Submissions Table

Submission No.	Assess No.	Submission	City's Response
1	A207173 (submission 1)	1. I would like to thank you for your time to consider my submission for the above mentioned. 2. This will have an immense negative impact on my home and my livelihood as well as many others within the Wattle Grove community. 3. I therefore oppose the draft policy entitled Local Planning Policy 28 and seek councillors not to endorse it as it pre-empts the results of community consultation on the RobertsDay concept plan and the Department of Planning Review of the NE sub- Regional Framework. 4. The draft policy is inconsistent with the existing State Planning Policy applying to Wattle Grove South making the proposed draft policy of no binding consequence with respect to any future WAPC decision making on account of this inconsistency 5. The draft policy misrepresents the true nature of the current version of the Framework 6. The draft policy fails to mention that the purported purpose of the draft policy is based on a soon to be superseded version of the Framework 7. There is to be a review in a few months of the NE sub Regional Framework, which will almost certainly render some of the key particulars in the draft policy null and void, including particulars pertaining to Wattle Grove South	1. Noted. 2. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 3. The specific reference to Wattle Grove South is proposed to be removed from the Policy and instead just generally refer to the Framework. 4. See response 3. 5. See response 3. 6. The review of the Framework has no impact on the content of the Policy and its ability to be implemented. 7. See responses 3 and 6.
2	A168121 (submission 1)	1. Having experienced the vagaries of planning practices in Wattle Grove South since July 2018 which regrettably, has resulted in the almost complete alienation of this foothills community and considerable reputational damage to the City of Kalamunda, we applaud any City efforts to establish a policy framework which does not appear to be driven by individual landowners seeking to maximise the profitability of their properties at the expense of others in the community.	1. Noted. 2. Noted. 3. Noted. 4. The review of the Framework has no impact on the content of the Policy and its ability to be implemented. 5. See response 4. 6. See response 4.

		2. Had this kind of policy Framework been in place earlier it may have prevented a situation where an individual landowner publicly informed those present at a Council Meeting in December 2018 of his success in getting the City to set aside ratepayer funds to proceed down the path of urbanising Wattle Grove South, long before it officially became a State Government flagged conditional direction. 3. However, whilst appreciating the clarity of the draft Local Planning Policy, we nevertheless would suggest to Councillors that they do not adopt the Officer Recommendation at this point in time. 4. This is because point 15 in the Officers Report that *The primary objectives of LPP28 are to:* ***Guide the City's implementation of the State Government's North East Sub-Regional Framework.*** The fact is that the Ne Sub-Regional Framework **is to be reviewed in 2021** and given WA's falling population and slower than expected land consumption in the metropolitan area, there is no guarantee that the current North East Sub Regional Framework will not be significantly revised or even, that this nomenclature to describe the Framework will even exist in the future. 5. As proof of our assertion that the Framework is to be reviewed, we would quote from a letter we received from Mr David Saunders, Assistant Director General of the Department of Planning on the 24 April 2020. ' *However, the Perth and Peel@3.5 million suite of documents, which the Planning* *Framework sits within, does make provision for their review after the initial three* *years. That review is due to commence in 2021. The scope and terms of the review* *are yet to be determined, but this may provide an opportunity to consider any* *significant new information, including more detailed knowledge of environmental*	7. Noted.

		values or changing urban land consumption rates, which may impact on the *suitability of an area for development or vice versa. Further details of the review are expected to be announced in 2021'* 6. Knowing therefore, that there is to be a review in a few months of the NE sub Regional Framework, which may render some of the key particulars in the draft policy null and void, it makes complete sense to postpone advertising of this policy until after review of the Framework is completed. 7. We commend this course of action to Councillors	
3	A207173 (submission 2)	1. I would like to thank you for your time to consider my submission for the above mentioned. 2. This will have an immense negative impact on my home and my livelihood as well as many others within the Wattle Grove community. 3. I therefore oppose the draft policy entitled Local Planning Policy 28 and seek councillors not to endorse it as it pre-empts the results of community consultation on the RobertsDay concept plan and the Department of Planning Review of the NE sub- Regional Framework. 4. The draft policy is inconsistent with the existing State Planning Policy applying to Wattle Grove South making the proposed draft policy of no binding consequence with respect to any future WAPC decision making on account of this inconsistency 5. The draft policy misrepresents the true nature of the current version of the Framework 6. The draft policy fails to mention that the purported purpose of the draft policy is based on a soon to be superseded version of the Framework 7. There is to be a review in a few months of the NE sub Regional Framework, which will almost certainly render some of the key	1. Noted. 2. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 3. The specific reference to Wattle Grove South is proposed to be removed from the Policy and instead just generally refer to the Framework. 4. See response 3. 5. See response 3. 6. The review of the Framework has no impact on the content of the Policy and its ability to be implemented. 7. See responses 3 and 6.

