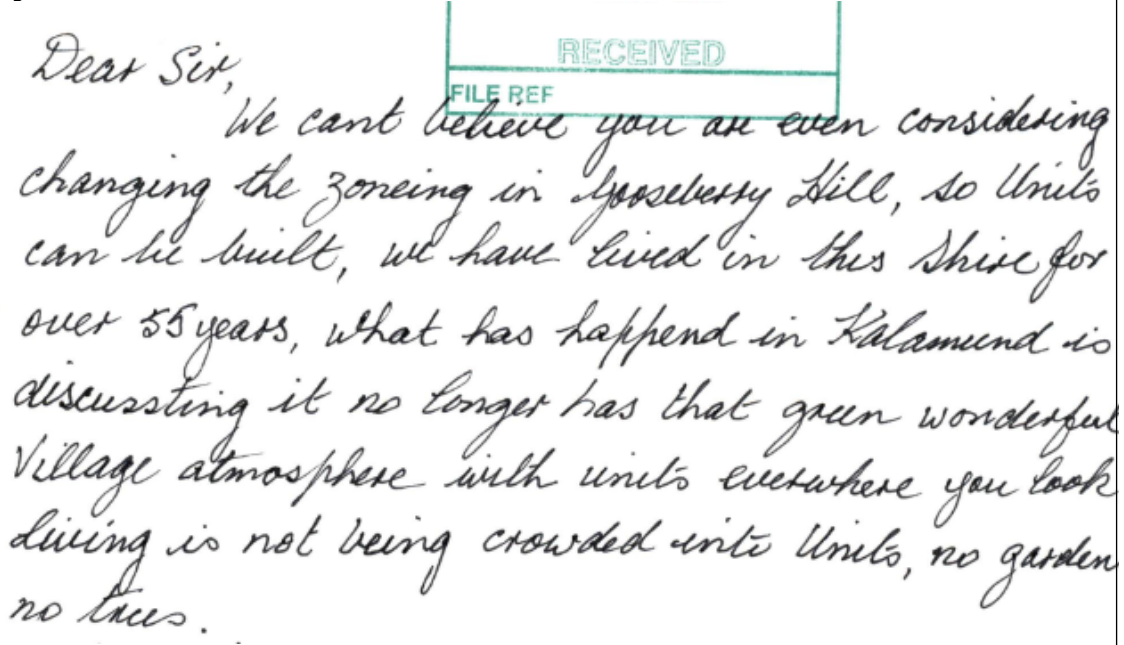
	<p>Girrawheen Drive has well known traffic safety issues and a poor record for vehicle accidents due to its existing steep rises, blind corners, narrow carriageway and general lack of verge parking. None of these hazards are likely to be addressed in the foreseeable future. The proposed development would inevitably require service from large trucks, commercial vehicles, nursing and administrative staff. Additional occasional traffic would include medical personnel and visitors. All this traffic would be additional to that already using this narrow road. Drivers of these vehicles would require access 24/7 and are unlikely to be familiar with the locale. Should this poorly-considered proposal proceed, this already accident prone road would become more dangerous than ever and constitute an increased and constant hazard for the residents of this unique and sought-after locality of Gooseberry Hill.</p>	7.9 Traffic refer 5.6	<p>the proposed Amendment. Any future application for development will be required to comply with the requirements of the Department of Health.</p> <p>Prior to Council adopting the proposed amendment for advertising it was internally referred to all departments for their comments, including the City's Assets Services. Asset Services returned no objections to the proposal. Any concerns raised regarding future traffic movements can be assessed as part of future development applications and may be mitigated with the provision of a suitable Traffic Impact Statement.</p>
1, 5	Objection		

