

**ATTACHMENT D**

Schedule of Submissions DP16/0003

**PROPOSAL: DRAFT Structure Plan – LOT 115 HSE NO 1442 Wildwood Road YALLINGUP WA 6282**

**SUBMISSIONS CLOSE: 20 Jul 2016**

**OFFICER: Nick Edwards**

Recurring acronyms used in the comments:

- City of Busselton Local Planning Scheme 21, (2014): *LPS21*
- Commonage Policy Area Consolidated Structure Plan (2003): *CPACSP*
- South West Regional Planning and Infrastructure Framework (2015); *SWRPIF*

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
1	State Heritage Office	No Objection	Noted	Noted
2	Main Roads (WA)	No Objection	Noted	Noted
3	ATCO Gas	No Objection	Noted	Noted
4	Telstra	No Objection	Noted	Noted
5	Department of Aboriginal Affairs	No Objection	Noted	Noted
6	Water Corporation	No Objection	Noted	Noted
7	Department of Environment Regulation	No Objection	Noted	Noted
8	Western Power	No Objection	Noted	Noted
9	Department of Water	No Objection but notes the following risks; 1. Management of stormwater from the road network servicing the lots 2. Potential for contamination of groundwater from the disposal of domestic wastewater 3. Sufficient water for construction, potable water and lawn/garden irrigation	1. Addressed by the Structure Plan condition requiring a stormwater management plan. 2. a. The Department's preference is for ATU's in lieu of conventional septic tank and leach drain systems for their nutrient stripping capacity; and the City of Busselton to give regard to the resources required to regulate the ATUs on the subject land b. On-site wastewater disposal systems should be in accordance to the City's standards such as maintaining the required	Concerns are noted and are to be addressed during the subdivision application stage.

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			<p>vertical separation of the facilities to the water table; and horizontal separation to any natural or manmade waterbody</p> <p>3. Prior to subdivision, the developer is to ensure appropriate provision of sufficient water to meet the needs of the development and proposed land use, including water for construction, domestic water supply, potable water and fit-for-purpose water supply that includes water for irrigation of gardens/lawns. This is to be addressed at the subdivision approval stage.</p>	
10	Environmental Protection Authority	No Objection	Noted	Noted
11	Department of the Environment	No Objection	Noted	Noted
12	Department of Health	<p>No Objection</p> <p>A Geotechnical Report is required at the subdivision design stage to demonstrate site suitability</p>	Noted	Noted
13	Department of Agriculture and Food Bunbury	<p>No Objection</p> <p>1. DAF draws attention to the '<i>Guidelines for Separation of Agricultural and Residential Land Uses</i>', which require a 300 metre buffer between agriculture and sensitive land uses unless a vegetated buffer is established prior to the sensitive use being established.</p>	<p>1. This requirement influences the timing of the development and will be addressed at subdivision design stage.</p>	Noted
14	Department of Parks and Wildlife	<p>No Objection</p> <p>1. Include a Structure Plan condition requiring a Wildlife Protection Management Plan to be prepared, approved and implemented to the satisfaction of Parks and Wildlife to protect</p>	<p>1. This assumes that the Wildlife Protection Management Plan will incorporate the identified Western Grey Kangaroo Management Plan as well as other aspects</p>	Noted.

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		and manage threatened fauna when clearing of native vegetation is unavoidable.	of wildlife protection. This matters will be addressed during the subdivision approval process.	
15	N. Smith and J. White Yallingup	<p>Objection</p> <ol style="list-style-type: none"> <li>1. Specific tree retention rather than a broad brush approach, especially species on Lots 19 &amp; 20 for their visual amenity value</li> <li>2. Seascape Rise to be retained as a PAW and extended, not turned into a road, which encourages noise and through traffic</li> <li>3. Creation of the road will disrupt western grey kangaroo movements. Seascape Rise should be kept as PAW and emergency bushfire route only</li> </ol>	<ol style="list-style-type: none"> <li>1. The proposed Structure Plan provides protection for trees that are native to the area by placing them in a Development Exclusion Area (DEA). This broad protection approach will contribute the most to regeneration by recognising that stands of trees are more likely to provide the best conditions. This approach does exclude individual trees, which are protected under the current planning framework. Any decision relating to the clearing of trees will need to be assessed against the Wildlife Protection Plan, the 'Landscape Value Area' provisions, Local Planning Scheme 21 (LPS21) and the subdivision design. The trees left out of the DEA include a stand of Tasmanian Bluegums which do not represent the remnant native bush land. The stand of mature Bluegums on Lot 19 was planted to address a specific erosion issue related to on site agricultural practices.</li> <li>2. The proposed road link with Seascape Rise is to provide an extra direction for evacuation that does not currently exist and is an important access point to the existing local road network. Seascape Rise does not currently conform to SPP3.7, which guides development within Bushfire Prone Areas by being a cul-de-sac longer than 600m and</li> </ol>	That the matters raised in this submission are noted.

