

SCHEDULE OF SUBMISSIONS

AMENDMENT NO 22 - FOR ADOPTION

ADVERTISED – 12 October 2016 -23 November 2016

No	Address	Nature of Submission	Comment	Recommendation
1	Environment Protection Authority	The EPA advises that that the proposed scheme is not required to be assessed under Part IV Division 3 of the Environmental Protection Act 1986.	The City is free to advertise the Amendment.	No change
2	Western Australian Planning Commission	Confirmed the amendment is a Standard amendment and Council is required to undertake the procedures set out in clauses 47 to 53 of the Planning and Development (Local Planning Schemes Regulations 2015 (the Regulations).	Noted	No change
3	Department of Indigenous Affairs	There are no sites under the Aboriginal Heritage Act, 1972 (AHA) as currently mapped on the Register of Aboriginal Sites (the Register) within the Lot. Notwithstanding, the applicant is advised to familiarize themselves with the State's Cultural Heritage Due Diligence Guidelines (the Guidelines).	Noted	No change
4	Water Corporation	Confirmed that the property is provided with water and wastewater services by Water Corporation	Noted	No change

5	Western Australian Department of Parks and Wildlife (DPAW)	<p>Lot 41 contains vegetation, which is likely the habitat for the Wester Ringtail Possum (WRP).</p> <p>WRP is a threatened species, major threats are habitat loss and Peppermint Trees as found on Lot 41 are potential habitat for WRP.</p> <p>Any future development should incorporate the retention of the existing peppermint trees to retain a critical habitat.</p> <p>It is also recommended that the proposed Scheme require for the Lot 41 development; a WRP survey be undertaken; a Wildlife Protection Management Plan prepared to the satisfaction of DPAW; and implemented to the satisfaction of DPAW.</p> <p>DPAW identified that Lot 41 had been approved for subdivision into two lots, which has now lapsed. The arrangement retained the Peppermint Trees, in the absence of a detailed concept DPAW are requesting the WPMP be prepared to its satisfaction.</p>	<p>The site presents clusters of peppermint trees, and two relatively cleared areas.</p> <p>It is possible to develop the site with an access link and still avoid the removal of any trees.</p> <p>The existing framework will not ensure the retention of the existing peppermint trees or achieve an on outcome sympathetic to the locality.</p> <p>The lot owner has now agreed to controls to prioritise the retention of the mature peppermint trees: diameters greater than 500mm.</p> <p>This will force a design solution that will appear to be a low density. The retention of the trees will retain a visual familiarity for the neighbours as well as softening the appearance of the eventual development.</p>	<p>Modification to include an explicit control requiring the retention of the existing peppermint trees, as at 8 March 2017.</p>
6	J M Humphreys 180 Geographe Bay Road	<p>Summary - the proposal is inconsistent with the Quindalup Special Character Area – Local Planning Policy (QSCAP).</p> <p>The Quindalup Special Character Area – Local Planning Policy at its Statement of Intent describes <i>"The principle objective of this policy is to preserve the unique and special character of the Quindalup strip. The character essentially being a relaxed holiday atmosphere. This is attributed to its low density housing which is</i></p>	<p>Comments are noted and generally acknowledged.</p> <p>The City considers the lot is in fact large (deeper) than most lots.</p> <p>The City acknowledges that</p>	<p>Modification to incorporate design detail addressing:</p> <ul style="list-style-type: none"> • The retention of the peppermint trees.

