

Submitter Number	Comment	City Response
1	<p>As a rate payer for the 9-10 years I have seen a lot of development in the area, all of which has resulted in a loss or reduction of a significant amount of public open spaces as well as local wildlife being forced out of the area along with it. I just cant agree with it when walking around the neighbourhood &amp; seeing the affects of it all.</p>	<p><b>Objection noted.</b></p> <p>The proposed amendment to the Cell 9 ODP is consistent with the objectives, strategic direction and actions of the City of Kalamunda Public Open Space (POS) Strategy. Whilst the proposal seeks to reduce a portion of the POS, it redesignates a portion of the Tomah Road Reservation as POS.</p> <p>The reduction of POS redesignation still leaves the suburb of Wattle Grove in a surplus of the 10% minimum requirement set out in Liveable Neighbourhoods 2009.</p> <p>The portion of land being redesignated is currently a privately owned paddock (grass) which has no identified ecological benefit and the redesignation of the Tomah Road Reservation to POS and portion of the subject site from POS to Residential R20 will enable sufficient use of land within the Cell 9 ODP area, and will create a social and ecological corridor between Tomah Reserve POS and the Tomah Swamp (Bush Forever Site). In addition to this, the re designation will reduce Cell 9 ICOSA costs associated with the acquisition of land for POS. Subject to Council approval, the savings generated could be reallocated to improving existing and future POS within the Cell 9 ODP area. These upgrades are of a direct benefit to the Wattle Grove community and will provide improved spaces for the community to recreate and enjoy.</p>

2	I support it	<b>Support noted.</b>
3	<p>A report in 1996, documents in detail, the ODP for Cell 9 and its main objectives. The proposal for such a major modification, this late, when most of the area related to the Structure Plan has been developed, not only disadvantages those that have already developed, having their C.I.C based on the Original acquisition of POS, but prejudice to those that were denied certain modification requests that are now being proposed. From my experience related to the ODP, in my opinion, the Local Government and Council do not fully understand its (ODP) operation, with fraudulent claims being made against others by a major developer of the area, that was given certain concessions in relation to its 'Contract for Subdivision Approval' under the ODP and the City / councillors do nothing about it, despite the Structure Plan and what is legislatively written regarding subdivision approval and 'Dedicated Land'. It also shows disrespect of earlier council decision when the ODP was adopted, additional to the contempt to the Original LSP Lot owners, when the provision of POS knowingly exceeded 10%, despite land owners' objections. The reduction of POS, is a contradiction to the City of Kalamunda's own Policies, additional to misleading the community in the justification of the 10% rule, when the Council knowingly exceeded the required 10% and the proposed modification report referring to it as 'oversupply' of POS. It can't be an oversupply when excess of 10% was deemed required at the implementation of the ODP, especially regarding Tomah Reserve. "The level of open space is required to accommodate the multi-use corridors and to incorporate the principles of water sensitive design. It should be noted that this level of open space is separate from Tomah Swamp and Hartfield Reserve" Depicted in the Original ODP Plan, it would strongly suggest that Tomah Reserve is part of that water sensitive design, and this proposed modification will have a negative impact to both the environment and the community. This proposal also depicts a 13m wide road reserve, although road reserves were to be a minimum 15m for the ODP. The City / council refused to allow a land owner to provide only 12m for the road reserve. How</p>	<p><b>Objection noted.</b></p> <p>. The ODP has been reviewed and modified on multiple occasions during its lifetime to allow changes which deliver appropriate planning outcomes. The City reviews infrastructure included within the Contribution Arrangement in accordance with Schedule 11 of the Scheme. Land acquisition is a component of this review. The proposed modification of the Cell 9 ODP will be factored into subsequent reviews of the Contribution Scheme and advertised to the public during this process.</p> <p>With regards to the reduction of POS and the POS calculations within the area, it is important to note that the lot is currently privately owned and is zoned residential R20. With the amendment, the Cell 9 ODP amendment contributes additional POS to the area. Whilst it is a minor reduction (3,693m<sup>2</sup>/0.19%), from what was originally proposed, the funds saved from the minor reduction subject to council approval, can be utilised to upgrade the future POS created by the ODP &amp; the existing reserve located to the north of the site.</p> <p>With regards to the POS 10% requirement, the City engaged a consultant to identify the amount of POS within the Cell 9 ODP area, which was calculated at 15.29% in lieu of the 10% required under the State Government's policy that guides urban development;</p>