		particulars in the draft policy null and void, including particulars pertaining to Wattle Grove South	
4	A115611	1. "Library". Being computer organised, why can't your computer be programmed for "what you (I) have read?"	1. Unrelated.
5	A168121 (submission 2)	**1. Introduction** Local governments are responsible for planning their local communities by ensuring appropriate planning controls exist for land use and development permitted under the Metropolitan Region Scheme (MRS). They do this by preparing local planning schemes, strategies and policies. 2. WALGA has prepared a document entitled 'Local Planning Policy Guide' to assist local government authorities in preparing Local Planning policies. It is important to note that the advertised draft Local Planning Policy 28 does not reflect the recommended approach of WALGA regarding the formulation of local planning policies. 3. Logically, any resultant local planning policies ought to be designed to assist Councillors to exercise their discretionary decision-making powers in relation to existing statutory land use realities and not, anticipated or desired future scenarios which are not evident at the time the policy is proposed to have effect. **4. Local Planning Policies ought to be consistent with State Planning Policies** Whilst it is not prohibited, WALGA strongly advises that any local planning policy, including the advertised draft *Local Planning Policy 28*, ought to be consistent with any relevant State Planning Policy applying to any geographical Scheme area/s identified as being within scope of the proposed policy **5.** If a Local Planning policy is inconsistent with the provisions of a State Planning Policy -as is the case with draft Local Planning Policy 28- it **must** be referred to the Western Australian Planning Commission [the WAPC] for comment. Even if the WAPC permits the inconsistent Local Planning Policy to guide local decision-makers, it will not guide the	1. Noted. 2. This document is a guide. 3. The Policy can have effect where any structure plan is proposed which could occur at any time. 4. Noted. 5. The Policy is not inconsistent with State Policy. 6. The Policy applies to Structure Plans. Areas identified by the Framework are anticipated to require the preparation of structure plans to coordinate development. The Specific reference to Wattle Grove South is proposed to be removed from the Policy. The Framework will still be referenced. 7. Noted. 8. The Policy does not propose rezoning. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 9. The Policy was referred to the DPLH for comment during advertisement. No comment was received. 10. See response 9. 11. Noted. 12. See response 8.

		exercise of the Commission's discretion in the same manner. The provisions of a State Planning Policy will always have priority 6. The text of the draft policy states that the proposed policy is to apply to Wattle Grove South and three other named localities. Our comments below focus on Wattle Grove South but may also apply with respect to the other named geographical areas. **7. State Planning Policy 2.5 Rural Planning** Currently, *State Planning Policy 2.5 Rural Planning* applies to Wattle Grove South as this geographical Scheme area is currently zoned 'Rural' under the Metropolitan Region Scheme (MRS) and 'Special Rural' or 'Rural' under the City of Kalamunda Local Planning Scheme No. 3 (LPS 3). 8. This means that the current wording of draft *Local Planning Policy 28* - which mischaracterises the approved zoning of Wattle Grove South from its actual 'rural' zoning to a possible but as yet, unapproved 'urban' zoning –is significantly inconsistent with *State Planning Policy 2.5 Rural Planning* . 9. As stated above, due to this inconsistency the proposed draft Local Planning policy must be referred to the WAPC for comment. Even if the WAPC subsequently permits the draft Local Planning Policy to stand it will have no influence on future WAPC decision-making while *State Planning Policy 2.5 Rural Planning* has application to the area. 10. We contend that on this ground alone, Councillors ought to refuse to endorse the proposed draft policy. **11. The 'purpose' of the draft Local Planning Policy 28** The text of the draft policy (point 15) defines the primary objective of the draft policy as being to *'a) Guide the City's implementation of the State Government's North East Sub-Regional Framework* 12. However, the text of the draft policy actually misrepresents the fundamental fluidity of the Framework and endeavours to convey to the reader that the current Framework dictates that Wattle Grove	13. See response 8. 14. See response 8. 15. See response 8. 16. See response 8. 17. See response 8. 18. The Policy will still be effective following a review of the Framework. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 19. See response 18. 20. See response 18. 21. See response 6. 22. Noted. 23. Noted. 24. See response 6. 25. Council has made a determination on the Crystal Brook Concept Plan. Regardless the outcome of the Crystal Brook Concept Plan has no bearing on the purpose of the Policy. See response 6. 26. See response 25. 27. See response above. 28. See responses above.