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
			<p>servicing more than 8 lots. The proposed upgrading of the PAW to a gazetted road reserve reduces the risk of safely evacuating the area and offers through access to roads that are currently culs-de-sac.</p> <p>3. The movement of Western Grey Kangaroos and other native species are to be addressed in the <i>Wildlife Protection Management Plan</i> required prior to subdivision.</p>	
16	D. and B. Jasper Yallingup	<p>Objection</p> <ol style="list-style-type: none"> <li>1. Seascape Rise will create a negative impact on our property and was not identified as suitable for development at time of purchase of our property on DP75059.</li> <li>2. Lot densities as proposed do not provide a net community benefit. SPP6.1 purports to protect rural character and CPACSP supports less density</li> <li>3. The 'improved road connectivity' mentioned in the report only results from the increased density in lots. The proposed access points without this road connection are appropriate. This is not a community benefit as existing residents will be negatively impacted</li> <li>4. This lot is supposed to transition to the broader 'Viticulture and Tourism Zone' lots further to the south of the property. The high density does not support this transitional role of the land</li> <li>5. Should the development proceed,</li> </ol>	<ol style="list-style-type: none"> <li>1. The land is within the 'Rural Residential' Zone as determined by the LPS21 and its suitability for land development was assessed at the time of rezoning. There are development opportunities remaining in this area on properties which are not yet addressed by an endorsed Structure Plan. Any approved subdivision design must be sympathetic to the 'rural feel' of the area.</li> <li>2. CPACSP conditions, the LPS21 and SWRPIF support consolidation of lot densities to the proposed levels provided a distinct community benefit is provided. The lot densities reflect State Policy which allows consideration of more intensive use of the existing Rural Residential Zoned land in order to restrict widespread low density residential sprawl. The area is not a pristine rural area yet it retains significant Landscape Value. The sizes of the lots (min 1ha) are considered to retain the 'rural feel' of the</li> </ol>	That the submission is noted but not, in the main, supported.

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
		<p>a. "access from the proposed development to the north to Seascape Rise is restricted to emergency access only, and development of this access as a public road should be rejected; and</p> <p>b. proposed lot sizes should comply with the CPACSP, averaging 3 ha and with a minimum of 2 ha."</p>	<p>area in line with the residential densities of adjacent developments. There are existing setback distances required for all houses from neighbouring properties, roads and vegetation in the Development Exclusion Area.</p> <p>3. Improved road connectivity and emergency bushfire access are provided (as a community benefit) to address the risks within a declared 'Bushfire Prone Area'.</p> <p>4. The lots adjacent to the 'Viticulture and Tourism Zone' (VTZ) and which are visible from Wildwood Road are around 3ha, which are large lots compared to others fronting Wildwood Road which also border the VTZ. These larger lot sizes can accommodate the 100m building setback required by the CPACSP.</p> <p>5. See comment 2. Road design and construction considerations and assessment will be made at the subdivision stage</p>	
17.	N. Wake Sorrento	<p>Objection</p> <p><i>Original submission received: 11 July 2016</i></p> <p>1. Environmental outcomes and housing choice cannot be improved by this proposal. The farm being used by wildlife and other animals cannot be improved by the development of the land in residential lots.</p> <p>2. The Environmental and Land Capability assessment should show the reasons as to why this is an environmental benefit, rather than provide reasons to support the</p>	<p>1. In the course of normal farming operation, the owner is entitled to conduct agricultural activities in line with the Environmental Protection Act s74B(2) c &amp; d. This can inadvertently result in environmental degradation in the course of normal, permitted agricultural activities. The proposed protections will restrict grazing under mature trees and clearing without</p>	That the submission is noted but for the most part not supported, as explained.

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
		<p>development</p> <ol style="list-style-type: none"> <li>3. There is plenty of land available for development at present, without requiring land with some 'landscape value' to be developed</li> <li>4. CPACSP requires minimum and average lot sizes. These sizes are to retain the rural character, which seems to compromise the proposed lot sizes, which are about half the recommended size.</li> <li>5. The SWRPIF only supports smaller lots if there are proven community and environmental benefits, of which there are none.</li> <li>6. There is no need to have through roads in this area. There is no reason for the Seascapes Rise cul-de-sac to become a sealed road</li> <li>7. The Community plan objectives do not support this proposal</li> <li>8. Building envelopes are not considered 'restrictive' but present a well-planned approach to land development.</li> <li>9. The CPACSP sets guidelines for lot sizes that are too small, much less supports a proposal considering lot sizes which are 45% smaller.</li> <li>10. I see no community benefits resulting from this development</li> <li>11. The development plans include no building guidelines to ensure that properties or their use, would be sympathetic to the surrounding area</li> <li>12. Adequate bushfire safety already exists for existing landowners</li> </ol>	<p>permits resulting in more regrowth and better species protection.</p> <ol style="list-style-type: none"> <li>2. The Land Capability Assessment (LCA) has been considered by City Officers as a suitable assessment of the land. The LCA shows that there are no major impediments to the proposal and the land can accommodate the development without significant degradation resulting from its construction.</li> <li>3, 4, 6, 9, 10 &amp; 15 are discussed in Submission 16</li> <li>5, 12 &amp; 14 are discussed in Submission 15</li> <li>7. The Community plan objectives identify the importance of well-planned places and objective 4 discusses improving transport links and connectivity within the district. The consistency of the proposed lot sizes with surrounding development areas exhibits this consistency.</li> <li>8. Building envelopes are useful tools when there are specific assets to protect. On site vegetation values and amenity is protected by the existing planning provisions which require all building and ancillary development to be within a regular 2000m<sup>2</sup> shape. To introduce more restrictions without identifying a clear intention imposes an unnecessary layer of control.</li> <li>11. The existing planning framework provides sufficient building controls to guide sympathetic development. This will be addressed further at the subdivision design stage. The land is to be used only for rural</li> </ol>	