	<p>Dear Sir/Madam,</p> <p>Re: PROPOSED SCHEME AMENDMENT 97- SPECIAL USE ZONE -LOT 7 (41) MARION WAY GOOSEBERRY HILL</p> <p>We are writing to strongly object to the amendment to rezone and facilitate redevelopment (subdivision) of 41 Marion Way Gooseberry Hill.</p> <p>We are opposed to the rezoning of 41 Marion Way Gooseberry Hill from R5 to "Special use zoning". We purchased our home 19 years ago because we wanted to live in a low-density area on a large block, surrounded by large blocks. We enjoy our space, our trees, wildlife, peace and the distance from our neighbours- as do our neighbours! This area is quiet having minimal local traffic. It has remained zoned R5 for that reason, and to put these four (potentially 7) high density dwellings are simply not appropriate for the area. As residents of this area we deserve that these zones remain as R5.</p> <p>This proposal fails to comply with the Deemed to Comply provisions of the Residential Design Codes for Aged or Dependent Persons which require a minimum of five dwellings within any single development.</p> <p>The plan showing the footprints of buildings is indicative only, so if the amendment went through, the designs may change. There is potential for this property to be divided into 7 blocks. This is not acceptable for this area. Clearly an attempt to create a high-density dwelling in an inappropriate area.</p> <p>SURROUNDING LAND USE</p> <p>According to the report "The proposal states to subdivide the lot into 4-7 more practical and usable lots on a current awkward linear block suggests the development is "generally" consistent with adjoining areas." This is not correct, and the word "generally" is incorrect. The surrounding properties consist of single home randomly positioned on (R5) very large blocks- 2-3000 m2. According to these plans the homes will be within 1-2 metres of each other- NOT CONSISTANT WITH ADJOINING THE AREA. Again, these plans can be changed if this amendment is approved to up to 7 dwellings!</p>	<p>8.1 Amenity refer 5.4</p> <p>8.2 Traffic refer 5.6</p> <p>8.3 Subdivision and development subject to separate approval requirements.</p> <p>8.4 Comment unrelated to the proposed Scheme Amendment.</p> <p>8.5 Amenity refer 5.4</p>	<p>Clause 5.3.1 of the Scheme allows for consideration of these type of dwellings if there are less than five proposed. Any future development applications will be assessed and controlled by the City.</p> <p>Noted.</p>
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	<p>VEGETATION AND NATIVE FAUNA</p> <p>There are numerous well established native trees this will be removed not only on the lot, but also on the verge- which would need to be cleared for the four homes. The verge is dense with well established native trees and is habitats for local cockatoos, owls, honey eaters and possums. The lot is also a breeding ground and habitat for the local quenda's.</p>	<p>8.6 Comment unrelated to the proposed Scheme Amendment.</p> <p>8.7 Vegetation refer 5.3</p>	<p>The proposed coding will only allow for a maximum of four dwellings.</p> <p>Impacts on vegetation is a factor that would be assessed as part of any subdivision or development application.</p>
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<p>SEWER</p> <p>The is no deep sewerage in this area. The homes in the area are on septic systems. To place septic systems in this area- blasting of thick coffee rock is required. I can provide photographic evidence of the boulders that were blasted to create our septic and grey water system. This proposal would mean that 4-7 sites would need to be blasted for the grey water and septic systems. The “Eco” systems need good drainage for grey water, and the drainage in the area is very poor due to the amount of coffee rock and poor sand, which would cause the waste to flow down to the storm water drains.</p> <p>ROADS</p> <p>Marion Way is a very narrow road. We need to “give way” to larger vehicles on the verge of 41 Marion Way. This is also a “no through road” so traffic congestion is potentially a dangerous risk for all residents- reducing our ability to evacuate the cul-de-sac in an emergency.</p> <p>By adding up to 7 homes- BOTH WITH DOUBLE CARBAYS, this will increase congestion on the narrowest point of the road. There are NO FOOTPATHS for pedestrians and poor street lighting.</p> <p>FIRE RISK</p> <p>As stated Marion Way is a narrow NO THROUGH ROAD. This is the only exit for residents of Farrant Drive and Marion Way. This area is classified as a “Bushfire Prone Area” by the department of Fire and Emergency Services. In the case of fire and the need to evacuate the area in a hurry, there is potentially a very high risk of these “aged residents” blocking the only exit for numerous residents in the area. UNACCEPTABLE.</p> <p>AGED ACCOMMODATION STRATEGY</p> <p>Firstly, these proposed homes demonstrate no evidence that they are specifically for over 55’s residents. This housing is not specifically for aged persons.</p> <p>The are all very large blocks; 701- 1360 m2. These sized blocks are too large not manageable for retirement aged residents according to the code: R12.5 blocks for aged persons are required to be 462-528m2.</p> <p>The homes all have double car bays. Ages care homes only need one car bay.</p> <p>There are no amenities or common areas for over 55’s. Generally, over 55’s establishments provide common areas such are BBQ and picnic areas for families that visit, and to build a community spirit amongst their neighbours. This proposal shows FENCES- clearly this is “strategy” to create higher density living in these 4 individual homes for financial gain, and there is POTENTIAL for further development as the plans can be changed for up to 7 blocks.</p> <p>The local “village” of Gooseberry Hill supplies insufficient services for aged care residents. There are</p>		<p>8.8 Sewerage refer 6.12</p> <p>8.9 Traffic refer 5.6</p> <p>8.10 Bushfire: A BAL assessment was completed. Subsequent development applications may require a BMP to further address site specific requirements.</p> <p>8.11 Subdivision and development subject to separate approval requirements.</p> <p>8.12 Proposal is for Aged or Dependent Person’s Dwellings, not an Aged Care facility.</p> <p>8.13 Local Services refer 6.8</p>	<p>The Department of Health has raised no objection to the proposed Amendment. Any future application for development will be required to comply with the requirements of the Department of Health.</p> <p>Prior to Council adopting the proposed amendment for advertising it was internally referred to all departments for their comments, including the City’s Assets Services. Asset Services returned no objections to the proposal. Any concerns raised regarding future traffic movements can be assessed as part of future development applications and may be mitigated with the provision of a suitable Traffic Impact Statement.</p> <p>DFES has indicated support for the proposal subject to appropriate works being undertaken.</p> <p>The application is for the zoning only. Proposed plans are indicative only and not</p>
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1	<p>Objection I am going to be blunt, I do not want to see Aged and Dependant Persons' Dwelling on Lot 7 aka 41 Marion Way.</p> <p>I came to live at Gooseberry Hill for the trees and wild life. The blocks on Marion Way and Farrant Road are large residential properties that house families, Why, rezone from Residential to Special Use??? Let's just go ahead and cut down more trees (native or otherwise), destroy most of the Grass Weed bushes on the property and put up for four dwellings.</p> <p>Sounds like a great plan. Please, please do not approve this re-zoning.</p>	<p>9.1 Amenity refer 5.4</p> <p>9.2 Vegetation refer 5.3</p>	<p>Provision of diverse housing stock within all the suburbs of the City of Kalamunda is not considered to be a negative outcome.</p> <p>Impacts on vegetation is a factor that would be assessed as part of any subdivision or development application.</p>
2	<p>Non-Objection I think it is a good idea as there are very few facilities for the aged care in the area. The land has no significance to anyone and I feel it is making use of a dead-end lot. It will not make much of an impact on the environment as the land looks to be in pretty poor condition anyway.</p>	10.1 Noted	Noted
3	<p>Objection We wish to add to our submission dated 8th May 2018 which was emailed to the City's "Enquiries" email address and with the original signed copy lodged personally yesterday, 9th May.</p> <p>This addendum is intended to amplify the comments and objections, in particular item 7:</p> <p>Firstly, the City of Kalamunda guidelines "Scheme Amendment Requests" dated 13th October 2017 which was obtained yesterday, states:</p> <p>"Spot Rezoning: The planning system has a general presumption against changing the zoning of individual lots ('spot zonings') independent of a broader zoning or local planning strategy....."</p> <p>This specific City guideline underscores the truth of the opposition and objections to the proposal to rezone 41 Marion Way from the present R5 to R12.5.</p>	<p>11.1 Spot Rezoning the purpose of the 'Special Purpose' zone is to acknowledge where a site is appropriate for a specific use or to address a specific issue.</p>	<p>Under the provisions of the Scheme the intent of the Special Use zone is to allow the City to make special provisions for a specific use on land where the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective. A special use zone may be established if it is deemed to satisfy a specific need within the locality where the land is situated.</p> <p>(Clause 5.16.1)</p>