		South is to be unquestionably rezoned as Urban by the Department of Planning at a date yet to be determined. 13. Regrettably, the draft policy fails to acknowledge anywhere in its text that the Department of Planning, through the NE sub- Regional Framework, has only conditionally identified part of Wattle Grove South for future urban use. 14. According to the accompanying text of the NE sub -Regional Framework, the proposed urban rezoning of much of Wattle Grove South (a zoning which, incidentally, was requested by the then Shire of Kalamunda without reference to the Wattle Grove South community) may, in fact, not eventuate after taking into account other relevant factors, including but not limited to, the existence or otherwise of environmental attributes, assessment of bushfire risk, and the cost of infrastructure requirements. 15. The text of the Framework cautions that further detailed planning is required for areas zoned Urban Expansion and Urban Investigation prior to consideration for any rezoning under the MRS. In particular, it states that planning must establish whether the identified area contains significant environmental attributes. Where significant environmental attributes are identified, as is the case in Wattle Grove South, the text of the Framework states that further planning for these sites will need to prioritise avoidance or protection, or both, of the environmental values. 16. Importantly, the Framework also states (page 20) that the classification of existing special rural zoned areas as Urban should not however be construed as support for the further development of these areas at a higher density. 17. Similarly, the text of the Framework states that the classification of Urban Investigation areas is not to be construed as a commitment by the WAPC to support any rezoning, as this will depend upon the outcome of further planning investigations **18. The NE sub- Regional Framework to be Reviewed in 2021**	

		Apart from the authors of draft LLP 28policy failing to reflect the true nature of the NE sub Regional Framework by making unjustified assumptions about the purported inevitability of the Framework - which have then been interwoven into the text of the draft policy- the authors have surprisingly, omitted to inform Councillors and the community that the NE sub- Regional Framework <u>is to be reviewed by the Department of Planning in 2021.</u> This is a significant and worrying omission given both the accepted need for open and transparent decision making at local government level and, the purported primary purpose of the draft policy being to ' guide the City's implementation of the State Government's North East Sub-Regional Framework'. 19. Given WA's falling population, the impact of the pandemic and slower than expected land consumption in the metropolitan area, there is no guarantee that the current North East sub- Regional Framework will not be significantly revised or even, that this nomenclature to describe the Framework will even exist in the future. It is simply illogical for Councillors to endorse a local planning policy based on a version of the Framework which is due to be reviewed in just a few months time. 20. It would be far more appropriate for Councillors to decline to endorse this draft policy knowing that it is entirely based on a soon to be obsolete version of the Framework. **21. Draft Local Planning Policy 28 is Pre-emptive** This draft Local Planning Policy is not only pre-emptive of statutory planning processes as explained above, it also pre-empts Councillor consideration of the outcome of community consultation with respect to the RobertsDay concept planning process. 22. In the past 2 years the City has expended close to $150,000 in trying to convince the Wattle Grove South community that the Department of Planning is determined to urbanise this foothills area. To further that end the City has thus far expended over $110,000 in obtaining the services of a private consultancy to present the community with a	

		concept plan based on an urban rezoning platform for its consideration. 23. City is currently in the process of analysing the considerable amount of community feedback it has received in relation to this concept plan. A successful Freedom of Information made by a resident aligned with EcoVision to obtain copies of submissions forwarded by the community in relation to the RobertsDay concept plan is currently in the process of being analysed. 24. This analysis is likely to show that over 95% of respondents have rejected the RobertsDay concept plan which, as stated above, is based on urban rezoning of the area. Preliminary figures also show that around 75% of respondents want to retain its current rural zoning under the MRS 25. It would be very poor form indeed, for Councillors to endorse this draft Local Planning Policy without first waiting to learn the outcome of community consultation about land use in this area as generated by the publication of the RobertsDay concept plan. *26.* To proceed otherwise, would be to regard the views of the affected community as being inconsequential to Councillor decision-making and therefore, contrary to the *Local Government Act 1995.* **27. Summary** In our view Councillors, ought to need no encouragement to decline to give approval to proposed draft Local Planning Policy 28**.** The draft policy: a) Is inconsistent with the existing State Planning Policy applying to Wattle Grove South making the proposed draft policy of no binding consequence with respect to any future WAPC decision making on account of this inconsistency b) misrepresents the true nature of the current version of the Framework; and c) fails to mention that the purported purpose of the draft policy is based on a soon to be superceded version of the Framework	

