

9.1.7 Proposed Scheme Amendment – Lot 2 Reserve Road and Lot 9001 Rosewood Drive, Chittering*

Report date	9 February 2015
Applicant	Riverside Investments
File ref	A3300; A11548; 18/03/0004
Prepared by	Azhar Awang, Executive manager Development Services
Supervised by	Gary Tuffin, Chief Executive Officer
Voting requirements	Simple Majority
Documents tabled	Scheme Amendment Documents
Attachments	1. Locality Plan 2. Proposed Development Plan

Background

Council has received an application from Taylor Burrell Barnett Town Planning and Design on behalf of Riverside Investments requesting consideration of a proposed Scheme Amendment at Lot 2 Reserve Road and Lot 9001 Rosewood Drive, Chittering.

The proposal is to rezone Lot 2 Reserve Road from “Rural Residential” to “Residential R2” and to rezone Lot 9001 Rosewood Drive from “Rural Residential” to “Rural Conservation” zone.

The rationale and justification provided by the Applicant for the proposed rezoning are:

- To supply water to the Muchea Employment Node area;
- Providing land as a conservation area on portion of lot 9001 Rosewood Drive;
- Providing for improved fire escape/access from the existing development to the east through to Reserve Road;
- Addressing the Department of Planning’s desire to see increased densities to achieve an increased population in close proximity to the Muchea Employment Node; and
- Addressing the viability of the project and associated infrastructure costs for the development.

The amendment documentation provided information on the environmental aspect of the sites covering the vegetation types, acid sulphate soils, dieback considerations and the types of effluent disposal system suitable for development in the area.

The proposal also included a development plan of the site which is to create a total of 248 lots for both sites with lot sizes ranging from 5,000m² to 1hecatre including two 10 hectare lots as Conservation lots and a public open space with an area of approximately 2.7 hectares.

Access into the property is via Reserve Road and Rosewood Drive.

Consultation

The Applicant presented the proposal to Council at the informal briefing on the 21 January 2015 outlining the background of the proposal, recent issues leading to the design review and the proposed development design for the site.

A meeting was held at the Department of Planning with the applicant and Council’s Officers regarding the proposal.

Part of the statutory requirements will be undertaken in accordance with the *Town Planning Regulations 1967* should Council support to initiate the proposed scheme amendment. This requires the scheme

amendment to be referred to the Environmental Protection Authority for consent to advertise for a period of forty two (42) days.

Statutory Environment

State: *Planning and Development Act 2005*
Town Planning Regulations 1967

Local: *Shire of Chittering Town Planning Scheme No 6*

The subject lots are currently zoned “Rural Residential”. The objectives of the zone are:

- *To designate areas where rural residential developments can be accommodated without detriment to the environment or the rural character of the area.*
- *To meet the demand for a rural lifestyle on small lots, generally in excess of 1 hectare.*
- *To maintain and enhance the rural character and amenity of the locality.*

The proposal is to rezone the properties to “Residential R2” for Lot 2 Reserve Road and “Rural Conservation” for Lot 9001 Rosewood Drive.

The objectives of “Residential R2” are:

- *To designate areas for low density residential development in a rural setting in which natural environmental values are conserved as far as possible.*
- *To meet the demand for lifestyle lots with a minimum lot size of 5000m²*
- *To ensure development is sited and designated to achieve an integrated and harmonious character within each estate.*

The objectives of “Rural Conservation” zone are:

- *To maximize the long-term protection and management of significant environment values.*
- *To minimize the fragmentation of, and where deemed relevant, promote ecological linkages between these values.*
- *To ensure that development is compatible, sympathetic and integrated with these values.*
- *To create lot/s that are of sufficient size to sustain the long term protection and management of these values.*
- *Encourage innovative subdivision design, such as consolidated cluster style development, that maximizes the long-term protection and management of these values.*

Lot 2 Reserve Road is located within the ‘Military Considerations (RAAF) Landscape Protection Special Control Area’ and clause 6.5 of the Shire of Chittering Town Planning Scheme states:

6.5.1 *The Military Considerations Area (for RAAF Base Pearce-Flight Paths) are delineated on the Scheme Map.*

6.5.2 *Purpose*

- *To protect the integrity of the operations of the RAAF Air Base Pearce and its flight paths and to provide conditions on development on land within the designated Special Control Areas which may be effected by noise.*
- *To minimise the number of people residing in the delineated flight path subject to significant levels of aircraft noise.*

6.5.3 *Planning Requirements*

- *Planning Approval is required for any development within this Special Control Area.*
- *Any new dwelling shall be constructed so as to comply with any noise attenuation measures required by Australian Standard AS 2021-2000 Aircraft Noise Intrusion – Building Siting and Construction issue by the Standards Association of Australia.*
- *The Local Government shall not permit the construction and occupation of more than one dwelling or holiday or other short term accommodation on any one lot within the designated area.*

6.5.4 *Relevant Considerations*

In considering any Application for Planning Approval the Local Government shall have regard to:

- (a) the increase in number of dwellings and occupants likely to be affected by aircraft noise;*
- (b) whether the proposal is compatible with the current and future operation of the aerodrome;*
- (c) whether any buildings proposed for human occupation requires noise attenuation measures;*
- (d) whether the proposal constitutes a hazard or interference to aircraft flying in the area.*

6.5.5 *Referrals of Applications for Planning Approval*

The Local Government may refer any Application for Planning Approval or any amendment to vary a Special Control Area boundary to any relevant authority or community organisation.

The proposal requires a Development Plan as required by Clause 5.8.1 of the Scheme:

5.8.1. *Requirement for a Development Plan*

Subdivision shall be generally in accordance with a Outline Development Plan prepared in accordance with Council policy or any subsequent variation approved by the Council and the Western Australian Planning Commission.

An application for subdivision of land in these zones is to be accompanied by a Outline Development Plan prepared in accordance with Council policy which indicates and addresses the following but is not limited to:

- (a) lot sizes, dimensions and identification of building envelopes or building exclusion areas;*
- (b) areas to be set aside for public open space, pedestrian accessways, horse trails, community facilities, etc, as may be considered appropriate;*
- (c) strategic firebreaks;*
- (d) any Catchment Management Plan recommendations;*
- (e) any part of the natural environment which is required to be protected from degradation or required for landscape protection;*
- (f) an assessment of the presence and impacts of Dieback in consultation with Council and the appropriate State government environmental agency and the ability of the subdivision design and works to mitigate against the spread and effect of Dieback;*

- (g) any facilities which the purchasers of the lots will be required to provide (eg. their own potable water supply, liquid or solid waste disposal, etc);
- (h) areas where conventional septic tanks may not be suitable;
- (i) the description of adjoining land(s) and their uses;
- (j) remnant vegetation and any land affected by rare and endangered flora and fauna;
- (k) location of watercourses, drainage lines and areas of inundation and the distance of any infrastructure from these;
- (l) identify the area/s that need to comply with an approved Environmental Management Plan.

Policy Implications

Local: *Shire of Chittering Local Planning Policies*

Local: *Local Planning Policy No 16 - Roads and Drainage*

5.1 Road Reserve Widths and Widenings

5.1.1 Preferred urban road reserve widths are as follows:

- a) Important Through Roads – 40m, to allow for future dual carriageway and tree planting;
- b) Other Roads – 20m;

5.4 Drainage

Drainage required as a result of road construction or other development is to be provided by the subdivider and/or developer in accordance with water sensitive design principles, to the satisfaction of Council's Chief Executive Officer, as follows:

- a) within townsites - piped drainage to sumps/evaporation ponds or other suitable water receival body;
- b) outside townsites within the Ellen Brook Pallus Plain – appropriate collection and onsite disposal, designed for one in five year rainfall events;
- c) outside townsites and the Ellen Brook Pallus Plain – piped drainage to sumps/evaporation ponds, unless a satisfactory alternative can be demonstrated.