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
		<p>13. The land is within the "Landscape Value Area" and I do not believe that the draft Structure Plan provides any arguments that justify changing the landscape.</p> <p><i>Additional comments from a further submission received on 21 July 2016</i></p> <p>14. The construction of Seascape Rise does not represent a community benefit for the community that is present</p> <p>15. The proposed lot size/density does not conform with the SPP6.1 and CPACSP guidance</p> <p>16. Lots facing the northern side should be larger to reduce visual impacts on current residents. Lots 22-29 should be redesigned into three lots of 3ha min each (conforming with the guidance documents)</p>	<p>residential development in accordance with the zone provisions.</p> <p>13. The Landscape Value Area provisions will guide assessment of the subdivision design.</p> <p><i>Additional Comments:</i></p> <p>14. Please refer to Submission 15. Also, traffic calming measures can be designed into the roads to preserve the rural feel of the area.</p> <p>16. This issue is also addressed in Submission 16. The lot design is a continuation of the development pattern adjacent to the subject land. Land to the north overlooking this property along Robert Donald Heights and Dress Circle are in the Rural Residential Zone with lots ranging between 1 and 1.4ha. The proposed Structure Plan includes 3ha lots which act as a buffer between the development and Wildwood Road.</p>	
18	T. & G. Wakeham Yallingup	<p>Objection</p> <p>1. The developed blocks will look directly into our land. We request lots 17 &amp; 18 are enlarged to 2ha each (minimum) with a 25m building area setback or building envelope 35m from the boundary</p> <p>2. Lot density will affect the rural amenity values of this area.</p>	<p>1. The draft Structure Plan shows proposed lot sizes that are consistent with the existing Lots 17 and 18 at around 1ha. Building setbacks are currently 15m from the boundary, 20m from any road and 25m from any vegetation in the 'Development Exclusion Area'. Establishing a building setback of 25m from the eastern boundary will leave sufficient space to contain building activity in line with existing guidelines and retain a feeling of space in the subdivision.</p>	<p>1. That a minimum 25m building setback from the eastern boundary is required on lots 17 &amp; 18. This setback provision is to be considered in conjunction with other setback provisions.</p> <p>2. Other comments are noted</p>

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			<p>The proposed setback aspect has merit in that it retains the space between houses where there is little vegetation.</p> <p>2. This issue is addressed in Submission 16. Three of the four lots immediately adjacent on the eastern boundary are 1ha and the other is 1.6ha.</p>	
19	N. & R. Tandy Yallingup	<p>Objection</p> <p>The creation of a road linking Seascape Rise will draw people away from Wildwood Road through these residential areas. This will increase the likelihood of accidents, increase noise pollution and encourage unsafe driving from those wishing to use a shortcut.</p>	This issue is addressed in Submission 15.	That the submission is noted but not supported.
20	L. & L. McGown Dunsborough	<p>Objection</p> <p>1. The cul-de-sac of Seascape Rise was a reason to buy and retire in this area. Creating a road along this route would result in headlights shining on our house at night, an unnecessary access way given the other roads linking this subdivision</p> <p>2. There are already many small rural lots available in the local area, this development is unnecessary</p> <p>3. Lot sizes do not match the CPACSP area guidelines and therefore do not provide a "community benefit"</p>	<p>1. The control of the noise and effects of traffic movements are a result of road design which will not be known until further in the planning process. The design must be able to account for the local topography and context of the site within its surroundings. Traffic control measures and design can respond to the quiet, rural feel of the area.</p> <p>2&amp;3 are addressed in Submission 16.</p>	That the submission is noted but not generally supported.
21	A. Macliver North Fremantle	<p>Objection</p> <p>1. The proposed density of lots on site do not conform with the CPACSP</p> <p>2. This density does not represent a community benefit</p>	<p>1&amp;4 are discussed in Submission 16.</p> <p>2. The identified community benefits include provision of an alternative evacuation route in case of emergency, greater</p>	That the submission is noted but not generally supported, as explained.



No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
		<p>3. The lack of Building Envelopes represents an unplanned approach to subdivision design and doesn't minimise the impacts on surrounding areas or land owners. This risks a disaster in design and placement of houses.</p> <p>4. More and denser lots created on this land will create a glut that is not being cleared at the moment</p> <p>5. No building guidelines requiring sympathetic designs to the surrounding areas, Not enough restrictions on the types of use of the land</p> <p>6. New buildings would be completely visible to the surrounding land and have no provisions for privacy</p> <p>7. Current landowners have sufficient bushfire provisions in place and more roads or extensions cannot justify this subdivision</p>	<p>environmental controls and increased community connectivity through the road network.</p> <p>3. This issue is addressed in Submission 17.</p> <p>4. This issue is addressed in Submission 16.</p> <p>5. The existing planning framework provides sufficient building controls to guide sympathetic development. This will be addressed further at the subdivision design stage. The land is to be used only for residential purposes in accordance with the zone provisions.</p> <p>6. The final design of the subdivision will be determined further in the planning process.</p> <p>7. This issue is addressed in Submission 15.</p>	
22	S. & S. Papadopoulos Yallingup	<p>Objection</p> <p>Our property abuts proposed lots 2, 3 and 4 which are directly adjacent to the outdoor area of the house. Setbacks are 15m from any side and rear boundaries. Accounting for the building restrictions already, there is a risk that any new building could be a minimum of 15m from our boundary, compromising the rural amenity values. We seek a 'building exclusion area' on proposed Lot 4, consisting of 25m from vegetation plus another 30m from this side of the lot. This will leave an available building area of approximately 1800m<sup>2</sup></p>	<p>The provisions of LPS21 (cl5.32.2) requires all dwellings and incidental development to be contained within a regular square or rectangular area no greater than 2000m<sup>2</sup>. The application of a 55m setback from the western boundary pushes the permitted building area against other setbacks and compromises this clause.</p> <p>Due to existing building restrictions on proposed lot 4, a minimum 40m setback from the western boundary is recommended. This would allow a regular shape to be used and the permitted 2000m<sup>2</sup> building area to be observed.</p>	<p>This submission is supported in part. Officers recommend requirement for a minimum 40m setback from the western boundary on Lot 4. This setback provision is to be considered in conjunction with other setback provisions on the property.</p>