	<p>Secondly, the large group of local owners/residents who query and object to the proposal to rezone, wish to have the opportunity to submit a delegation to the City and Councillors. It is understood, if the City persists, that it may be July 2018 when the opportunity may be available.</p> <p>A respectful application will be made at the appropriate time.</p>		<p>Given the aging demographic of the Kalamunda locality, independent aged living dwellings will address a specific demand for this form of housing.</p>
4	<p>Objection</p>  <p><i>Dear Sir,</i></p> <p><i>We cant believe you are even considering changing the zoning in Gooseberry Hill, so Units can be built, we have lived in this Shire for over 55 years, what has happend in Kalamund is discussting it no longer has that green wonderful Village atmosphere with units everywhere you look living is not being crowded into Units, no garden no trees.</i></p>	<p>12.1 Amenity refer 5.4</p> <p>12.2 Vegetation refer 5.3</p>	<p>Provision of diverse housing stock within all the suburbs of the City of Kalamunda is not considered to be a negative outcome.</p> <p>Impacts on vegetation is a factor that would be assessed as part of any subdivision or development application.</p> <p>It is noted that the subject lot is located 1.9 kilometres to the Kalamunda District Shopping Centre for their daily/weekly shopping needs and 300m from the Gooseberry Hill shops on Railway Road. In addition to this, a search of the Trans Perth website indicates that there are seven bus stops within 500m of the subject site. It is considered that there is ample access to public transport.</p>

	<p>We where led to believe, because of septic tanks we couldn't build a granny flat on our block in Marion Way, here you are contemplating allowing 4 units with 4 septic tanks. So for the driveway coming into Marion Way, its a disaster waiting to happen. We believe a Deli has been mentioned what a joke no Deli for a least 10 years. <i>you are you got a least 10 years.</i></p> <p>If people are in wheelchairs or use walking frames how are they suppose to get across Gooseberry Hill road. Its all very well to think this is a Wonderful idea, the impact on the residents in this Area will be disastrous. The trees would have to go and our quite street will turn into what Kalamunda is to day, one big mess.</p> <p style="text-align: right;">PTD</p>	<p>12.3 Sewerage refer 6.12</p> <p>12.4 Traffic refer 5.6</p> <p>12.5 Local Services refer 6.8</p>	<p>Prior to Council adopting the proposed amendment for advertising it was internally referred to all departments for their comments, including the City's Assets Services. Asset Services returned no objections to the proposal. Any concerns raised regarding future traffic movements can be assessed as part of future development applications and may be mitigated with the provision of a suitable Traffic Impact Statement.</p> <p>The Department of Health has raised no objection to the proposed Amendment. Any future application for development will be required to comply with the requirements of the Department of Health.</p>
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	<p>We rely on our Local Council to look after the rate payers interests, it seems money is the only thing that matters. 4 units 4 more ratepayers</p>		
9	<p>Objection</p> <p>7) It is a concern to us that we have to comment on a proposal when the reality may turn out to be very different. For the same reason, it is difficult to understand how the City of Kalamunda can, in good faith, support such a proposal.</p> <p>From our experience from living around 40 years in Gooseberry Hill, there could well be serious problems regarding security, sewerage, drainage & traffic if the proposal is accepted.</p>	<p>13.1 Security Comment unrelated to the proposed Scheme Amendment.</p> <p>13.2 Sewerage refer 6.12</p> <p>13.3 Drainage refer 6.6</p> <p>13.4 Traffic refer 5.6</p>	<p>The Department of Health has raised no objection to the proposed Amendment. Any future application for development will be required to comply with the requirements of the Department of Health.</p> <p>A condition of any approval granted by the City is that all stormwater generated on the site shall be disposed of on-site.</p> <p>Prior to Council adopting the proposed amendment for advertising it was internally referred to all departments for their comments, including the City's Assets Services. Asset Services returned no objections to the proposal. Any concerns raised regarding future traffic movements can be</p>

			assessed as part of future development applications and may be mitigated with the provision of a suitable Traffic Impact Statement.
13	<p>Non-Objection</p> <p>We are writing in support of Proposed Scheme Amendment 97 – Special Use Zone (Aged and Dependant Persons Dwellings) – Lot 7 (41) Marion Way, Gooseberry Hill (PG-LPS-003/097).</p> <p>We have lived in the City of Kalamunda for over 12 years and I've reached retirement age and [name removed for privacy] is approaching it and we would love to have a viable option for retiring in Gooseberry Hill. My in-laws lived in Gooseberry Hill for 30 years, owned a local small business in Kalamunda but at retirement had to move from the area and leave their friends and a much loved area behind as there was not adequate facilities for them into retirement. We wanted to keep them close to us and their grand-children and in the area they loved but couldn't find suitable housing.</p> <p>Retiring in Gooseberry Hill would be fantastic but the options are far too limited. To have a house on a manageable block that was sub 1000 m2 and within walking distance of the bus and some shops would be ideal. We wholly support the proposal and sincerely hope Council recognises the need for this housing and supports this proposal. As a resident who loves the area and wishes to stay here we need options and this proposal is a great one and has our full support. This proposal represents positive change and contributes to the growing need for housing suited to the needs of retirees.</p>	14.1 Noted	Noted
14	<p>Objection</p> <p>To whom it may concern,</p> <p>We, [names and address removed for privacy] here express concern and objections to the rezoning proposal for the property at Lot 7 Marion Way Gooseberry Hill. The property at Lot 7 (No. 41) Marion Way is opposite the Marion Way frontage of our property. We understand</p>		