	<p>can 13m wide even be considered at all, especially if parking is required to access the reduced area of proposed POS area? As the ODP has not been completed, thus the LG has NOT acquired all land for POS related to the structure plan , potentially other areas of 'proposed POS' can be amended, further reducing POS for Cell 9. The lack of integrity by City of Kalamunda is evident in proposing this modification, especially as it appears to be requested by the City of Kalamunda, rather than the land owner, as a modification for subdivision approval, thus the report (which appears to contradict the 1996 ODP as far as POS goes) is funded by CIC, and not all land owners still to subdivide in the area had a letter sent to them. Also this major modification, stating the additional CIC (not Developer Contributions) will fund POS upgrades is misleading. The CIC funds for Cell 9 never made provisions for POS upgrades, and this is the City of Kalamunda's responsibility to fund them with the Rates paid by the Land Owners. In my opinion, the ODP should be revoked, as the City of Kalamunda has not adhered to its own designated Local Structure Plan and references legislative provisions and Planning Policies when it suits them. This is not Good Governance.</p>	<p>Liveable Neighbourhoods. The amendment proposes to reduce the POS within the Cell 9 ODP area from 29.4825ha to 29.1132ha representing a reduction of 03693ha (3,693m2/0.19%). The proposed minor reduction of open space retains an oversupply of POS, and will comply with Liveable Neighbourhoods 2009 and the requirement to providing a minimum of 10% POS.</p> <p>With regards to the road reserve, the width of the reserve will be subject to the detailed design phase of the subdivision process and will be subject to engineering advice.</p>
<p>4</p>	<p><b>Submission proposed Cell 9 WG Outline Development Plan Amendment</b>                  Please note that our submission is based on the assumption that the owner is in full agreement with selling her land to the City. We agree with the decision of the Department of Planning to characterise the amendment as a Major Amendment instead of its mischaracterisation as a Minor Amendment by the planning consultants and City Officers. The location of the site to the environmentally significant Brixton and Alison Baird wetlands, the wetlands abutting the Roe Logistics park area through to the Tomah Road Swampland Reserve, to Yule Brook, a major tributary of the Canning River and beyond, to Hartfield Park all point to the proposal being characterised as a Major amendment. There is an abundance of research which states that the protection and enhancement of ecological linkages that provide refuges for species survival within urban environments is necessary to sustain biodiversity. This is particularly so when connectivity is provided to bush</p>	<p><b>Objection noted.</b></p> <p>Support of DPLH characterising the amendment as a major amendment noted.</p> <p>The portion of land being redesignated is currently a paddock (grass) which has no identified ecological benefit and the redesignation of the Tomah Road Reservation to POS and portion of the subject site from POS to Residential R20 will enable sufficient use of land within the Cell 9 ODP area, and will create a social and ecological corridor between Tomah Reserve POS and the Tomah Swamp (Bush Forever Site).</p>