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23	R. & J. Cornes Yallingup	Objection 1. The loss of Seascape Rise as a cul-de-sac would decrease the amenity of the area while offering no gain.	1. This issue is addressed in Submission 15.	That the submission is noted but not supported.
24	H. Karelis Gemelli Nominees Yallingup	Objection 1. The lot densities deviate from the those identified in the CPACSP 2. Increased density will result in a significant loss in amenity and increase in traffic 3. The number of lots will result in a loss of privacy 4. Mature trees will need to be cut down in order to build the proposed connection with Wildbrook Place. A connection along the western boundary rather than the northern boundary could address this change. 5. The existing boundary fencing is to be retained or replaced with a similar fence demarking the property boundaries 6. Groundwater must be protected from contamination in line with the existing hydrological conditions on the property 7. Revegetation should be undertaken along the northern boundary to account for loss of privacy 8. The existing privately maintained PAW should be entirely on the developers land and removed from the need to have it privately maintained on my property, which is subject to misuse by unwanted traffic.	1. This issue is addressed in Submission 16. 2. This issue is addressed in Submission 21. 3. Privacy concerns can effectively be managed through subdivision design, determined at a later stage. 4. This issue is addressed in Submission 15. 5. This will be addressed at the subdivision design stage 6. Agreed. A Geotech Report will be required as part of the subdivision design stage. 7. This is to be addressed at the subdivision design stage 8. Should adequate provision be made for safe evacuation in times of emergency and that adequately addresses the bush fire risk in this area to the satisfaction of the City, then investigation into removing the privately maintained PAW on private land is recommended to take place.	1-7. Points are noted. 8. That at time of subdivision the removal of existing privately maintained PAW adjacent to the subject land is investigated by the City. This will allow the opportunity to assess suitable evacuation options being provided as determined by the City of Busselton and the Department of Fire and Emergency Services.
25	B. Lang Yallingup	Objection Any development on the property is to have	1. Fencing is required at times to demarcate	That the submission is noted but not

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		<p>caveats to protect wildlife that currently use this area. These include;</p> <ol style="list-style-type: none"> <li>1. No fencing around the property boundaries, except building envelopes. Fencing around property boundaries only causes wild life to become fragmented &amp; corralled into smaller pockets.</li> <li>2. Only local indigenous flora found locally &amp; purchased at the Geographe Community Landcare Nursery being planted outside the building envelope to retain provenance genetics &amp; benefit local fauna.</li> <li>3. No fencing around the dam on Lot 21 preventing access to water by all native fauna. No rabbit wire &amp; smaller diameter wire which prevents access to water by wood ducks with their chicks in spring.</li> <li>4. All Owners must revegetate up to 25% of their property with a mix of native plant species outside the building envelope. This includes upper story, mid story &amp; flowering native ground covers.</li> <li>5. Wild life corridors linking properties to existing native vegetation for the movement of the endangered ringtail possum &amp; other tree living fauna.</li> </ol>	<p>private boundaries but this is a subdivision design matter to be addressed later in the planning process.</p> <ol style="list-style-type: none"> <li>2. Native trees on private land are strongly encouraged.</li> <li>3. Dams are required to have permits in Rural Residential areas as they are not a natural part of the landscape. This is a subdivision design matter to be addressed later in the planning process.</li> <li>4. This is a subdivision design matter to be addressed later in the planning process.</li> <li>5. Native wildlife is to be protected and accommodated within revegetation linkages, regrowth areas and habitat corridors as identified in the CPACSP. A flora and fauna assessment submitted with this application has not identified this requirement. This issue may be revisited in the subdivision design process.</li> </ol>	supported.
26	C. & J. Davies Yallingup	<p>Objection</p> <ol style="list-style-type: none"> <li>1. Safety: The open nature of the strata area along Wildbrook Place and its classification as short stay accommodation, the safety of the tourists and their young families will be at greater risk by the increased traffic flow that</li> </ol>	<ol style="list-style-type: none"> <li>1. The proposed route shown in the advertised Structure Plan is to be modified to an Emergency Access Way, in accordance with the SPP3.7 provisions.</li> <li>2. This is a design concern to be addressed at</li> </ol>	<ol style="list-style-type: none"> <li>1 -3, 5-7: The submission is noted</li> <li>4. That an Emergency Access Way that is compliant with the provisions of SPP3.7 and</li> </ol>