		<p><i>contained within a bush and sea side setting”</i></p> <ol style="list-style-type: none"> 1. Disputes the relevance of SPP3 in context of the subject land. The SPP3 requirement for orderly planning, affordable housing, concentration on urban development in existing settlements with established infrastructure and services, reducing the spread of urban renewal with its inherent costs and inequities for those living in the outer suburbs applies is not relevant to Quindalup with its small, lightly populated, low density and relaxed holiday atmosphere. <p>SPP 3 and the greater density it advocates also creates greater parking and traffic problems in the absence of public transport. Parking and traffic flow is already an issue in the summer holiday period with cars unable to park in the parking area opposite 186 Geographe Road spilling out onto both sides of the road and verges from 180 to 186 Geographe Bay Road and using the Property as a parking area.</p> <ol style="list-style-type: none"> 2. Disputes Recoding the Property for 4 dwellings reflects an orderly process. It opens the door for future developments in the QSCAP to apply for the same privilege thereby changing the character, density and atmosphere of the area without having a formal review of the QSCAP and allowing all its residents the right and ability to comment and have input into any proposed changes. <p>Given the land is not identified in the LPS it renders its process as useless and the Zoning classification as meaningless if individual applications without a broader community comment and have input into any proposed changes. <i>(As with a methodical process of the LPS?)</i></p> <ol style="list-style-type: none"> 3. Disputes the uniqueness of the lot size; many lots are this size with two dwellings, conceivable they could be demolished for four. The minimum lot size was increased by the City from 	<p>SPP3 is not addressed in its proper context or proportionate to the situation at Dunsborough that would alone warrant supporting higher density at the site, particularly when not identified for such in the recent LPS.</p> <p>The City agrees the current policy is not an impediment to the development of the site, it is a desirable location and its development is simply a function of price.</p> <p>The City considers it is possible by design to ensure future development does not affect neighbour amenity such as by on site vehicle movements or by any sense of encroachment into setbacks.</p> <p>The City also considers the current policy and Scheme arrangement is no assurance that the trees would be protected, but specifying their retention in return for the additional dwelling would serve to achieve a better development of the site and outcome in terms of amenity.</p>	<ul style="list-style-type: none"> • Onsite traffic movement to avoid disturbance to neighbours • Maintaining open space at 55%.
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		<p>2100 m² in the 1996 QSCAP, to 2400m² in 2010. Without any overall review of the QSCAP or logical reason the City is now proposing to reduce the minimum lot size to 2259 m² and increase the density to R20.</p> <p>Moving outside of the LPS creates the impression that it is ad hoc planning or that the future of the QSCAP has already been pre-determined.</p> <p>4. Disputes the sewer line was installed as a strategic intent for higher density. The sewerage line was installed from Elmore Street by the previous owner and was installed for 2 dwellings intended to be built on the site.</p> <p>5. Disputes the Western Power Green dome signifies development of an integrated grouped dwelling development. The Western Power connection was connected to the original dwelling on the site, which was demolished in 2010, to make way for two houses. <i>They are also used in new subdivisions for single houses.</i></p> <p>6. Disputes the statement "As the large subject has been vacant for an extended period of time (presumably since creation) it never had opportunity to positively contribute to the built character of Quindalup." A dwelling demolished in 2010 to make way for two dwellings. <i>(The development did not proceed for unforeseen circumstances affecting the owner)</i></p> <p>7. Disputes the Wide verge which is common to all properties in the locality development likely to take a battle-axe formation, there is significant opportunity to maintain a single residential appearance from the street. Relatively speaking it will appear discordant with adjoining properties. All the blocks from Elmore Street have wide verges. The front of the development is likely to be dominated by the drive way required to service 4 dwellings on the site and put it at odds with the other dwellings in the area</p>		
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		<p>and the QSCAP.</p> <p>8. Disputes the statement "For the same reasons above, it is also a substantive "blank canvas" opportunity to comply to with the requirements of the 3B Quindalup Special Character Area Provisions and begin to reverse some of the poor building trends that appeared prior to 1996 when the policy came into effect."</p> <p>No examples are given of poor building. Considers the comment is completely unsubstantiated. In addition there is no information provided on the type of dwellings to be built on the site. Considers it likely is that the 10 mature Peppermint trees on the site will be demolished to enable the 4 dwellings to be constructed. This is contrary to the tree preservation requirements set out in the QSCAP and will have a significant effect on the native wildlife. A large battle-axe site with high density coverage will not add to the character or quality of the Quindalup strip.</p>		
7	J and G Murphy 184 Geographe Bay Road	<p>Responding to points 1-14.</p> <p>There are ten old growth peppermint trees all over 80 years old and four smaller re-growth peppermint trees providing an important habitat for a colony of ringtail possums and a variety of lizards.</p> <p>1. Disputes Lot 41 is extraordinary in size. Three Jots immediately east of Lot 41 are a similar size and the owners have kept their developments to two houses. All other houses along the entire length of Geographe Bay Road including many much larger blocks have single residences with the exception of a handful two group residences.</p> <p>2. Disputes the sewer line was installed as a strategic intent for higher density. The sewerage line was installed from Elmore</p>	<p>Comments are noted and generally acknowledged.</p> <p>The City considers the lot is in fact large (deeper) than most lots.</p> <p>The City acknowledges that SPP3 is not addressed in its proper context or proportionate to the situation at Dunsborough that warrants supporting higher density at the site particularly when not identified for such in the recent LPS.</p>	<p>Modification to incorporate design detail addressing:</p> <ul style="list-style-type: none"> • The retention of the Peppermint trees. • Onsite traffic movement to avoid disturbance to neighbours • Maintaining open space at 55%.