		28. Knowing that there is to be a review in a few months of the NE sub Regional Framework, which will almost certainly render some of the key particulars in the draft policy null and void, including particulars pertaining to Wattle Grove South, we would therefore urge Councillors not to endorse draft Local Planning Policy 28	
6	A179904	1. Our block has the "Crumpet Creek" running along it's back boundary, and the native wildlife varieties we have on our block is enormous. 2. The back half of our block has been left as natural bush which attracts many animals some we don't even see, only where they have been. 3. Our native garden beds around the house also see hundreds of bird life come in each day to feed, there is a large family of Quenda's that live on our property and yes dig holes in our lawn but that is a small price to pay to have these little animals walking around without fear. There was even a family of Mountain Ducks with babies making their way to the creek through our property. 4. We need to save this environment, I have heard the developer will keep as many trucks as possible but where are all these animals going to go? 5. We do understand the need for change and the requirement for more housing within the shire, but hope you could re-visit the area for rezoning and leave the properties that bound the below roads as "Special Rural" to save a small part of this wonderful area for our native animals / birds / marsupial plus all the native plants. - Sultant Road East - Brewer Road - and either Bruce Road or Ravenswood Road. 6. I am not sure if the above was the type of comment you required as I didn't fully understand your letter - but if time permits if a meeting between the shire and lawn owners	1. Noted. 2. Noted. 3. Noted. 4. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 5. See response 4. 6. Noted.

7	A8141	1. We, Catherine and Ian Small of 19 Fontano Rd, Wattle Grove, oppose the draft policy entitled Local Planning Policy 28 as it pre-empts the results of community consultation on the RobertsDay concept plan and the Department of Planning Review of the NE sub- Regional Framework	1. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.
8	Valcan Road, Orange Grove	1. We oppose the draft policy entitled Local Planning Policy 28 2. It pre-empts the results of community consultation on the RobertsDay concept plan and the Department of Planning Review of the NE sub-Regional Framework	1. Noted. 2. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.
9	A82866 (Submission 1)	1. I A82866 oppose the draft policy entitled Local Planning Policy 28 as it pre-empts the results of community consultation on the RobertsDay concept plan and the Department of Planning Review of the NE sub-Regional Framework	1. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.
10	A82866 (Submission 2)	1. I A82866 oppose the draft policy entitled Local Planning Policy 28 as it pre-empts the results of community consultation on the RobertsDay concept plan and the Department of Planning Review of the North-East Sub-regional Planning Framework 2. To quote from the North-East Sub-regional Planning Framework "The classification of Urban Investigation areas is not to be construed as a commitment by the WAPC to support any rezoning as this will depend upon the outcome of further planning investigations." (Page 20 2nd last paragraph)	1. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 2. See response 1.
11	Address Details Not Provided	1. We oppose the draft policy entitled Local Planning Policy 28 as it pre-empts the results of community consultation on the RobertsDay	1. The purpose of the Policy is not to make a planning proposal. The

		concept plan and the Department of Planning Review of the NE bsub-Regional Framework	purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.
12	A28230	1. We oppose Local Planning Policy 28 because it pre-empts the results of community consultation on the RobertsDay Concept Plan and the Department of Planning Review of the NE sub-Regional Framework	1. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.
13	A50154	1. We wish to advise you that we the undersigned oppose the draft policy entitled Local Planning Policy 28 as it pre-empts the results of community consultation on the RobertsDay concept plan and the Department of Planning Review of the NE sub- Regional Framework	1. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.
14	A127383	1. There are numerous highly significant reasons why timing of this request for public input apparently authorised by Council, on a new local Planning Policy seems completely illogical and inappropriate.- Based on the 3 stated Objectives on page 3 of the 8 page Draft Policy, the following, for instance, have either escaped the attention of City of Kalamunda Planning Management or been deliberately disregarded.- a) The Minister for Planning subsequent to a 2 year overall in depth Review of the WA Planning System, followed that by posting outcomes from a subsequent Green Paper advertised for public comment. - The Minister then with WAPC /DPLH has engaged with Parliament in making substantial changes to Development Planning Legislation, with many inevitably detailed outcomes; (including imminent changes to high-level development context	1. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. The Policy remains relevant with the review of the planning system, policies and Framework. 2. Noted. 3. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the