	<p>that objections to this rezoning have been made by most if not all of the local residents directly affected by the proposal.</p> <ol style="list-style-type: none"> 1. We object to the rezoning on the following grounds: <ol style="list-style-type: none"> a. While we support the City's ageing in place policy we contend that not all areas in the City are equally suitable for ageing in place. We contend in fact that most if not all of Gooseberry Hill is too far from effective services to be relevant to ageing in place planning. We further contend that perhaps the City might usefully consider the definition of 'effective services' when looking at ageing in place proposals. We are ourselves aged 67 and 72 years old respectively. We live on a larger property and may well ourselves seek a smaller property in the future. If we did so we would not choose to move over the road to Lot 7 despite the fact that this would mean we would be close to our well known neighbours and friends. For us, our area, including the land taken up by Lot 7, is not located close to facilities sought by people in our age group who are downsizing. The practical concerns for this include: b. Local services: <ol style="list-style-type: none"> i. In our opinion, people ageing in place, or dependent for another reason such as disability, require a shopping centre that is ideally sited within 500 metres or very little more that <i>sells goods needed for everyday living</i>. This suggestion is based on the idea that any disabled or ageing person should be able to walk (or use a mobility aid) to access such goods if they don't or cannot drive. The Gooseberry Hill shops do not include a single shop where basic supplies such as milk, eggs, bread, newspaper etc can be bought. The closest shops selling basic provisions are in Kalamunda, which is a minimum of 2.5 kms driving or walking distance from Lot 7 (not 1.9 kms as erroneously stated in Section 36 of the Council Minutes). This is not walking/mobility aid distance for many people and probably most or all of the people targeted by this rezoning proposal. Section 6.1.1 of the proposal wrongly states that 'Lot 7 is also located within close 	<p>15.1 Local Services refer 6.8</p> <p>15.2 This is not a relevant planning consideration.</p> <p>15.3 Local Services refer 6.8</p> <p>15.4 Local Services refer 6.8</p>	<p>It is noted that the subject lot is located 1.9 kilometres to the Kalamunda District Shopping Centre for their daily/weekly shopping needs and 300m from the Gooseberry Hill shops on Railway Road. In addition to this, a search of the Trans Perth website indicates that there are seven bus stops within 500m of the subject site. It is considered that there is ample access to public transport.</p> <p>Provision of diverse housing stock within all the suburbs of the City of Kalamunda is not considered to be a negative outcome.</p> <p>DFES has indicated support for the proposal subject to appropriate works being undertaken.</p>
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	<p>proximity to the Kalamunda district centre'. Lot 7 is not, in the definition of the target sales audience, in 'close proximity'; it is, in fact, 500metres walking distance from the driveway at Lot 7.</p> <p>ii. It is wrongly stated in Section 6.1.1 that 'Gooseberry Hill Neighbourhood Centre' contains a delicatessen. Firstly, it is not the case that a delicatessen is available at the Gooseberry Hill Village. It is erroneously stated in Section 6.2.1 that the 'Neighbourhood Centre' would provide for the 'daily needs' of residents of the proposed development but this is untrue and almost certainly will remain untrue as it is many years since a delicatessen has been commercially viable in this Village.</p> <p>iii. Secondly, this is not a 'neighbourhood centre' in the commonsense meaning of this term. It is a commercial centre with a restaurant, coffee shop, liquor outlet, doctors and dentists offices and a real estate office. There are no facilities contributing to daily living necessities nor is it in any sense a community centre offering the possibility of the development of social networks. This is not true of (for example) Kalamunda which not only offers commercial outlets supporting daily living but also provides a number of social meeting places for those who are ageing or disabled.</p> <p>c. In our opinion, public transport should be extremely close to a place of residence developed for ageing in place, and be safely reached via level, fully paved footpaths. Neither of these conditions is met by the public transport close to Lot 7. The information about bus services presented in the formal proposal document is at best misinformed and might even be called misleading. While the general area is served by three bus services, not all bus stops in this local area are suitable for older ageing people or people with disability. The Perth and Kalamunda destination bus stops at the top of Gooseberry Hill Road (i.e. on the left and right of the road travelling up the hill) are both unsuitable for ageing and disabled people. Both are on a relatively steep slope. In fact, the Kalamunda destination bus stop on</p>	<p>15.5 Local Services refer 6.8</p> <p>15.6 Local Services refer 6.8</p> <p>15.7 This is not a relevant planning consideration.</p>	
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	<p>Gooseberry Hill Road is on a sloping, messily unstable partial footpath and is dangerous to anyone who is not sure-footed. One of us travels by bus twice each week (to Perth and return on each of those days) and for these reasons never uses those bus stops. Rather, we use the Railway Road bus stop which is 400 metres from the current driveway of Lot 7 and would be further for any block located further to the north of the Lot.</p> <p>2. The point is made a number of times in the proposal that one reason for the rezoning of Lot 7 into lots suitable for Aged Persons is so that the amendment 'will facilitate the creation of more practical and useable lots than the current layout'. We contend that this is a problem for the owners and it should not be a problem that the City needs to solve for the owners. The owners bought Lot 7 in the full knowledge that it had an awkward shape and also that local planning provisions would be unlikely to allow further development. Foisting this development on neighbours because the owners cannot otherwise do something practical with an awkwardly shaped lot is neither a fair nor an effective community solution.</p> <p>3. Lot 7 is in, and will remain in, a high risk fire zone. Clearing vegetation to allow for the development of Lot 7 will only ameliorate the risk of a very low intensity fire. Located as it is adjacent to bushland and in a 'bushy' neighbourhood regionally connected to two national parks and state forest it is clearly located in an area that is at high risk of being directly affected by hot, fast-moving bushfires. Such a high risk location is not suitable for Aged Persons nor for those with disabilities. Rather, such developments should be confined to more urban settings such as that in central Kalamunda.</p> <p>4. The development of Lot 7 will directly affect the amenity of all its neighbours, including those who live nearby and those who pass by. All residents in Landor Road, Marion Way and Farrant Street purchased larger properties that met their demands for a bushy, hills type environment. Although the proposal states that no amenity is lost by current residents this is patently untrue. The visual, aesthetic and environmental amenity (and perhaps even financial) will be affected by the development of this block and the erection of a number of small buildings on a block cleared of native vegetation. The Council minutes, Section 33 states that the risk of the loss of mature vegetation is 'likely' and the consequence is 'significant'. We</p>	<p>15.8 Bushfire refer 8.10</p> <p>15.9 Amenity refer 5.4</p>	
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	contend that the City of Kalamunda has a duty to not only look after the requirements of those wanting to appropriately age in place but also the requirements of those who bought properties in these locations because of the natural environment.		
15	Non-Objection I have no objection to the proposed scheme amendment provided that development is restricted to four dwellings.	16.1 Noted. Subdivision and development subject to separate approval requirements.	Noted
19	Objection		<p>Under the provisions of the Scheme the intent of the Special Use zone is to allow the City to make special provisions for a specific use on land where the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective. A special use zone may be established if it is deemed to satisfy a specific need within the locality where the land is situated.</p> <p>(Clause 5.16.1)</p> <p>Given the aging demographic of the Kalamunda locality, independent aged living dwellings will address a specific demand for this form of housing.</p>