		<p>Street by the previous owner and was installed for 2 dwellings intended to be built on the site.</p> <p>3. Disputes the Western Power Green dome signifies development of an integrated grouped dwelling development. The Western Power connection was connected to the original dwelling on the site which was demolished in 2010, to make way for two houses. <i>They are also used in new subdivisions for single houses.</i></p> <p>4. Disputes “many smaller lots to the east have been approved for two group dwellings at a density equivalent of R20.” There are examples of some larger blocks having two group dwellings but generally along the extent of "The Quindalup Strip" all development are single residences – there is nothing in excess of two dwellings.</p> <p>5. Disputes “there is a precedence in the western parts of the Quindalup locality serviced by reticulated sewerage to have densities of R15, R25 and R30, particularly those about Wilson Avenue and Spindrift Cove.</p> <p>6. Advises the subdivision at Wilson Avenue caused a high degree of controversy at the time and was the reason why the "Quindalup Special Character Area Provisions" were adopted to maintain the integrity of the strip.</p> <p>7. Disputes “the policy is almost 20 years old and has not been subject to any form of review” to imply it is no longer relevant. Supports a review by council to reaffirm it is still relevant.</p> <p>8. Disputes the statement that housing at this western end of Geographe Bay Road, Quindalup has not cumulatively achieved what the special character area policy set out to achieve.</p>	<p>The City however considers the proposal for four lots to be consistent with the objective of maintaining low density, and that the space that surrounds the buildings, and the retention of vegetation, can by design reinforce it is low density.</p> <p>The City considers it is also possible by design to ensure future development does not affect neighbour amenity by on site vehicle movements or by sense of encroachment into setbacks any more that the current policy provides.</p> <p>The City considers that through careful design the peppermint trees can be retained and the value of the property for its contribution to WRC habitat enhanced as an offset for the additional dwelling. Two additional dwellings is a reasonable offset for the space require to preserve and enhance the WRP habitat and the requirement for development to be two storey and adequately set back, which otherwise has a cost.</p> <p>The City considers the proposal; because of the modest number</p>	
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		4 houses on Lot 41 and driveways would mean bull dozing the old growth peppermint and the destruction of WRP habitat. They have been active contributors to restoring WRP habitats as members of the Dunsborough Coast and Landcare Group		
8	B&E Fullarton 23 Wilson Avenue Quindalup	<ol style="list-style-type: none"> 1. The recoding to allow 4 dwellings instead of 2 on the lot is substantial. It is not necessary or consistent with the area and lifestyle. 2. During holiday season there is traffic congestion an parking problems that increasing the housing density will make worse. 3. Requests that no development should be able to occur within 6m of the southern boundary (adjoining his property). Enclosure of balconies within 3m as has been allowed elsewhere threatens privacy and harmonious living conditions. 	<p>The City considers the proposed lots are low density and that through careful design, space around the buildings and the retention of vegetation and enhanced planting the low density purpose of the existing policy can be retained.</p> <p>The City considers that through careful design the peppermint trees can be retained and the value of the property, for its contribution to WRC habitat can be enhanced, as an offset for the additional dwellings.</p> <p>Two additional dwellings is a reasonable offset for the space require to preserve and enhance the WRP habitat and the requirement for development to be two storey and adequately set back, which otherwise has a cost.</p> <p>The City considers the proposal; because of the modest number</p>	<p>Modification to incorporate design detail addressing:</p> <ul style="list-style-type: none"> • The retention of the Peppermint trees. • Onsite traffic movement to avoid disturbance to neighbours. • Maintaining open space at 55%.

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