5.5 Street Furniture

Street furniture required as a result of development is to be provided by the subdivider and/or developer in all zones except the Agricultural Resource Zone, as follows:

- a) footpaths on one side of major and important through roads;
- b) street lighting at road junctions;
- c) bus bays and shelters as required.

5.6 Contributions for Construction

5.6.1 Council may request contributions for construction to upgrade existing roads, drainage and street furniture as a condition of approval of adjoining applications for:

- a) subdivisions, when any additional lots are created;
- b) development, other than single dwellings and outbuildings;

5.6.2 Contributions by developers and subdividers for access roads are to be sufficient to construct a 7.0m wide two-coat seal road, supporting foundations, road furniture and drainage within the lot and across the frontage of the lot;

- 5.6.3 *If the development/subdivision is located some distance along an unsealed or unmade road the developer will be required to contribute to connect the road construction to a sealed road of the locality;*
- 5.6.4 *Neighbouring land owners are not obliged to contribute unless they receive a benefit through future development/subdivision.*
- 5.7 *Construction Standards Road, drainage and street furniture construction standards are as specified in Schedule 1 Subdivisional Development Requirements and shall be to the satisfaction of the Chief Executive Officer.*

Local: *Local Planning Policy No 18 – Setbacks*

- 5.1 *Where specified, setbacks are to be in accordance with the requirements of Local Planning Policies, Development Plans (including any building envelopes) and the Residential Design Codes. The procedure for variation is as specified in TPS No. 6 and the Residential Codes respectively.*
- 5.2 *In strategic firebreaks there are to be no buildings, swimming pools, dams, water tanks, fences or gates constructed.*
- 5.3 *In the special control areas providing buffers for Basic Raw Materials and Land Refuse, there are to be no new residential buildings constructed but Council may allow additions to an existing building.*
- 5.4 *In the special control area that is Water Prone and areas liable to flooding the minimum building setback is 30m from an existing water body or highest known flood level, as decided by Council.*
- 5.5 *The minimum building setback from a drainage easement is 10m.*
- 5.6 *In the special control area for Landscape Protection, dams, buildings and other structures are to be setback from ridgelines.*
- 5.7 *Otherwise, the following minimum setbacks generally apply to buildings (including retaining walls), dams and water tanks:*
- (a) Agricultural Resource Zone*
 - Highway – 100m*
 - Major Road – 50m*
 - Other Road – 30m*
 - Rear – 30m*
 - Side – 30m*
 - (b) Rural Residential, Small Rural Holdings and Rural Retreat Zones, in the absence of building envelopes*
 - Highway – 100m*
 - Major Road – 50m*
 - Other Road – 20m*
 - Secondary Road Frontage – 15m*
 - Rear – 20m*
 - Side – 15m*
 - The minimum separation between dwellings on adjoining lots is 50m*

- (c) *Townsite Zone, in the absence of Residential Design Codes*
 - Highway – 50m*
 - Major Road – 30m*
 - Other Road – 20m*
 - Secondary Road Frontage – 15m*
 - Rear – 20m Side – 15m*

Local: *Local Planning Policy No 21 – Fire Management Plans*

3. *POLICY STATEMENT*

3.1 *General Requirements*

Private property owners and occupiers have a responsibility for fire safety, as follows:

- a) *in accordance with FESA and Shire requirements under the Bush Fires Act 1954 (see also Firebreak Notice to all Residents and Ratepayers of the Shire of Chittering). These requirements include clearing of individual firebreaks not less than 3metres wide completely surrounding and not more than 20metres from the perimeter of all buildings, haystacks and fuel storage areas within Rural Zones, unless otherwise approved;*
- b) *in accordance with Town Planning Scheme No 6 (TPS 6) requirements for Development and Fire Management Plans, which are to be prepared for each proposed estate in Rural Residential, Rural Retreat, Rural Smallholdings and Rural Conservation zones and elsewhere as decided by Council; and*
- c) *in accordance with Planning for Bush Fire Protection Guidelines (Edition 2).*