	<p>We Object to the rezoning of Lot 7 (41) Marion Way, Gooseberry Hill for the reasons as listed below.</p> <p><u>Setting a Precedent</u></p> <p>The rezoning of lot 7, would set an unwanted precedent for this area which is currently zoned R5 and we consider it totally inappropriate, as we chose to live here because of the large blocks.</p> <p>If the rezoning was to be approved, it becomes the thin end of the wedge for future rezoning applications in the area.</p> <p>Any rezoning application now or in the future to change the R5 zoning will be strongly apposed</p> <p><u>Bushfire risk</u></p> <p>We already live in a high bushfire prone area, so adding 4 more dwellings with 4 more driveways exiting onto Marion Way, we believe adds enormously to the risk, Marion Way is the only way out for all the people living in Farrant Street and Marion Way (One way in and one way out)</p> <p>Farrant Street is a cul-de-sac and a narrow road as is Marion Way !!!</p> <p><u>Owner Occupier</u></p> <p>We are also concerned about the ability of over 55 's to purchase the units and then rent them out to anyone, which I am sure would contravene the age and dependent persons dwellings act.</p> <p>Do dependant persons have to be over 55 as well? (I think not)</p>	<p>17.1 Precedence the 'Special Use' zone acknowledges the appropriateness of a specific site for a specific use or to address a specific issue. The proposed rezoning is not applicable to other sites.</p> <p>17.2 Bushfire refer 8.10</p> <p>17.3 Comment unrelated to the proposed Scheme Amendment.</p> <p>17.4 Local Services refer 6.8</p>	<p>DFES has indicated support for the proposal subject to appropriate works being undertaken.</p> <p>It is noted that the subject lot is located 1.9 kilometres to the Kalamunda District Shopping Centre for their daily/weekly shopping needs and 300m from the Gooseberry Hill shops on Railway Road. In addition to this, a search of the Trans Perth website indicates that there are seven bus stops within 500m of the subject site. It is considered that there is ample access to public transport.</p> <p>The Department of Health has raised no objection to the proposed Amendment. Any future application for development will be required to comply with the requirements of the Department of Health.</p>
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	<p><u>Services</u></p> <p>Clearly, the proposal put forward by the consultants is incorrectly informed as to the availability shops and amenities being close by. The main shopping hub in Kalamunda is 3 km's away, which is a long walk or gopher trip for an aged or dependant person. Gooseberry hill village centre has only, one doctor, 2 eating establishments, a florist a dentist and a liquor store There are no shops to do normal food shopping etc close by !!</p> <p><u>Sewerage Systems</u></p> <p>We would have thought that a development with an R12.5 zoning would have to be connected to sewer ATU's such as Ecomax etc would not have a large enough reticulation area for those sized blocks ?</p> <p><u>In conclusion we believe that this proposal is totally inappropriate for the area</u></p>	17.5 Sewerage refer 6.12	
21	<p>Objection <div> <div> <p>main way is the preferred and safest way of handling additional vehicle traffic.</p> <p>7) Lack of Adequate leech drain on site. No Deep Sewage connected.</p> <p>Deadline for comment and objection is noted as 5pm, Friday 11th May, 2018</p> </div> </div> </p>	<p>18.1 Drainage refer 6.6</p> <p>18.2 Sewerage refer 6.12</p>	<p>The Department of Health has raised no objection to the proposed Amendment.</p> <p>Any future application for development will be required to comply with the</p>