	<p>forever sites and is close to wetland areas, both of which apply in the case of the proposed amendment area. The abutting Tomah Road Swampland Reserve is listed as a <b>Regional</b> reserve and the EPA notes that it is a significant wetland that needs to be carefully managed. Worryingly, the Officer Report seeks to minimise the environmental impact of the conversion of this proposed area of environmental POS to housing, ahead of the legitimate environmental concerns of the state govt. Importantly, the recently released draft <i>State Plan Policy 2.9 Planning for Water</i> document states that local government should be actually taking steps <b>to</b> facilitate the transfer of wetland buffers <b>to</b> public ownership <b>not</b> taking steps- as this officer report recommends- to transfer this sensitive wetlands area into private ownership. Moreover, the draft water policy also states that local govts should be proactive in maintaining and restoring ecological linkages and maximising opportunities for water in the landscape to enhance amenity, contribute to urban greening and mitigate urban heat. The draft policy also seeks to encourage development that does not result in the locking in of environmental loss forever in wetland areas.</p>	
<p>5</p>	<p>Clearing rare native bushland full of endangered specie's habitat is not okay. Too much has already been cleared.</p>	<p><b>Objection noted.</b></p> <p>The portion of land being redesignated is currently a privately owned paddock (grass) which has no identified ecological benefit and the redesignation of the Tomah Road Reservation to POS and portion of the subject site from POS to Residential R20 will enable sufficient use of land within the Cell 9 ODP area, and will create a social and ecological corridor between Tomah Reserve POS and the Tomah Swamp (Bush Forever Site).</p>
<p>6</p>	<p>There is limited POS and small block sizes already in Wattle Grove. Many buyers looked at the concept plans when buying and have been bitterly</p>	<p><b>Objection noted.</b></p>

	<p>disappointed by what council have actually delivered as opposed to the plan. The POS that does exist is poorly maintained and much floody and goes swampy when wet. To reduce POS is unacceptable. Even more unacceptable is to count the jahovas witness site in the POS calculations when no discussion. Or agreement, even in principle has been made to purchase and redevelop the land. We need POS in Wattle Grove, quality POS and a reduction is not ok.</p>	<p>The redesignation will reduce Cell 9 Infrastructure Cost Sharing Arrangement (ISCA) costs associated with the acquisition for land for Public Open Space (POS). Subject to Council approval, the savings generated could be reallocated to improving existing and future POS within in the Cell 9 ODP area.</p>
<p>7</p>	<p>The amenity of the area is affected, it affects everyone. I feel that the community engagement on this has been tokenism. The community meeting was held in Kalamunda, no where near the site in question, and not in the area of the local residents that will be affected by it. Further, I asked our councillor weeks ago if a petition would be acceptable, for which I was happy to arrange. I'm still awaiting a response. I was told it would be discussed with the City. No response to date. I don't believe that "Have Your Say" accurately reflects the views and concerns of the community on this matter. You are hosting a Christmas at the Nature Park very soon. Wouldn't that be an appropriate venue to set up a little gazebo/ station, and enact meaningful engagement and communication with the residents that will be most affected by this proposal (the families in the area that are desperate for more open space). That would provide reasonable and fair opportunity for residents to "have their say".</p>	<p><b>Objection noted.</b></p> <p>The proposed amendment was advertised for a period of 42 days in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. Advertising of the proposed amendment involved the following:                  Letters were sent to landowners and occupiers who in the opinion of the Local Government are likely to be affected by the approval of the proposed LSP.</p> <ul style="list-style-type: none"> <li>a) A copy of the documentation was available at the City's Administration Office during normal business hours.</li> <li>b) Comment was sought from relevant public authorities and utility service providers.</li> <li>c) The proposal was published on the City's website.</li> </ul>
<p>8</p>	<p>I as a family member of the owners of _____ would like to support this amendment. I would very much like to see the already owned by the shire POS at the back of our property Upgraded and made into a usable area. I would also like to see Tomah Rd. upgraded and cleaned up of anti social behaviour.</p>	<p><b>Support noted.</b></p>