		frameworks including the North East sub-regional Planning Framework of early 2018 that preceded that overall Planning System Review. b) Notwithstanding such changes in community and administrative context CoK Management must surely be aware of other announcements relevant to Local Authority Planning including.- i). Design WA producing completely new Activity Centre guidelines; ii).Proposed Amendments to the Planning & Development (Local Planning Schemes) Regulations 2015 that involves 30 changes to local planning regulations exempting small residential and non-residential projects from requiring local authority development approval and complementing a revised residential design codes policy. iii) A new Medium Density Design Code. c) Additionally and highly relevant to local Planning policies - the recent unpredictable effects of the COVID-19 virus and measures being taken everywhere to counter circulation of the virus. All are combining together to result in substantial financial damage to local business enterprises, loss of employment and extensive social disruption that seems most likely to have continuing long term effects; including to future education and work skilling priorities. All of those occurring together will comprehensively alter individual, family employment and locational preferences, comprising a new local community context that CoK Planning Management has not yet begun to analyse, but will obviously be	City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 4. Noted. 5. See response 3. 6. See response 3. 7. See response 3. 8. See responses above.

		fundamental to <u>any</u> future Local Planning Strategy. d) The WA State Government through various Ministers is <u>demonstrating willingness to listen to community views</u> in virtually all of the above; and most are currently open for public comment. e) Reading through the advertised Draft LPP28 'Delivery of State and Local Strategies through the preparation of Structure Plans' this request to the local community to comment right now, while confronted with all of the above complex changes (and being asked to simultaneously comment on them) suggests that City Planning Management should take time to reflect on the following before persisting further 2. Recent evidence of Planning Management in the City of Kalamunda has demonstrated <u>repeated disrespect of local community values</u> and a preference for misinterpreting 'high level' statutory planning to be determinative; rather than contextual guidance 3. For instance their chosen interpretation the 2018 Regional conceptual Frameworks for the future of the Perth and Peel Region that then anticipated substantial growth of urban population to 3.5 million by 2031.- Senior CoK Officers began local consultation workshops by statements wrongly inferred from those Frameworks as "The Government has decided.." rather than that in truth they are intended to be broad guidance yet to be translated into local social and environmental contexts. 4. Contrast that with the Foreword written by Planning Minister Hon. Rita Saffioti to each of those 4 regional Frameworks published in March 2018 - <u>"These documents seek to enable the creation of liveable and vibrant communities- suburbs spaces and places where people want to live, work and socialise."</u>	

		5. The deliberate over-riding of local community and environmental values by CoK has continued for instance at Wattle Grove (South) for over 2 years, where an established environmentally-conscious community (not an area of vacant land) should be, based only on Officer whim; wiped out and replaced by industrial development.(Not supported by any Government directive or WAPC /DPLH request suggesting shortage of industrial land in that location). With the established community who clearly stated that as being where they want to continue living being continuously cajoled to the contrary. 6. A second example is in CoK Planning Management with regard a City ten year forward plan for the Town site of Kalamunda "Activity Centre Plan," in repeatedly quoting the 10 year old State Planning Policy 4,2 "Activity Centres for Perth and Peel"; yet actually ignoring numerous statements in that SPP 4.2 regarding safe movement of pedestrians and vehicles. E.g. statements in it such as - "Priority should be given to pedestrians over traffic."/ "it is necessary to ensure walking routes are safe in centres"/a permeable road network that provides greater choice of movement; lower traffic speeds through control mechanisms "/ "Defining the area over which a structure plan operates is essential. Centre boundaries must match the intended role and function."/ "fewer and safer points of conflict between vehicles and pedestrians"/ "structure plans should give priority to the provision of short-stay parking that serves the centre as a whole" 7. City of Kalamunda localities as shown visibly in the NE Sub-regional Planning Framework mapping are in fact noticeably peripheral to consolidating urban form implied in the Perth & Peel region 2031, as emphasised in - "**3.7 Environment and landscape. Objective** - To preserve and enhance the environmental and landscape values of the sub-region for future generations to enjoy." Local community values in City of Kalamunda are well known for many decades of choice made by incoming generations to echo that	