	<p>8) The Block mentioned also has 2 wells on site. The 4TH Building may be over one of these.</p>	<p>18.3 Comment unrelated to the proposed Scheme Amendment. Subdivision and development subject to separate approval requirements.</p>	<p>requirements of the Department of Health. A condition of any approval granted by the City is that all stormwater generated on the site shall be disposed of on-site.</p>
22	<p>Objection</p> <p>I am writing to express my concern with the proposal to Rezone Lot 7 (41) Marion Way from single occupancy residential housing (R5), to multiple units accommodation for over 55's. My concerns are essentially threefold:</p> <ol style="list-style-type: none"> 1. This proposal sets a disturbing precedent. As I understand it, the property is unsewered and of similar size to the other properties in the surrounding area (ie between a quarter and a half acre). My question is if this proposal is approved, what is to stop every other land owner in Gooseberry Hill from requesting the same approval when the time comes for them to move, in order to fund their retirement? Before you know it Gooseberry Hill will have changed from low density housing intended to exist in harmony with nature, to being just another medium density suburb where all the trees have been replaced by houses and we all swelter in the sun. 2. Impact on the environment. If you give approval to this project, the tree loss on that block will be almost total. You only need to look at what has happened to Number 44 Farrant Street, which used to be a lovely densely wooded block that was home to quendas, possums, a large variety of bird life, and regularly visited by kangaroos from the national park. Instead what we now have is this flat pad being held up by an enormous retaining wall: 	<p>19.1 Precedence refer 17.1</p> <p>19.2 Vegetation refer 5.3</p>	<p>Under the provisions of the Scheme the intent of the Special Use zone is to allow the City to make special provisions for a specific use on land where the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective. A special use zone may be established if it is deemed to satisfy a specific need within the locality where the land is situated.</p> <p>(Clause 5.16.1)</p> <p>Given the aging demographic of the Kalamunda locality, independent aged living dwellings will address a specific demand for this form of housing.</p> <p>Impacts on vegetation is a factor that would be</p>



assessed as part of any subdivision or development application.

	<p>The following image (of Gooseberry Hill Road from Watsonia Drive to Girrawheen Drive) from Google Earth shows how few treed lots remain in this part of the hills. I think if you were to compare this visual, with the same image from 2004, you would be shocked at the tree loss that has happened. The block in question actually forms part of a ribbon of green that connects the Maida Vale reserve at the base of Gooseberry Hill with the Gooseberry Hill and Kalamunda National Parks, enabling wildlife to move along this corridor. Further tree removal is eventually going to destroy this corridor, and nothing will do this faster than granting permission for the rezoning of half and quarter acre lots in Gooseberry Hill.</p>  <p>3. Don't imagine the units will necessarily be inhabited by people aged 55+. A similar set of units intended for "mature owner occupiers" was built over the road from my sister's house in Rockingham, but as soon as the GFC hit, the developer sold off the apartments to investors and they are now rented out by property managers to anyone who can foot the bill. The negative externalities of this type of density of housing development on the other surrounding residents on her street has been significant.</p> <p>I hope and trust the Council will think carefully about the long term effects and the implications of the precedent this proposal sets, before making its determination, and will start by putting the environment first.</p>	<p>19.2 Vegetation refer 5.3</p>	
25	Objection	<p>19.3 Subdivision and development subject to separate approval requirements.</p>	<p>Prior to Council adopting the proposed amendment for</p>

	<p>This traffic is likely to use the Lansdowne to Lander route to access the site. The Lansdowne gooseberry hill rd intersection is highly dangerous due to the extremely steep hill intersecting a blind corner on a busy road. Increased traffic flow through this intersection this traffic may create late and early noise, as well as an increase in daily noise. Current residents old and new have a right to enjoy a quiet and safe residential environment that Marion Way and Farrant St allow. ✓ Increases the likelihood of a major accident or fatality at this intersection.</p>	20.1 Traffic refer 5.6	advertising it was internally referred to all departments for their comments, including the City's Assets Services. Asset Services returned no objections to the proposal. Any concerns raised regarding future traffic movements can be assessed as part of future development applications and may be mitigated with the provision of a suitable Traffic Impact Statement.
26	<p>Objection I strongly object to this amendment. Gooseberry Hill does not have deep sewage. The local laws for Gooseberry Hill has always been 2 houses per acre. This property is not even an acre and the proposal to build 4 units on the property is completely against the councils building by laws. It creates a precedent that will see Gooseberry Hill and its trees destroyed. I realise that Aged care is the State Governments title but it is NOT aged care but rather High density building that has ruined Kalamunda's Home in the Forest" Certainly Gooseberry Hill is not suitable for this proposed development What we really need is aged nursing homes</p>	<p>21.1 Sewerage refer 6.12 21.2 Precedence refer 17.1</p>	<p>The Department of Health has raised no objection to the proposed Amendment.</p> <p>Under the provisions of the Scheme the intent of the Special Use zone is to allow the City to make special provisions for a specific use on land where the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective. A special use zone may be established if it is deemed to satisfy a specific need within the locality where the land is situated.</p> <p>(Clause 5.16.1)</p>