<p>9</p>	<p>Shire of Kalamunda is only using it's resources to create more lots and generating more income without providing enough support to children's play area. There is not a single descent children's play area after primary school. Now there will be more dwellings added. There is only one slide to share between 500 houses!!   oppose this development unless council commit new equipment to existing play area at fennel crescent and show a plan for whole new play area with proper equipment for new development.</p>	<p><b>Objection noted.</b></p> <p>The redesignation will reduce Cell 9 Infrastructure Cost Sharing Arrangement (ISCA) costs associated with the acquisition for land for Public Open Space (POS). Subject to Council approval, the savings generated could be reallocated to improving existing and future POS within in the Cell 9 ODP area.</p>
<p>10</p>	<p>I oppose the plan to give the Wattle Grove, Hale Road (Cell 9) residents reduced Public Open Space.</p> <p>The residents and the closely connected environment of the suburb need as much POS as possible. The government would not have made it law for 10% of a proposed development be allocated for POS if it did not know that people need this much POS for their mental and physical well being.</p> <p>There are exceptions to these rules of 10% POS but these rules should not be used to exploit the people and the environment. The CoK should consider the proposal for reduced POS, through the eyes of, what is the best outcome for the people and the environment for the long term and not through the eyes of, what is the best outcome for the CoK's bank balance. It is a quality of life issue not an economic opportunity.</p> <p>The CoK is offering 449sq metres of POS plus a closed- off section of Tomah Road with the trade- off of upgrades to other POS spaces in the area. The residents should be getting altogether approximately 3,000 sq metres of POS.</p> <p>The Wattle Grove Primary School is across the road from this proposed development of 53 houses and possibly could utilize 3,000 sq metres of recreation space for nature studies and physical exercise as the school is struggling for play area as it has transportables on its oval.</p>	<p><b>Objection noted.</b></p> <p>The City engaged a consultant to identify the amount of POS within the Cell 9 ODP area, which was calculated at 15.29% in lieu of the 10% required under the State Government's policy that guides urban development; Liveable Neighbourhoods. The amendment proposes to reduce the POS within the Cell 9 ODP area from 29.4825ha to 29.1132ha representing a reduction of 03693ha (3,693m2/0.19%). The proposed minor reduction of open space retains an oversupply of POS, and will comply with Liveable Neighbourhoods 2009 and the requirement to providing a minimum of 10% POS.</p> <p>The re designation will reduce Cell 9 ICSA costs associated with the acquisition of land for POS. Subject to Council approval, the savings generated could be reallocated to improving existing and future POS within the Cell 9 ODP area. These upgrades are of a direct benefit to the Wattle Grove community and will provide improved spaces for the community to recreate and enjoy.</p>

	<p>The environment also needs as much POS as possible just to survive. Linkages for the wildlife, permeable soil for the drainage to Tomah Swamp and ultimately to the renowned and extremely precious Brixton Street Wetlands.</p> <p>According to the Australian Bureau of Statistics Wale Grove, Hale Road (Cell 9) is an area of Lower Socio-Economic Index. This definition means that usually, a low socioeconomic status encompasses individuals with low educational attainment, low income and entry level jobs or no job at all. Individuals under this category are usually under a lot of stress which could lead them to exhibit risky behaviours that can further affect their lifestyles.</p> <p>This Lower Average Socio-Economic status should be taken into account when making all local government decisions affecting the quality of life of the people and the environment which they live in. They are entitled to 10% POS from a development. This rightfully belongs to them. As Councillor Kathy Ritchie said that she thinks the residents of Wale Grove should have as much POS as possible as they deserve it.</p>	
<p>11</p>	<p>It will create more traffic on St John Road and disturb peaceful life of school going children and their families. It is better to use the that land for kids play ground in the future.</p> <p>Hi everyone, Dear members of CoK council, As we all know Wattle grove school is expanding very fast and reducing their school play ground land for building new class rooms. I want to request you to please stop rezoning any land close to school. Free land close to school should be used for future playground, parks or possibly future High school. Please accept our advice and stop rezoning the school side of wattle grove.</p>	<p><b>Objection noted.</b></p> <p>The proposed amendment has been supported by a Planning Report prepared by Harley Dykstra which outlines that the anticipated change to the total daily traffic volume associated with the amendment is minimal. It is estimated that this proposal will generate an additional 8 vehicular movements during peak periods based on the Western Australian Planning Commission's (WAPC) Transport Impact Assessment Guidelines Volume 3 – Subdivision.</p>