		Objective. City of Kalamunda Management would be wise to quickly find reason to support and <u>respect, not deny them</u> as they appear to be doing, in proffering current advice to its elected Council. 8. **Summary /Conclusion.**- Since it seems quite likely that Council were not alerted by City Planning Administration to the extensive range of related Ministerial, WA Planning Commission (WAPC) and Department of Planning Lands and Heritage (DPLH) initiatives that have already been announced; are currently awaiting public comment; and/or or render the timing of this particular request for public comment inappropriate. It is suggested that to avoid Ministerial criticism, Council should direct that no further work proceed on it until all of the above issues are resolved.	
15	A199994	1. I am writing on behalf of my family and myself, with regard to the letter from City of Kalamunda dated 6th August 2020, re Local Planning Policy 28. On receiving this letter, our immediate reaction was 'Here we go again. 2. After all the meetings, co-design workshops, letters and emails of opposition/objection, the will and feelings of the majority of residents/property owners, still does not appear to be being taken into account 3. In the letter it states 'The policy will guide Council, the City's officers and external stakeholders to identify ……..' Who are the external stakeholders? I see the residents/property owners of the said area, as 'internal stakeholders.' 4. Please let it be known that we oppose the draft policy 'Local Planning Policy 28' 5. The policy pre-empts the results of community consultation on the Roberts Day Concept Plan and the Department of Planning Review of the NE sub-Regional Framework.	1. Noted. 2. The purpose of the Policy is not to make a planning proposal. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 3. Stakeholders may include residents, landowners, State Agencies and businesses to identify a few. 4. Noted. 5. See response 2.
16	A8204	1. I write to object to Wattle Grove East's inclusion in LPP28 as an area designated for future structure planning	1. Noted. 2. The purpose of the Policy is not to make a planning proposal. The

		2. I am of the opinion that identification and inclusion of Wattle Grove East in LPP28 by the City of Kalamunda, just like the Draft Concept Plan prepared by Robers Day, is another devious and underhanded measure undertaken by the City and specifically the City's planning department to underpin and facilitate the rezoning of Wattle Grove East from Rural to Urban under the MRS. **3. <u>LPP28 is inconsistent with the views of the vast majority of Wattle Grove East residents.</u>** There is a strong sentiment against further subdivision of Wattle Grove East for urban purposes amongst residents and landowners 4. Since October 2004 the Wattle Grove East community have made their desire to keep Wattle Grove East Rural and opposed urbanization on every occasion urbanization in any form has been mooted by our unrepresentative Local Authority. 5. At every opportunity the City of Kalamunda (COK) has promoted, contrived and made representations to the WAPC (without consultation) to facilitate rezoning to urban uses in any form - industrial, over 55 villas, and most recently, a concept plan (universally rejected), which features resumption of in access of 100ha of private land for a road network and POS all to facilitate urban development with an unspecified density of strata development – by the way, all without reticulated sewerage or any specific prior planning and investigation. 6. All potential urban uses proposed by the minority of residents have been justified and supported by the COK planning department disregarding any sound or consistent planning principles. It appears that the COK will support any use that the "develop anything at any cost" minority want, approve over 55 villas one day and propose to put them next to industrial development the next, rural composite and propose to put residential development next door, just about anything is acceptable as long as it is not what the majority want, to be left alone.	purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 3. See response 2. 4. See response 2. 5. See response 2. 6. See response 2. 7. See response 2. 8. See response 2. 9. See response 2. 10. The specific reference to Wattle Grove South is proposed to be removed from the Policy and instead just generally refer to the Framework. See response 2. 11. Noted. 12. Noted. 13. See response 2. 14. See response 2. 15. See response 2. 16. The Policy will still be effective and remain relevant following a review of the Framework. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas. 17. See response 16. 18. See response 2. 19. See response 2.

		7. To illustrate the strong sentiment the overwhelming and completely ignored majority of residents have against the rezoning of Wattle Grove East for urban purposes and on which basis alone Wattle Grove East should be excluded from LPP28, below are 9 occasion on which the residents have expressed their desire opinion to keep Wattle Grove East Rural: a) September 2004 – Special electors meeting held in respect to rezoning 32 Gavour Road to allow urban density development. Motion carried objecting to the rezoning 109 objectors, 3 non objectors – **97% against rezoning for Urban uses** b) October 2004 – 115 submissions, 101 objections to allowing urban density development at 32 Gavour Road Wattle Grove – **87% against rezoning for Urban Uses** c) May 2007 – The shire notified only 15 residents of the re submitted rezoning proposal as above, 40 replies were received, 36 where objections. **-90% against rezoning for Urban Uses** **d)** May 2009 – A petition of 146 objectors to the rezoning 32 Gavour Road for urban purposes was lodged with the Council calling for a Special Electors meeting to discuss the re submission prior to the Council re considering the rezoning however the Shire of Kalamunda completely and deviously scheduled the Special Electors Meeting at a date after it initiated the Rezoning 32 Gavour Road. **– 146 Residents 100% ignored by COK** e) October 2009 - During the 42-day statutory comment period following initiation of the rezoning 32 Gavour Road there were 164 submissions received. Of the 164, 144 were objections. - **87% against rezoning for Urban Uses.** When considering the analysis of submissions in 2009 by the COK the WAPC comment was as follows:	20. See response 2. 21. See response 2. 22. See response 2. 23. See responses above.