3.2 *Fire Service Access Routes*

- a) *As part of Development and Fire Management Plans, Council will require the installation of Fire Service Access Routes in addition to individual fire breaks.*
- b) *Council may accept maintenance responsibility for Fire Service Access Routes where:*
 - (i) *the FireServiceAccess Route is in public ownership, as reserved lane;*
 - (ii) *the cost to each property within the subdivision is shared;*
 - (iii) *the Council raises invoices for each lot owner with the rate notice each year for the maintenance of Fire Access Routes;*
- c) *Fire Service Access Routes are to be:*
 - (i) *located around the perimeter of the estate, property or elsewhere as required;*
 - (ii) *may be in public ownership, designated as Local Reserves Public Purposes - Fire Fighting in scheme amendment documents and subdivision plans;*
 - (iii) *may be in private ownership protected by way of easement for the purposes of a Fire Service Access Route and is to maintain unimpeded continuous access along such easement;*
 - (iv) *a minimum of 6metres wide, of which the entire 6metres is to be trafficable constructed of 100mm compacted gravel above the natural ground level without being impeded by fences (see also Local Planning Policy No 22), gates or overhanging trees;*
 - (v) *provide turn around areas/bays every 500metres sufficient for a 3.4 appliance to turn around safely;*
 - (vi) *have access to a public road network every 1,000 metres*
 - (vii) *comply with any other requirements deemed necessary under the "Planning for Bush Fire Protection Guidelines - Edition 2" as determined by Council;*

- d) *Where a Fire Service Access Route meets a public open space, road or footway, there is to be a gate with a lock of approved design provided by the subdivider with signs installed on each gate in accordance with the attached "Fire & Emergency Signs"; otherwise no fence or gate may be constructed across a Fire Service Access Route;*
- e) *Where a Fire Service Access Route is located on private property, no fence or gate may be constructed across a Fire Service Access Route;*
- f) *Where a Fire Service Access Route cross a natural drainage, the developer is to construct off sheet as appropriate to prevent scouring in accordance with Council's Engineering specification;*
- g) *Emergency Access Ways are to be in accordance with section 3.2 c, d, e, and f above.*

Where gates are used as outlined in section (d) above, Emergency Access Ways gates must not be locked.

Local: *Local Planning Policy No 32 – Development Plans*

5. *POLICY STATEMENT*

5.1 *Requirement for a Development Plan A Development Plan is to be prepared and submitted to Council for approval:*

- a) *Prior to rezoning of any Agricultural Resource land to Rural Retreat, Small Rural Holdings, Rural Residential, Townsite or Industry;*
- b) *Prior to subdivision of any land zoned, Rural Retreat, Small Rural Holdings or Rural Residential;*
- c) *Prior to subdivision into 10 or more lots of any land zoned Agricultural Resource, Townsite or Industry*
- d) *Otherwise as specified by the Council.*

5.2 *Form of Submission*

A Development Plan, or any variation thereof, is to be submitted

- a) *with the Land Capability, Geotechnical and Heritage Assessment in the first instance (refer attached Schedule 1);*
 - b) *with content as listed in the attached Schedule 2;*
 - c) *with the number of copies as follows:*
 - i) *Land Capability, Geotechnical and Heritage Assessment Report – 2 (two) hard copies*
 - ii) *Development Plan size A1 – 3 (three) hard copies, unfolded, 1 (one) to be returned*
 - iii) *Development Plan size A3 – 3 (three) hard copies, unfolded, 1 (one) to be returned*
 - iv) *Development Plan – electronic copy.*
- 5.3 Information to be shown A Development Plan is to be based on the prior Land Capability, Geotechnical and Heritage Assessment and include the following in order to gain support of the Council:*
- (a) *Drainage:*
 - (i) *stormwater drainage is to be designed according to the principles of water sensitive design, with pollutant traps and retention systems to retard peak flows;*