		<p>The Cell 9 Wattle Grove ODP was established in the late 1990s and designates land uses, road network, and POS for the area.</p> <p>The re designation of the existing residential property from POS to residential R20 zoned land will reduce Cell 9 ICSA costs associated with the acquisition of land for POS. Subject to Council approval, the savings generated could be reallocated to improving existing and future POS within the Cell 9 ODP area. These upgrades are of a direct benefit to the Wattle Grove community and will provide improved spaces for the community to recreate and enjoy.</p>
<p>12 Department of Fire and Emergency Services</p>	<p><b>PROPOSED AMENDMENT TO CELL 9 – LOT 226 (44) ST JOHN ROAD – WATTLE GROVE OUTLINE DEVELOPMENT PLAN</b></p> <p>I refer to your email dated 15 November 2021 regarding the submission of a Bushfire Management Plan (BMP) (Revision C), prepared by Bushfire West and dated 1 July 2021, for the above proposal.</p> <p>This advice relates only to <i>State Planning Policy 3.7 Planning in Bushfire Prone Areas</i> (SPP 3.7) and the <i>Guidelines for Planning in Bushfire Prone Areas</i> (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the proponent from obtaining necessary approvals applicable to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.</p> <p><b>Assessment</b></p> <p>1. Policy Measure 6.3 a) (ii) Preparation of a BAL Contour Map</p>	<p>Support noted.</p>



	<table border="1"> <thead> <tr> <th data-bbox="555 296 689 320">Issue</th> <th data-bbox="689 296 1137 320">Assessment</th> <th data-bbox="1137 296 1294 320">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="555 320 689 520"><b>Vegetation classification</b></td> <td data-bbox="689 320 1137 520">Vegetation Area 2 cannot be substantiated as Class D Scrub with the limited information and photographic evidence available. The potential for revegetation has not been considered. The BMP should detail specifically how the Class D Scrub classification was derived as opposed to Class A Forest. If unsubstantiated the resultant BAL ratings may be inaccurate for proposed developed fronting Tomah Road.</td> <td data-bbox="1137 320 1294 520">Decision maker to be satisfied. Further information required at subdivision application stage.</td> </tr> </tbody> </table> <p data-bbox="533 571 1099 600"><b>Recommendation – supported subject to modifications</b></p> <p data-bbox="533 603 1305 847">The structure plan and BMP have adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved at subsequent stages. However minor modifications to the BMP are necessary to ensure it accurately identifies the bushfire risk and necessary mitigation measures. The required modifications are listed in the table above. As these modifications are minor in nature and will generally not affect the structure plan design, these modifications can be undertaken without further referral to DFES.</p>	Issue	Assessment	Action	<b>Vegetation classification</b>	Vegetation Area 2 cannot be substantiated as Class D Scrub with the limited information and photographic evidence available. The potential for revegetation has not been considered. The BMP should detail specifically how the Class D Scrub classification was derived as opposed to Class A Forest. If unsubstantiated the resultant BAL ratings may be inaccurate for proposed developed fronting Tomah Road.	Decision maker to be satisfied. Further information required at subdivision application stage.	
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<p data-bbox="338 914 501 1002">13 Department of Education</p>	<p data-bbox="533 914 1240 943"><b>Proposed Cell 9 Wattle Grove Outline Development Plan Amendment</b></p> <p data-bbox="533 975 1301 1062">Thank you for your letter dated 20 October 2021 providing the Department of Education (the Department) with the opportunity to comment on the abovementioned proposal.</p> <p data-bbox="533 1098 1319 1222">The Department has reviewed the information submitted in support of the Wattle Grove Outlined Development Plan (ODP) amendment. It is acknowledged that public open space is proposed to reduce while residential yield will increase by 10 dwellings resulting in a total yield of 53 dwellings.</p>	<p data-bbox="1346 914 1503 943"><b>Support noted.</b></p> <p data-bbox="1346 975 1839 1062">Should any further modifications be made in the future, the City will refer the proposal to the Department of Education for comment.</p>						