		"It is apparent that the manner in which the Council has assessed the results of the consultation from advertising the Amendment is <u>inappropriate</u>. The Council's assessment demonstrates a <u>lack of proper consideration</u> of the advertising process and the conclusions generated are <u>inaccurate and misconstrued</u>." f) June 2011 - 220 submissions were received in respect to urbanization of Wattle Grove East proposed by the Shire of Kalamunda in their Draft Planning Strategy. 188 were objections to the proposed urbanization - **87% against rezoning for Urban Uses** g) December 2018 - submissions received in Community Consultation Report, 3 December 2018, in respect to COK plot to rezone Wattle Grove East to allow what the COK described as Urban use in the form of industrial – **90% against Rezoning for Urban Use** h) December 2019 – Special Electors Meeting to remove the COK's threat of rezoning Wattle Grove East to allow Urban use in the form of industrial - 190 Attendees 173 against rezoning Urban 17 for – **89% against rezoning for Urban Uses** i) August 2020 – Submissions received in relation to the COK faux consultation process undertaken (at a cost of over $150,000) in an attempt to railroad the residents of Wattle Grove East into accepting rezoning to Urban via hired guns Roberts Day – **97% against Concept Plan, 75% against rezoning for Urban Uses** 8. Wattle Grove East should be excluded from LPP 28 because the overwhelming majority of residents want it to remain Rural and the COK inclusion of Wattle Grove East in LPP28 is just another of the underhanded and devious methods the council is employing in an attempt to convince the WAPC to rezone the area to urban under the MRS – DLPS, Local Housing Policy, Aged Care Policy, Roberts Day Concept Plan preparation and the list goes on **9. <u>LPP28 is inconsistent with Current Zonings</u>**	

		Wattle Grove East is currently predominantly zoned for rural land use under the City of Kalamunda Local Planning Scheme No. 3 ('LPS 3') and therefore should not be included as an area for future structure planning within LPP 28 The aim of the Special Rural zone under LPS 3 is as follows: **4.2.2 Rural Zones:** Special Rural • To enable smaller lot subdivision to provide for uses compatible with rural development. • To retain amenity and the rural landscape in a manner consistent with orderly and proper planning. 10. Wattle Grove East is zoned "Special Rural" not zoned "Development" under LPS3. Zoning as "Development" is a precursor for future structure planning (DSPs and LPSs). Therefore, Wattle Grove East should be omitted from LPP28 as the area is being zoned "Development" under LPS 3 is a requirement and a prerequisite for inclusion in LPP28 as shown from an exert of LPP28 as follows: The development of DSPs and LSPs coordinates the future land use changes and delivery of infrastructure in development areas. Furthermore, from LPP28: If there is a conflict between this Policy and the Scheme, then the Scheme shall prevail. 11. **<u>LPP28 is inconsistent with Perth and Peel @ 3.5 Million – NE Sub Regional Planning Framework.</u>** Perth and Peel @3.5 provides a framework for the development of the Perth and Peel regions. The document seeks to meet the targets identified under Directions 2031 and the State Planning Strategy 2050. Wattle Grove East is located in in the North East sub region	