- (ii) *where practical, stormwater should be stored and used for irrigating POS;*
 - (iii) *major watercourses streamlines shown on the Local Planning Strategy are to be protected by reserves related to contours, with a minimum width of 40m;*
 - (iv) *minor other less significant watercourses are to be protected by easements, with a minimum width of 20m; (Note: Council will not support subdivision of any land with a high frequency of watercourses)*
 - (v) *in all zones other than Agricultural Resource piped drainage is to be provided unless a satisfactory alternative can be demonstrated;*
 - (vi) *in Townsites, with residential densities higher than R10, reticulated sewerage is to be provided.*
- (b) *Public Open Space (POS):*
 - (i) *10 per cent of the gross area of the subdivision is to be provided as POS (see also LPP No. 28 - POS Dedication on Rezoning);*
 - (ii) *preferred location of POS is in upland areas with good quality vegetation or cleared level ground suitable for sports facilities;*
- (c) *Lots:*
 - (i) *within the Agricultural Resource zone are to be designed with a minimum size of 25ha tillable area;*
 - (ii) *within the Rural Retreat zone are to be designed with a minimum size of 10ha and an average size of at least 20ha;*
 - (iii) *within the Small Rural Holdings zone are to be designed with a minimum size of 5ha and an average size of at least 10ha;*
 - (iv) *within the Rural Residential zone, where so zoned as at 10 December 2004 on gazettal of TPS No. 6 are to be designed with a minimum size of 2ha; where so zoned after 10 December 2004 are to be designed with a minimum size of 4ha, provided that where serviced by a reticulated water supply, the Council may reduce the minimum size to 1ha;*
 - (v) *within the Townsite zone are to be designed in accord with the requirements of the Residential Design Codes where they apply in the Scheme, otherwise with a minimum size of 2ha.*
 - (vi) *battle-axe lots are not favoured.*
- (d) *Roads:*
 - (i) *are preferably located on cleared land, positioned to avoid the removal of trees;*
 - (ii) *cul-de-sac access roads are permissible within the Townsite Zone but are not acceptable elsewhere;*
 - (iii) *roads and associated drainage are to be designed in accordance with LPP No. 16 Roads and Drainage.*
- (e) *Fire Management:*
 - (i) *design of residential areas is to be with fire safety in mind, with every rural lot provided with alternate means of escape;*
 - (ii) *fire management is to be provided in accordance with LPP No. 21 - Fire Management Plans.*

- (f) *Other:*
- (i) *existing significant natural features and heritage sites are to be protected, generally by location within reserves;*
 - (ii) *where practicable, for example along drainage lines, POS and other reserves are to be linked to provide continuity and where a Vegetation Protection Area is shown adjoining a road or watercourse in the Local Planning Strategy, the reserve width for that road or watercourse is to be increased 50 per cent;*
 - (iii) *environmentally damaged areas are to be repaired, such as with re-vegetation where clearing has occurred (eg. 20m planting strips adjoining watercourses, roads and/or lot boundaries);*
 - (iv) *land use and land management provisions are to be stated, particularly where land is suitable/unsuitable for buildings and carrying stock – refer attached Schedule 3;*
 - (v) *building envelopes or building exclusion areas are to be identified, with building setbacks in accordance with LPP No. 18 Setbacks;*
 - (vi) *dwelling within 100m of watercourses/wetlands are to be designed with alternative treatment units (ATUs)*
 - (vii) *land within 500m and 1000m of existing and proposed poultry farms, hazardous noxious and extractive industry, conservation category wetlands is to be identified.*

5.5 Implementation

- a) *It is the responsibility of the developer, on behalf of the owner, to supply to prospective purchasers of any newly created lots covered by approved Development and Fire Management Plans, copies of those plans, and subsequent owners to any further owners, to be enforced by a notification on title under s.70A of the Transfer of Land Act 1893;*
- b) *The wording of the s.70A notification for Note 4 on Form N1, required on all newly created lots, is as follows:*
“Registered proprietors and prospective purchasers of the land described above are notified that the use of the land is subject to approved Development and Fire Management Plans. It is the responsibility of the vendor to supply to prospective purchasers an endorsed copy of each of these plans. Non-compliance with the requirements of these plans will render the registered proprietor and/or the occupier of the land liable to prosecution. Further information may be obtained from the offices of the Shire of Chittering.”