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		<p>the proposed network will encourage and support.</p> <p>2. Noise Impact: There will be a significant increase in traffic noise as a greater number of vehicles will use the road as a short cut to Caves Road and Gunyulgup Road.</p> <p>3. Aesthetics of the strata will be diminished: There is no doubt that with the increase in vehicle use for the purpose of short cutting the journeys to Caves and Gunyulgup Roads, the relaxed and safe environment which we have enjoyed and in which we invested will be lost.</p> <p>4. There is no need to connect Seascape Rise with the proposed internal network and Wildbrook Place. We strongly recommend that all access to this proposed subdivision should be via Wildwood Road, as we consider that it does not impact negatively on any of the current residents in the area.</p> <p>5. It is particularly disappointing that in this road network proposal so many adjacent property owners will be negatively impacted by one owner choosing to subdivide his property.</p> <p>6. We seek your immediate advice as to why we were not consulted and we request that this email be tabled immediately in any meetings regarding this proposal.</p>	<p>the subdivision design stage.</p> <p>3. This issue is addressed in Comment 1, above</p> <p>4. A well connected road network provides a choice of evacuation options in an emergency which could be critical. In places where fully engineered public roads may not be practical, constructing Emergency Access Ways (EAW) can provide compliant access in Bushfire Prone Areas.</p> <p>Wildbrook Place is predominantly compliant with the provisions of the SPP3.7 <i>Planning in Bushfire Prone Areas</i>. It is a 400m cul-de-sac with an existing Pedestrian Access Way (PAW). Although the road services more than eight lots (it has 12 in total), by upgrading the eastern Pedestrian Access Way (PAW) with a compliant EAW will satisfy the requirements of emergency access and safety.</p> <p>It is the opinion of officers that the most likely traffic movements will predominantly be from the north travelling south, as this will provide more direct access to Wildwood Road and Caves Road, etc.</p> <p>5. This issue is addressed in Submission 15.</p> <p>6. This issue is addressed in Submission 16.</p> <p>7. Following a review of the original advertising process, the City extended the advertising period and notified additional residents that could be materially affected by the proposal.</p>	<p>contained within the subject land is to be constructed.</p> <p>That in accordance with Submission 24. (H. Karelis) and its corresponding action that if practical, the PAW is removed from Lot 42 Wildbrook Place and contained within the subject land.</p>
27	A. & D. Rowe Yallingup	Objection As per the concerns of C&J Davies.	Noted as above	

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		<p><i>Additional comments from a further submission received on 22 August 2016</i></p> <ol style="list-style-type: none"> <li>1. We cannot see why there cannot be access on the west side of proposed lot 11 and perhaps between 4 and 5.</li> <li>2. Structure Plan Conditions: <ol style="list-style-type: none"> <li>a. Point 5, Vehicular access to Wildwood road burdening lots 4-11. What about the already existing residence on Wildbrook Place?</li> <li>b. Point 6 We can understand not using the driveway into the Shearing Shed but why not have another access</li> </ol> </li> <li>3. Structure Plan Concerns: <ol style="list-style-type: none"> <li>a. South West Regional Planning and Infrastructure Framework (2015) - page 3 What are the proven and environmental benefits?</li> <li>b. Financial Implications - page 3 There may be no financial implications for the Council arising from the recommendations. However, there are certainly financial implications for the residence of Wildbrook Place.</li> <li>c. Risk Assessment - page 4 What are the downside risks and upside risks, that have led to the conclusion of no significant risks identified? Has increased traffic on Wildbrook Place been identified as a risk?</li> <li>d. Consultation - page 4 If the area is identified as significant landscape value,</li> </ol> </li> </ol>	<p><i>Additional comments on 22 August Submission:</i></p> <ol style="list-style-type: none"> <li>1. It is unclear what benefits such as access points would provide. The proposed Structure Plan seeks to maintain the rural nature of Wildwood Road which is as it is identified by SPP6.1 as a 'Travel Route Corridor with Rural Landscape Significance'. The rural nature of the road is acknowledged by restricting the number of access points from adjacent lots, which also accords with the requirement for building setbacks from Wildwood Road.</li> <li>2. <ol style="list-style-type: none"> <li>a. Lots 4-10 are adjacent to Wildwood Road and removed from Wildbrook Place. Council is not proposing putting conditions on existing development but guiding new development to be sympathetic to existing conditions while providing overall benefit to the wider community.</li> <li>b. Should the existing <i>the Shearing Shed</i> be proposed for a change of use, a planning approval will first be required. At this time, access will be reconsidered in line with the amenity values of Wildwood Road.</li> </ol> </li> <li>3. <ol style="list-style-type: none"> <li>a. There are currently few specifically targeted environmental controls as the site is a working farm. This subdivision will require revegetation along degraded areas, restrictions on building close to native bushland and other</li> </ol> </li> </ol>	<p>That the submission is noted but not generally supported.</p>