			Given the aging demographic of the Kalamunda locality, independent aged living dwellings will address a specific demand for this form of housing.
27	<p>Objection</p> <p>I recently read the Echo Newspaper article Saturday May 5th regarding the proposal to rezone 41 Marion Way, Gooseberry Hill.</p> <p>Initially I was surprised about this parcel being redeveloped for an Aged Care Facility being the size of the block. I agree that there is a need for "Aged Care" facilities in the City of Kalamunda and decided to investigate further.</p> <p>It appears the reporter has misrepresented the facts;</p> <p>The proposal is NOT for an aged care facility.</p> <p>The proposal is for the land owner to make a huge profit, by subdividing the block into 5 separate parcels and then for 5 individual over 55 years residential living, all privately owned. This is NOT an aged care facility. It is rezoning to medium density housing for those over 55 years old. Myself nearly 55 am flabbergasted that I would quality for this total misrepresentation of "AGED" care. This is money making exercise for the Council and the landowner. This area is made up of large blocks of approx. 2000 square meters approximately.</p> <p>This approval should not go ahead. It will set a precedent in the area that we have paid top dollars to live in for the very fact of the environment in which we are blessed to call home.</p> <p>I have no issue with the block being subdivided into 2 lots due to the size of the block, but 5 is ridiculous and detracts from our neighbourhood. Aged Care is extremely important and insufficient supply in the Kalamunda LGA. I agree that further facilities are required. May I reiterate again. This is not an Aged Care Facility. I hope the residents have complained to the Reporter from the Echo about misrepresenting the facts.</p>	22.1 Scheme amendment proposes Aged and Dependent Persons Dwellings <u>not</u> Aged Care Facility. Subdivision and development subject to separate approval requirements.	<p>The proposal is for a Scheme Amendment to consider a special use of 'Aged and Dependent Persons Dwellings' rather than 'Aged Care Facility'. Aged and Dependent Persons Dwellings are for persons who meet specific requirements to live independently and will have a lesser impact on the surrounding area than an Aged Care Facility would. An advice note provided by the City during the advertising period that outlines the differences between the land uses has been included as Attachment 5 to the report.</p> <p>All advertising was completed in accordance with the City's Local Planning Policy P-DEV 45 – Public Notification of Planning Proposals.</p>

	<p>I believe the residents have been misled by not only the Echo, but also the apparent lack of openness and transparency by the Council who appeared to be doing the absolute minimum in consulting with the residents. Erecting a sign off the road that we drive past is not adequate notification of intentions. Due to the sheer scale of the redevelopment each home owner should have been provided with a letter of intention.</p> <p>Luckily there is now a local ground swell of home owners now aware of the intentions of the landowner and the council.</p> <p>I am expecting the City to allow the local residents to address the Council at your earliest opportunity in a scheduled full council meeting.</p>	22.2 Signage erected onsite in accordance with local government requirements.	
28	<p>Non-Objection</p> <p>No objections.</p>	23.1 Noted	Noted.
29	<p>Non-Objection</p> <p>I am in favour overall but have some considerations:</p> <ol style="list-style-type: none"> 1. There is a huge amount of over 55s housing already (some vacant) in the area and would like this rezoning to concentrate more on providing high care aged care which is seriously lacking. 2. The fire hazard with the railway reserve across the road is concerning as is the area being part of an important ecological corridor. These need to be seriously addressed. 	<p>24.1 Comment unrelated to the proposed Scheme Amendment.</p> <p>24.2 Bushfire refer 8.10</p>	DFES has indicated support for the proposal subject to appropriate works being undertaken.
30	<p>Objection</p> <p>“The planning system has a general presumption against changing the zoning of individual lots (‘spot rezonings’) independent of a broader zoning or local planning strategy. Scheme Amendment requests should relate to a broader, more logical area, or be considered as part of a major Scheme review in the interests of orderly and proper planning.”</p> <p>Clearly to allow rezoning of 41 Marion would be a corruption of the process of “orderly and proper planning.”</p>	25.1 Spot Rezoning refer 11.1	Under the provisions of the Scheme the intent of the Special Use zone is to allow the City to make special provisions for a specific use on land where the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective. A special use zone may be established

	<p>Unless the City's planning staff are now saying that they failed to properly identify this lot in the last Scheme review, how can they support this spot rezoning?</p> <p>It cannot be supported on planning principles. If R12.5 is needed it would clearly fall along the R5 buffer that is the north side of Williams St adjoining existing R10 and adjacent to Milton Park, having bus services and closer to the sewer line and to Kalamunda proper.</p> <p>The only purpose served by this subdivision is to enrich this owner at the cost to amenity of all in Marion and Farrant Sts.</p>	25.2 Comment unrelated to the proposed Scheme Amendment.	<p>if it is deemed to satisfy a specific need within the locality where the land is situated.</p> <p>(Clause 5.16.1)</p> <p>Given the aging demographic of the Kalamunda locality, independent aged living dwellings will address a specific demand for this form of housing.</p>
31	Non-Objection	26.1 Noted	Noted

	<p>This submission of Support for the Proposed Rezoning of the land under the provisions of Local Planning Scheme 3 - Amendment 97 is delivered to the City Administration.</p> <p>We, [REDACTED] hereby submit our individual and collective support for the Proposal to rezone the land from R5 to Special Use Zone in order to create four (4) allotments which will enable the construction of individual residences (under separate Conditional Approval) to accommodate Mature Aged and Dependent Persons Residential dwellings.</p> <p>As long term (mature age) residents of Kalamunda, we state that this "proposal" establishes a worthy opportunity for convenient residential downsizing that is urgently needed within the suburbs of the hilltop community, so as to allow transition towards suitable "Aging in Place" frameworks.</p> <p>We note that the sites are within easy walking distance to public transport – to and from the commercial and retail services of Kalamunda, and also comprise level terrain for a short walk to medical, and retail services at the Gooseberry Hill shops.</p> <p>The proposal will create worthy and reasonable land size - home sites to allow retirement living and residence as an alternative to the overcrowded unit development within, or near the Town Centre.</p>		
34	Objection		<p>The proposal is for a Scheme Amendment to consider a special use of 'Aged and Dependent Persons Dwellings' rather than 'Aged Care Facility'. Aged and Dependent Persons Dwellings are for persons who meet specific requirements to live independently and will have a lesser impact on the surrounding area than an Aged Care Facility would. An advice note provided by the</p>