	<p>The subject ODP location falls within the student enrolment catchment of Wattle Grove Primary School and Darling Range Sports College and Lesmurdie Senior High School secondary school optional areas. The proposed residential yield is not expected to generate a significant number of students. However, it is worth noting Wattle Grove Primary School is experiencing student accommodation pressure. Notwithstanding this, the Department will continue to monitor public student enrolments, accommodation capacity and residential growth within the locality.</p> <p>In the view of the above, the Department has no objections to the proposal. However, any further changes to the zoning, residential density coding and dwelling lot numbers which may result in an increase to the student yield will require prior consultation with the Department.</p>	
<p>14 Water Corporation</p>	<p><b>Cell 9 Wattle Grove ODP Amendment</b></p> <p>Thank you for your letter of 20 October 2021 inviting comments on the proposed amendments to the Cell 9 ODP.</p> <p>The future subdivision of the site can be serviced by the developer undertaking extensions of water and sewerage reticulation mains from the existing nearby networks as part of the subdivision works, at the proponent's cost.</p> <p>In March 2021, the Corporation received an approach from a consulting engineer acting on behalf of the landowners. The consultant was advised of the location and alignment of the Water Corporation's Winifred Branch Drain, which is an open drain channel running inside the Tomah Road reserve (see attached image).</p> <p>It is understood that this section of the drain originally traversed the subject land diagonally from northeast to southwest. The Winifred Branch Drain was diverted to its current position adjacent to the Roe Highway and along Tomah Road as part of the initial Cell 9 development in 2013. The upper section of</p>	<p><b>Comment only.</b></p> <p>The City directly liaised with the Water Corporation regarding their comments and it was determined that these matters can be addressed during the subdivision stage by the developer with the provision of an Urban Water Management Plan (UWMP). Water Corporation advised that the developer will need to pipe the open drain for public safety reasons. Preliminary drainage modelling indicates that a 1,200mm reinforced concrete drainage pipe would be needed to meet Water Corporation Drainage Licence requirements.</p>

	<p>the branch drain near Magma Road is landscaped and the existing online basin is the responsibility of the City. The Water Corporation is responsible for the baseflow channel of the drain.</p> <p>The future alignment of the downstream part of the Winifred Road BD through and adjacent to Lot 26 Tomah Rd can remain on the development perimeter where it is at present or can be diverted through the subdivision area to the existing culvert under Tomah Road. Whichever alignment is preferred by the City/developer, it would be expected that sufficient land is given up as a condition of subdivision within the subject land to enable the Winifred Road BD to be converted into a living stream between Magma Road and the Tomah Road culvert. A maintenance agreement would need to be established with the City to ensure that the Corporation is responsible for operation and maintenance of the new baseflow channel. The rest of the local drainage system would then become the City's responsibility.</p> <p>While noting that the subdivision concept plan contained in the ODP report is not binding, it is noted that the concept plan does not make provision for the relocation of the open drain into the subdivision area. The layout concept also does not indicate any POS or compensating basins within the subdivision to attenuate drainage flows within the development site.</p> <p>The proponent should be requested to prepare a LWMS/UWMP for the area to address the protection and/or relocation of the Winifred Branch Drain and to provide adequate drainage compensation within the subdivision.</p> <p>Tomah Road is currently an unconstructed 20m wide road reserve. It should be noted that the water corporation has a major water main (250mm diameter) and a major sewer pressure main (150mm diameter) that currently run along Tomah Rd, as shown on the attached plan. As part of the subdivision of the site and the construction of Tomah Road as a subdivision access road, these assets will need to be located and adequately protected to the Water Corporation's satisfaction.</p>	
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<p>15 Perth Airport</p>	<p>Refer to attachment 2 – Perth Airport Submission</p>	<p><b>Objection noted.</b></p> <p>Noting that the site currently does not fall within ANEF contours, the City acknowledges that the site may be subject to ANEF contours changes in the future with the development of Perth Airports new runway. Development of the site will be consistent with the density of the surrounding area that is subject to the same airport noise. The amendment will result in a very minor increase in dwellings. At subdivision stage, a full assessment against SPP 5.1 – Land Use Planning in the Vicinity of Perth Airport (SPP 5.1) will be undertaken to determine relevant conditions to be imposed on the subdivision.</p>
<p>16</p>	<p>Supportive of development to progress the suburb and surrounding areas for more families.</p>	<p><b>Support noted.</b></p>