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
		<p>why is there a proposal to divide it into 29 lots.</p> <p>e. Lot Design - page 4 How does connecting Wildbrook Place provide for greater safety and emergency access in an event of a bushfire. There is already emergency access ways to the east of Wildbrook Place. If this area is already bushfire prone land (page 1), why are they adding in 29 lots.</p>	<p>environmental benefits on the land. At present, these controls are not required.</p> <p>b. The City assesses the financial implications on behalf of the ratepayers. Financial implications to private properties are considered but not quantified as these are private expenses and subject to more variables than those in the City's control.</p> <p>c &amp; e are addressed in Submission 26.</p> <p>d. This issue is addressed in Submission 16.</p>	
28	S. & A. Judge Yallingup	<p>Objection</p> <ol style="list-style-type: none"> <li>1. The 29 additional "RURAL RESIDENTIAL" blocks will negatively impact rural character. SPP6.1 (Natural Landscape Significance) protects values such as lot sizes, road layout, vegetation.</li> <li>2. A minimum of 2-3 ha is the average size of lots (Commonage Structure Plan) It is proposed that we will have 2 additional buildings on our boundary within 73.06 m Lot 1 and Lot 2!! We fail to see how this plans objectivity to "shared, vibrant, diverse activity will strengthen social connections".</li> <li>3. No evidence of Environmental benefit, or improvement, no studies or information to support the increased number of vehicles (2 vehicles per 29 Lots on average). Connecting Wildbrook Place and Seascape Rise will negatively impact the area. The already gazetted emergency access facilitates a bushfire exit.</li> </ol>	<ol style="list-style-type: none"> <li>1&amp;2 Are addressed in Submission 16.</li> <li>3. This issue is addressed in Submission 26.</li> </ol>	That the submission is noted but not generally supported.

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
29	Z. Sheary Yallingup	<p>Objection</p> <ol style="list-style-type: none"> <li>1. Our knowledge or consent was not requested.</li> <li>2. Massive impact on the safety of our guests and families and our abilities to rent these short term holiday properties.</li> <li>3. The noise will be greatly increased and the aesthetics of our strata will be reduced.</li> <li>4. This will negatively impact the values of all properties on Wildbrook Place.</li> </ol> <p><i>Additional Submission received</i></p> <ol style="list-style-type: none"> <li>5. Opening Wildwood Place as a through road will negatively impact the people who use the property and a safety risk to families who allow their children to play on the property.</li> <li>6. The noise will increase and the aesthetics will be reduced</li> <li>7. Negatively impact the values of all properties on Wildbrook Place.</li> <li>8. Wildbrook Place was designed to provide access for small number of dwellings and it was not designed to safely accommodate increased traffic flow created by connecting the road to the new subdivision.</li> <li>9. The new subdivision has higher density lot areas (outside of CPACSP – minimum of 2 ha) on the basis it will improve road connectivity, which is argued, will provide greater safety and emergency access in the event of a bushfire, which is also argued:</li> <li>10. This is at the expense of increase road safety</li> </ol>	<ol style="list-style-type: none"> <li>1&amp;2 are addressed in Submission 26.</li> <li>3. This issue is addressed in Submission 20.</li> <li>4. The planning system does not account for property values, in part because there are too many variables outside its control. There is little evidence to suggest a decrease in value resulting from a proposed Emergency Access Way with gated entrance (s).</li> </ol> <p><i>Comment to the additional submission</i></p> <ol style="list-style-type: none"> <li>5, 8, 10 &amp; 13 are addressed in Submission 26.</li> <li>6. This issue is addressed in Submission 20.</li> <li>7. This issue is addressed in Comment 4 (above) of this submission.</li> <li>9. This issue is addressed in Submission 16.</li> <li>11. The LPS21 provisions for the Rural Residential Zone require development to maintain the rural character of the locality, a high level of residential amenity and minimise disturbance to the landscape through construction of buildings and structures, clearing, earthworks and access roads. Any clearing of native plants will be determined at the subdivision design stage and may require planting to replace lost vegetation.</li> <li>12. This issue is addressed in Submission 20.</li> </ol>	<p>That the submissions are noted but (as explained) not generally supported.</p>

## ATTACHMENT D

Schedule of Submissions DP16/0003

PROPOSAL: DRAFT Structure Plan – LOT 115 HSE NO 1442 Wildwood Road YALLINGUP WA 6282

SUBMISSIONS CLOSE: 20 Jul 2016

OFFICER: Nick Edwards

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
		<p>risk to residents in Wildbrook Place who's dwellings are not fenced and in close proximity to the road</p> <p>11. You will be destroying remnant bush land to connect the subdivision to Wildbrook Place</p> <p>12. Increased traffic will have a negative impact on our rental earning capacity of our property</p> <p>13. The connection for bushfire access is not required as an emergency access road exists for local residents and new lots in the sub division.</p>		
30	G. & A. Pinakis and M Hendriks Yallingup	<p>Objection</p> <p>1. No notification of the proposed sub-division as we are not permanent residents, we don't have access to local paper advertising.</p> <p>2. Concern about proposed vehicular access to Wildbrook Place and the high density of the new sub-division. The proposed roads will impact on a safe, relaxed and friendly atmosphere in a country environment.</p> <p>3. Wildbrook Place will become the preferred route for many of the residents of the new development.</p> <p>4. Wildbrook Place connection is unnecessary as the proposal complies with Bushfire Planning by providing access and egress to two different destinations provided by Wildwood Road and Seascape Rise</p> <p>5. Should further access for fire emergency be required, we would request a gated 'Emergency Access Way' to Wildbrook Place</p>	<p>1 – 4 are addressed in Submission 26.</p> <p>5. This is the proposed recommendation to Council.</p>	That the submission is noted.