City of Kalamunda	<p>Dear Mayor, Councillors,& CEO,</p> <p>Subject: Proposed rezoning of lot 7 (41) Marion Way Gooseberry Hill (PG-LPS-003/097)</p> <p>I refer to Mr [REDACTED] letter of 17th April 2018 and to the undated Summary of Residents' Comments both of which I understand have been provided to you by others. I also refer to the Echo front page of 5th instant.</p> <p>It is generally accepted that high care assisted living (formerly C class hospital beds found in nursing homes) are needed in Kalamunda on the hill, and that this will assist in relieving public hospital emergency and ward beds.</p> <p>This will not be achieved in the least by taking a single residential R5 block and existing house and rezoning it for four or seven lots 3 km from the sewer line. There are zero aged appropriate facilities near this site. Yet, in the Kalamunda townsite there is a plethora of facilities and plenty of R20/40 sites ready to develop with sewerage at the roadside for aged independent living and dependant living.</p> <p>As to higher care beds that will relieve the public hospitals, these have been properly planned for the Wilkins Rd site which is large enough to be developed into a fully integrated aged care facility (not just small units without services provided) by an experienced and financially capable aged care operator.</p> <p>The Echo seems to be confused about what an aged care facility is. Let me give the example of the one operated by RAAFA where my mother is. It has these facilities and capabilities. It has independent living units that are akin to a small home. Next it has attached units like small villas, similar to what exists in Kalamunda townsite now. Then it has apartments that are serviced at various levels according to need. Finally it has nursing home or full care beds. To make this living environment and to provide secure allocation to higher care as health needs change with age, the following are also provided on site:</p> <ol style="list-style-type: none"> 1. gardens and lake fully maintained with BBQ and children's playthings, seats, Pergolas and rotunda; 2. bowling lawns and indoor bowls too, tennis courts, outdoor swimming pool; 3. indoor heated therapy pool; 4. sewing, quilting, art and music rooms, meeting rooms, marjong, bridge and tai chi and dancing classes, woodwork and metal workshops; 5. parking for boats and caravans, and extensive visitor parking; 6. gated security with real people in attendance, with buzzers in all rooms and bathrooms for security or nurse attendance with defibrillator; 	<p>27.1 Comment unrelated to the proposed Scheme Amendment.</p> <p>27.2 Sewerage refer 6.12</p> <p>27.3 Local Services refer 6.8</p> <p>27.4 Comment unrelated to the proposed Scheme Amendment.</p>	<p>City during the advertising period that outlines the differences between the land uses has been included as Attachment 5 to the report.</p> <p>The Department of Health has raised no objection to the proposed Amendment.</p> <p>It is noted that the subject lot is located 1.9 kilometres to the Kalamunda District Shopping Centre for their daily/weekly shopping needs and 300m from the Gooseberry Hill shops on Railway Road. In addition to this, a search of the Trans Perth website indicates that there are seven bus stops within 500m of the subject site. It is considered that there is ample access to public transport.</p>
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37	Objection	28.1 Compliance with state and local planning requirements outlined in scheme amendment report.	<p>It is noted that the subject lot is located 1.9 kilometres to the Kalamunda District Shopping Centre for their daily/weekly shopping needs and 300m from the Gooseberry Hill shops on Railway Road. In addition to this, a search of the Trans Perth website indicates that there are seven bus stops within 500m of the subject site. It is considered that there is ample access to public transport.</p> <p>The applicant has provided a report that indicates how the proposal will meet with local and state planning requirements and is in line with orderly and proper planning.</p> <p>Under the provisions of the Scheme the intent of the Special Use zone is to allow the City to make special provisions for a specific use on land where the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective. A special use zone may be established if it is deemed to satisfy a specific need within the</p>
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	<p>I am writing to express my opposition to the rezoning of Lot 7 (41) Marion Way, Gooseberry Hill from R5 to R12.5.</p> <ol style="list-style-type: none"> 1) This lot is unusual due its triangular shape and being bordered on each side by two roads, being Marion Way and Girrawheen Drive and which come to a point at the northern end. The existing size of approximately 3,500m² or ¾ of an acre conforms to R5 principles but does not conform to R12.5. Rezoning is not consistent with the LPS No. 3 requirements and contravenes the City's own guidelines expressed in "Scheme Amendment Requests", dated 13th October 2017. 2) The site plan submitted by SITE Planning & Design on behalf of the owners depicts four independent residences. Three would be of approximately 700m² and the fourth would be a large size due to the shape of the northern tip. The consensus of almost all surrounding owners and residents is that this proposal would be changed as soon as rezoning was approved and it would be replaced with a revised plan depicting between 5 & 7 residences squeezed in and most probably strata titled. The allusion to the lots being "green titled" is viewed by most residents as a fairy tale. 3) Lot 7 is not large enough for a "dependent persons" facility. Lot 7 would be much more suitable to be rezoned as two separate green titled blocks of approximately 1750m². 4) Paragraph 6.1.1 of the SITE proposal refers to a "Gooseberry Hill Neighbourhood ('Village') Centre". No delicatessen exists within the small row of businesses at 269 Railway Road and which is not a neighbourhood village. No staple groceries or newspapers can be purchased and there is NO communal gathering spot or seating. <p>I put it to you that the owners of Lot 7 have not lived on the property for any substantial amount of time. They have no affinity with the neighbourhood and are looking to increase their wealth at the expense of the unique environment that existing residents enjoy.</p> <p>Rezoning to R12.5 will not make a dent in the need for smaller dwellings and units for the growing population of older people.</p> <p>A proper retirement village is what is needed most, not this "downsizing" proposal.</p>	<p>28.2 Subdivision and development subject to separate approval requirements.</p> <p>28.3 Comment unrelated to the proposed Scheme Amendment.</p> <p>28.4 Local Services refer 6.8</p> <p>28.5 Spot Rezoning refer 11.1</p>	<p>locality where the land is situated.</p> <p>(Clause 5.16.1)</p>
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	<p><i>P.S. Since becoming aware of the City of Kalamunda guidelines "Scheme Amendment Requests" which notes that it <u>does not</u> support changing the zoning of individual lots, it seems pretty clear that the City is <u>not</u> in favour of approving Proposed Scheme Amendment 97.</i></p>		
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