Financial Implications

The proposed Scheme Amendment is not considered to create any financial implications on Council.

However once the land is fully developed there may be financial implications on the maintenance of the infrastructures and public open space within the estate.

Strategic Implications

Local: *Shire of Chittering Local Planning Strategy 2001-2015*

The subject properties fall within the Vegetation Protection Area. Clause 10 of the LPS states:

LANDSCAPE PROTECTION AREAS

This category applies to the Chittering Valley from the southern part of the shire to the northern extremity and to the Gingin Scarp as viewed from Ellen Brook. The intent is to preserve the rural character of the visual aspects of the landscape from undue subdivision and development that may depreciate the scenic value of the Chittering natural environment.

In addition, the protection of remnant vegetation is the first phase in establishing biodiversity corridors.

Local: *Shire of Chittering Strategic Community Plan 2012-2022*

Outcome – Protect Environment

Strategies – Protect and value local environment and biodiversity

Key Priorities – Implement Local Biodiversity Strategy

Site Inspection

Site inspection was undertaken in the presence of the land owners and officers from the Department of Planning.

Triple Bottom Line Assessment*Economic implications*

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There may be some environmental implications associated with Lot 9001 Rosewood Drive as the property is identified in the Local Biodiversity Strategy as “Indicative High Conservation Value Area”. This will require the developer to demonstrate how the significant areas of vegetation are to be preserved and protected and that the proposed subdivision can meet the target required for the preservation of the significant vegetation in accordance with the Shire of Chatterling Local Biodiversity Strategy.

Comment*Zoning*

Lot 2 Reserve Road and Lot 9001 Rosewood Drive is currently zoned “Rural Residential”. Lot 2 has an area of 136.7 hectares and Lot 7 has an area of 58.48 hectares. Lot 2 is relatively cleared and currently operates as a wildflower farm. Lot 7 is significantly vegetated with the exception of an internal track which forms part of the current subdivision approval for the development of the site.

Shire of Chittering Local Planning Strategy

Lot 7 Rosewood Drive falls within the Vegetation Protection Area and is identified in the Draft Local Planning Strategy as “Indicative High Conservation Value Area”. This is reflected in the Shire’s Local Biodiversity Strategy document which outlines the area and target to be achieved for preservation and protection.

Development Plan

The proposal is to rezone Lot 2 Reserve Road from 'Rural Residential' to 'Residential R2' which will create two hundred and seven (207) lots with a minimum lot size of 5,000m². Located centrally is an area designated as public open space with an area of 2.74 hectares.

In respect to Lot 7 Rosewood Drive, the proposal is to rezone the property from 'Rural Residential' to 'Rural Conservation'. The proposed lot yield for the property is 41 lots with lot sizes ranging from 5,000m² to 10,000m². Two of the properties within this development are for Conservation lot with an area of 10 hectares per lot. The Council and the Department of Planning has not been supportive of multiple conservation lots and the recommendation is for a single conservation lot.

Lot 7 Rosewood Drive is identified as "Indicative High Conservation Value Area" in the Shire of Chittering Local Biodiversity Strategy. The proposed development on this lot would exceed the target area for the preservation and protection of the significant vegetation as outlined in the Shire's Local Biodiversity Strategy. It is acknowledged that the applicant has a valid subdivision approval on the subject property and has provided a better proposal to preserve the vegetation on the northern portion of the property. It is also recognized that the Applicant has not increased the lot yield on the subject property. In actual fact the lot yield has been reduced from 45 to 41 lots.

Under the development provisions in the proposed development, it is recommended that development provision 3 paragraphs 2 be deleted as there should be no development outside of the designated building envelope. It is also recommended that development provision 10 be deleted and replaced with the following:

"A Bush Fire Management Plan in accordance with the Western Australian Planning Commissions' relevant Bush Fire Management Plan policies, is to be prepared to accompany any future subdivision application to the satisfaction of the local government and relevant State Authority for Fire and Emergency Services. Land subject of this Development Plan is considered to be in a designated 'Bushfire Prone Area' for the purposes AS 3959 (as amended) - Construction of Building in Bushfire Prone Areas."