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		be incorporated as the Developer has east of Lot 11.		
31	K. Merifield Yallingup	<p>Objection</p> <ol style="list-style-type: none"> <li>1. The proposed road connection to Wildbrook Place to the north-west of the subject land was only designed to access the 8 strata title lots. The houses were developed for quiet amenity in a Landscape Value Area. The through traffic using this connection would take that away.</li> <li>2. It is flawed to reduce traffic on Wildwood road by creating this connection as traffic from the new subdivision would access Wildwood Road from this connection in any case.</li> <li>3. If it is needed for emergency services, then a gated entrance would be more logical.</li> </ol>	<ol style="list-style-type: none"> <li>1&amp;2 are addressed in Submission 26.</li> <li>3. This issue is addressed in Submission 30.</li> </ol>	The submission is noted.
32	I. Harrison Yallingup	<p>Objection</p> <p>Not to the subdivision but to the proposed road extension to Seascape Rise. The additional traffic will spoil the current tranquillity.</p>	This issue is addressed in Submission 26.	The submission is noted but not supported.
33	Abminga Nominees P/L (Calgary Trust) Floreat	<p>Objection</p> <p>Central is the connection to Wildbrook Place</p> <ol style="list-style-type: none"> <li>1. Access is already adequate</li> <li>2. It will require removal of native vegetation</li> <li>3. Opening it up will result in large traffic numbers</li> <li>4. Opening the road will destroy the quiet, isolated rural feel</li> <li>5. Lot densities are higher than that allowed by</li> </ol>	<ol style="list-style-type: none"> <li>1, 3, 4, 5 and 7 are discussed in Submission 26.</li> <li>2. This issue is addressed in Submission 29.</li> <li>6. This issue is addressed in Submission 16.</li> </ol>	That the submission is noted but not supported.

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		the CPACSP 6. Current properties are not fenced and close to the road which has considerable risk.		
34	H. Ramshaw Kensington, 6151	Objection Increased traffic to Wildbrook place will have the following negative impacts; 1. Road safety will be diminished as the road was never intended to be a through road 2. There is sufficient bushfire safety measures along this road 3. Native vegetation will be required to be removed to make this unnecessary connection 4. Rural ambience will be greatly diminished which is what we bought the property for in the first place	1&2 are addressed in Submission 26. 3. This issue is addressed in Submission 29. 4. This issue is addressed in Submission 16.	That the submission is noted but not generally supported.
35	M. Hendriks Floreat	Objection 1. Negative impact on rural character of the area 2. Wildbrook Place owners purchased on understanding that this would always be a cul-de-sac 3. Increased traffic would result in decreased safety and need for road upgrade 4. Bushfire access is important but emergency accessway already exists, so is not required 5. Report does not compellingly discuss the reason for putting new housing in the area 6. Community benefits are neither explained or justified. Any 'benefits' are explained in terms of the application and don't seem to apply to residents outside the development area. For example, bushfire management	1, 5 & 10 are previously discussed Submission 16. 2-4 are addressed in Submission 26. 6. This is discussed in Submission 21. 7. In addition to the reasons given in submission 21, traffic engineering in the City typically averages car trips per household at 8 per day. This means that the traffic flow implications for 30 lots would mean 240 different vehicle trips, distributed among various directions, for example to the south or north. The local roads are designed to accommodate the existing levels of traffic and will readily meet the likely levels resulting from the proposed development. 8. The land is in the Rural Residential Zone, identifying it as appropriate land for	That the submission is noted but not generally supported.

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
		<p>does not address a new development in a bushfire prone area</p> <p>7. How is improved connectivity justified as a benefit for the existing population? What are the traffic flow implications? How would additional traffic be accommodated and how would residential amenity be maintained?</p> <p>8. The benefit of additional housing choice is unclear – there is no analysis of the impact on local facilities and services such as schools</p> <p>9. It is hard to argue that rural character will be protected considering the proposed lot sizes, road layout, vegetation retention and enhancement.</p> <p>10. The proposal seeks to exceed the concentration of lot sizes beyond the CPACSP's direction</p> <p>11. Circular logic is employed to justify greater lot intensification in order to provide more community benefits. Greater lot intensification challenges SPP 6.1 (Natural Landscape Significance)</p>	<p>allowable planned development. Investigation into existing facilities has shown that further connections are recommended for bushfire safety as per the Structure Plan.</p> <p>9. The rural character is already shaped by the existing developments. The proposed Structure Plan is consistent with the surrounding development patterns.</p> <p>11. Lot intensification is not intended to justify community benefits. These road connections are considered essential to the continued development of this area and were considered prior to this application.</p>	
36	R. Hendriks Victoria Park	<p>Objection</p> <p>1. Wildbrook Place connection is not designed to be a through road or connect traffic</p> <p>2. This will not improve the community, will reduce my enjoyment of this rural retreat and increase the fire risk from the greater number of people in the area</p> <p>3. There are enough emergency exits and no need to increase road connectivity from a bushfire point of view</p> <p>4. The new subdivision will increase traffic and</p>	<p>1, 3 &amp; 4 are discussed in Submission 26.</p> <p>2. This issue is addressed in Submission 16.</p>	That the submission is noted but not generally supported.