		12. Under PP@3.5 Wattle Grove East is designated for "Urban Expansion" and "Urban Investigation" 13. Prior to consideration for any rezoning under the MRS and before development can occur detailed planning and investigation including investigations regarding protection of significant environmental attributes and a geotechnical analysis of land suitability to provide connections to reticulated wastewater services should be undertaken. 14. The North East Regional Planning Framework also notes that the classification of this land for Urban Expansion or Investigation is not intended to be construed as commitment by the WAPC to support any rezoning as this will depend on the outcome of further investigations and that further planning will need to prioritise protection of environmental values. 15. Where significant environmental attributes were identified, the Framework further stated that planning for these sites will need to prioritise avoidance or protection, or both, of the environmental values. 16. LPP28 fails to reflect the true nature of the NE sub Regional Framework. LPP28 also does not disclose that the NE sub- Regional Framework is to be reviewed by the Department of Planning commencing in 2021. 17. It would be inappropriate to prematurely include the area within the LPP28 until further detailed planning and investigation is undertaken to ascertain whether the area is suitable for future urban development or rezoning to Urban under the MRS, as detailed in the North East Sub-Regional Planning Framework. **18. The inclusion of Wattle Grove East in LPP 28 is inconsistent with the objectives of State Planning Policy 2.5 – Rural Planning** State Planning Policy 2.5: rural planning (SPP 2.5) is the basis for planning and decision-making for rural and rural living land across Western Australia.	

		The inclusion of Wattle Grove East in draft LPP28 is inconsistent with the provisions outlined in SPP 2.5, which aims to: • *Protect and preserve rural land;* • *Promote sustainable settlement in, and adjacent to, existing urban areas; and* • *Require that land use change from rural to all other uses be planned and provided for in a planning strategy or scheme.* 19. As outlined above, SPP 2.5 aims to protect rural land and encourage settlement in existing urban areas. The rural land existing in Wattle Grove East ought to be preserved and future structure planning should be designated in existing areas appropriately zoned for urban development. **20. <u>The inclusion of Wattle Grove East in LPP 28 does not meet the Requirements for Preparation of a Structure Plan under Planning and Development (Local Planning Schemes) Regulations 2015</u>** 21. Part 4, Clause 15 of Schedule 2 of the Regulations outlines the following circumstances for when a structure plan may be prepared: • The area is: *all or part of a zone identified in this Scheme as an area suitable for urban or industrial development; and identified in this Scheme as an area requiring a structure plan to be prepared before any future subdivision or development is undertaken; or* • *A state planning policy requires a structure plan to be prepared for the area; or* • *The Commission considers that a structure plan for the area is required for the purposes of orderly and proper planning.* Wattle Grove East does not meet any of the above conditions as it is not identified as Urban, Industrial development and retains predominantly "Special Rural" zoning which has no requirement for structure planning 22. Until further detailed planning and investigation is undertaken in Wattle Grove as addressed in the NE Sub Regional Framework, it would be	

		inappropriate for the City of Kalamunda to prematurely designate Wattle Grove for future structure planning and urban development in LPP 28. **23. <u>Summary</u>** I Object to Wattle Grove East's inclusion in LPP28 by the City of Kalamunda on the following grounds: a) *LPP28 is inconsistent with the views of the vast majority of Wattle Grove East residents* b) *LPP28 is inconsistent with Current Zonings* c) *LPP28 is inconsistent with Perth and Peel @ 3.5 Million – NE Sub Regional Planning Framework* d) *The inclusion of Wattle Grove East in LPP 28 is inconsistent with the objectives of State Planning Policy 2.5 – Rural Planning* e) *The inclusion of Wattle Grove East in LPP 28 does not meet the Requirements for Preparation of a Structure Plan under Planning and Development (Local Planning Schemes) Regulations 2015*	
17	A50091	1. I oppose the draft policy entitled Local Planning Policy 28 as it pre-empts the results of community consultation on the Roberts Day concept plan and the Department of Planning Review of the NE sub-Regional Framework.	1. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.
18	Valcan Road, Orange Grove	*1.* We, [redacted] of [redacted] Orange Grove WA 6109 Oppose very strongly the daft policy entitled Local Planning Policy 28 as it pre-empts the result of community consultation on the RobertsDay concept plan and the Department of Planning Review of the NE sub- Regional Framework	1. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.
19	A25301	1. The green belt of Maida Vale maintains an ecosystem that provides habitat for red tailed cockatoos, quendas and other wildlife.	1. Noted. 2. Noted. 3. Noted.

		2. Many people also enjoy hiking this area during COVID-19, and if lockdown occurred would be sorely lost if developed 3. Microclimate of trees and irrigated paddocks also help prevent the heat sink of concrete. Local warming not required!	
20	A193992	1. We oppose the draft policy entitled Local Planning Policy 28 as it pre-empts the results of the community consultation on the RobertsDay concept plan and the Department of Planning Review of the NE sub Regional Framework.	1. The purpose of the Policy is to guide the City on the requirements associated with the preparation of Structure Plans. The Policy does not make any specific proposals for areas.