## ATTACHMENT D

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		introduce a road connection to Wildbrook place that is not required.		
37	W. Hendriks Carlisle	<p>Objection</p> <ol style="list-style-type: none"> <li>1. Wildbrook Place connection will reduce peaceful area ambience</li> <li>2. Wildbrook Place is not designed to be a through road</li> <li>3. There are sufficient emergency exits</li> <li>4. Any extension will require the removal of native vegetation which is unnecessary and undesirable.</li> </ol>	<ol style="list-style-type: none"> <li>1 – 3 are addressed in Submission 26.</li> <li>4. This issue is addressed in Submission 29.</li> </ol>	That the submission is noted but not generally supported.
38	Wood & Grieve Engineers (WGE) on behalf of: Able Planning and the Proposal Landowners	<p>Objection</p> <p>This objection is an Engineering Report focussing on the difficulties in constructing the road connection with Seascope Rise.</p> <p>The key points of concern are:</p> <ol style="list-style-type: none"> <li>1. Existing land owner loss of amenity.</li> <li>2. Increase safety risk to existing land owner/residents.</li> <li>3. Undesirable road geometric design (for both road design speeds of 40km/hr and 60km/hr)</li> <li>4. Introduced hazard to road users (which could be avoided if the conversion did not occur).</li> <li>5. Increase liability of the City/rate payers.</li> </ol>	<ol style="list-style-type: none"> <li>1. The amenity concerns of the community have to be weighed against the benefits of road connections among the entire community. This is an important link in terms of bushfire safety and overall road network connectivity. It is also unknown what the amenity impact of the proposed road connection is likely to be as many of the amenity values for the road can be addressed by design comments.</li> <li>2. If the increased risk refers to potential <i>“accident with existing residential building and vehicle”</i> then all roads are subject to this risk. Safety features of the proposed road are likely to address these concerns. It is the City’s contention that a greater risk exists by not having an additional evacuation option in times of emergency that can expand movement capacity within the existing road network.</li> <li>3. The design of the road will be determined at</li> </ol>	That the submission is noted but not supported.

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			<p>the subdivision stage. It is Officers' opinion that there is currently insufficient information to make this design determination at this time but that a road can be designed and constructed to the appropriate standard and controlled to the appropriate speed limit.</p> <p>4. The design must thoroughly consider the potential risks and conform to required engineering standards.</p> <p>5. Any perceived increased liability must be weighed against the perceived community benefit. Currently, areas which do not comply with bushfire standards or do not allow for safe evacuation could present a much greater risk.</p>	
39	A. Isbister Zamia Grove	<p>Objection</p> <ol style="list-style-type: none"> <li>1. To the east of the subdivision, the proposed temporary cul-de-sac will bring unnecessary traffic to the to this area and destroy the ambience</li> <li>2. Fire safety – why should this area be different to Smiths Beach or Bunker Bay? Surely it is prudent to reduce human impact on the area as the number of fires has been a result of increased population</li> <li>3. Ongoing development will ruin the peace and quiet reasons that people move to the area in the first place</li> <li>4. Ongoing development may present a bigger cost to the community in terms of crime, fire risk and other city problems.</li> </ol>	<ol style="list-style-type: none"> <li>1. The cul-de-sac provides a necessary connection opportunity for future roads should the land to the east be developed.</li> <li>2. Each area is assessed on a case by case basis. For justification to develop, This issue is addressed in Submission 16.</li> <li>3. This issue is addressed in Submission 16.</li> <li>4. The area is in the Rural Residential Zone and suitable for development. Many of these issues can be addressed by the subdivision design which is addressed at a later stage of the planning process.</li> </ol>	That the submission is noted but not generally supported.

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
40	L. and R. Jury Wildbrook Place	<p>Objection</p> <ol style="list-style-type: none"> <li>1. Wildbrook Place is inadequately engineered for the likely increased traffic. Homeowners need further information in relation to:               <ol style="list-style-type: none"> <li>a) Storm water drainage;</li> <li>b) Widening of the current carriageway;</li> <li>c) Bushfire risk;</li> <li>d) Fire breaks;</li> <li>e) Vegetation/landscape character;</li> <li>f) Environmental issues; and</li> <li>g) Wildlife issues (in particular the Western Grey Kangaroo).</li> </ol> </li> <li>2. The Wildbrook Place cottages are often let to families with young children who play in close proximity to the road carriageway.</li> <li>3. Cottages are close to the road posing a potential safety risk, risk of speeding, noise and headlight use from vehicles.</li> <li>4. The WAPC Planning Bulletin 83-2013 stated there should be no conflict between tourist accommodation and permanent residents. Creating a main entry/exit road through tourist accommodation is contradictory</li> <li>5. The proposed development would see a substantial increase in construction traffic adversely cottage rentals;</li> <li>6. Already Millbrook Road via Knukklgup Road to Seacrest Rise is used by tour buses, motorists, motorcyclists and cycling groups as a scenic drive. To open up Wildbrook Place would complete the "circuit" and further increase the traffic;</li> <li>7. The owners in Wildbrook Place purchased</li> </ol>	<p>1, 2 &amp; 4 are discussed in Submission 26.            3. This issue is addressed in Submission 20.            5. Traffic movement and design will be addressed at the subdivision design stage            6&amp;7 are addressed in Submission 31.</p>	<p>That the submission is noted.</p>

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		their properties on the understanding the ambiance, peace, and quiet enjoyment would not change. The proposed redevelopment would decrease property values, safety, privacy, security and enjoyment of life.		