Access

The main access to these properties is via Reserve Road and Rosewood Drive to the east of the properties.

Reserve Road leading onto Lot 2 Reserve Road is gravel road and will be required to be a bitumen seal in accordance with Council's specification.

Fire Management

Although the Applicant has provided some solutions in addressing the bushfire risk in the area a further detail hazard assessment will be required to be undertaken for the site as part of the consideration of the development plan in relation to the preparation of the Bush Fire Management Plan of the site. Assessment should also be undertaken to adjoining bush land which may impact on this development.

Water Supply

The proposal is to provide reticulated water to the subdivision which will consist of water treatment and multi barrier disinfection system and will be staged accordingly. This will be undertaken by a Private Licensed Water Trader and the proposed scheme amendment will be dependent on the provision of reticulated water to the subdivision.

It is understood that a Private Licensed Water Trader is investigating the provision of reticulated water to the Muchea Employment Node area and is in the process of obtaining the appropriate license from the relevant approval agencies.

As the proposal is to consider the initiation of a scheme amendment of the properties from “Rural Residential” to “Residential R2” and “Rural Conservation” it is recommended that Council supports the proposed scheme amendment, subject to conditions.

9.1.7 OFFICER RECOMMENDATION

Moved Cr Douglas/ Seconded Cr Mackie

That Council:

1. In pursuance of section 75 of the *Planning and Development Act 2005*, resolves to initiate an amendment to the Shire of Chittering *Town Planning Scheme No 6* by:
 - a. Rezoning Lot 2 Reserve Road, Chittering from “Rural Residential” to “Residential R2”;
 - b. Rezoning Lot 9001 Rosewood Drive, Chittering from “Rural Residential” to “Rural Conservation”; and
 - c. Amend the Scheme Map accordingly.
2. Advise the Applicant that prior to endorsing the Development Plan, the Applicant enter into a Deed of Agreement with the Shire in relation to the provision of Community Infrastructure including Public Open Space, playing equipment, BBQ and ablution facilities on Lot 2 Reserve Road, Chittering. This Deed of Agreement shall be prepared by the Shire’s solicitors and costs associated with the Deed of Agreement will be at the cost of the Applicant.
3. Numbers the proposed amendment as ‘Amendment No 55’ of the Shire of Chittering *Town Planning Scheme No 6* and forwards to the Environmental Protection Authority for assessment in accordance with Section 81 of the *Planning and Development Act 2005*, prior to advertising in accordance with the *Town Planning Regulations 1967*.
4. Advise the Applicant that a reticulated potable water supply will be provided by a licensed water service provider, licensed under the provisions of the *Water Services Act 2012*, and connected to all lots for domestic and firefighting purposes.
5. Advises the Applicant to undertake a bushfire hazard assessment prior to considering the Development Plan, Local Biodiversity Strategy and Fire Management Plan for the Council’s further consideration.
6. Advises the Applicant that multiple conservation lots are not supported and should only be of a single title.
7. Advise the Applicant that development provision 10 is to be deleted and replaced with the following:

“A Bush Fire Management Plan in accordance with the Western Australian Planning Commissions’ relevant Bush Fire Management Plan policies, is to be prepared to accompany any future subdivision application to the satisfaction of the local government and relevant State Authority for Fire and Emergency Services. Land subject of this Development Plan is considered to be in a designated ‘Bushfire Prone Area’ for the purposes AS 3959 (as amended) – Construction of Building in Bushfire Prone Areas.”

9.1.7 AMENDMENT

Moved Cr Hawes / Seconded Cr Rossouw

That in Point 4 the word “will” be altered to “must”.

THE AMENDMENT WAS PUT AND DECLARED CARRIED 7/0

9.1.7 COUNCIL RESOLUTION – 090215

Moved Cr Douglas/ Seconded Cr Mackie

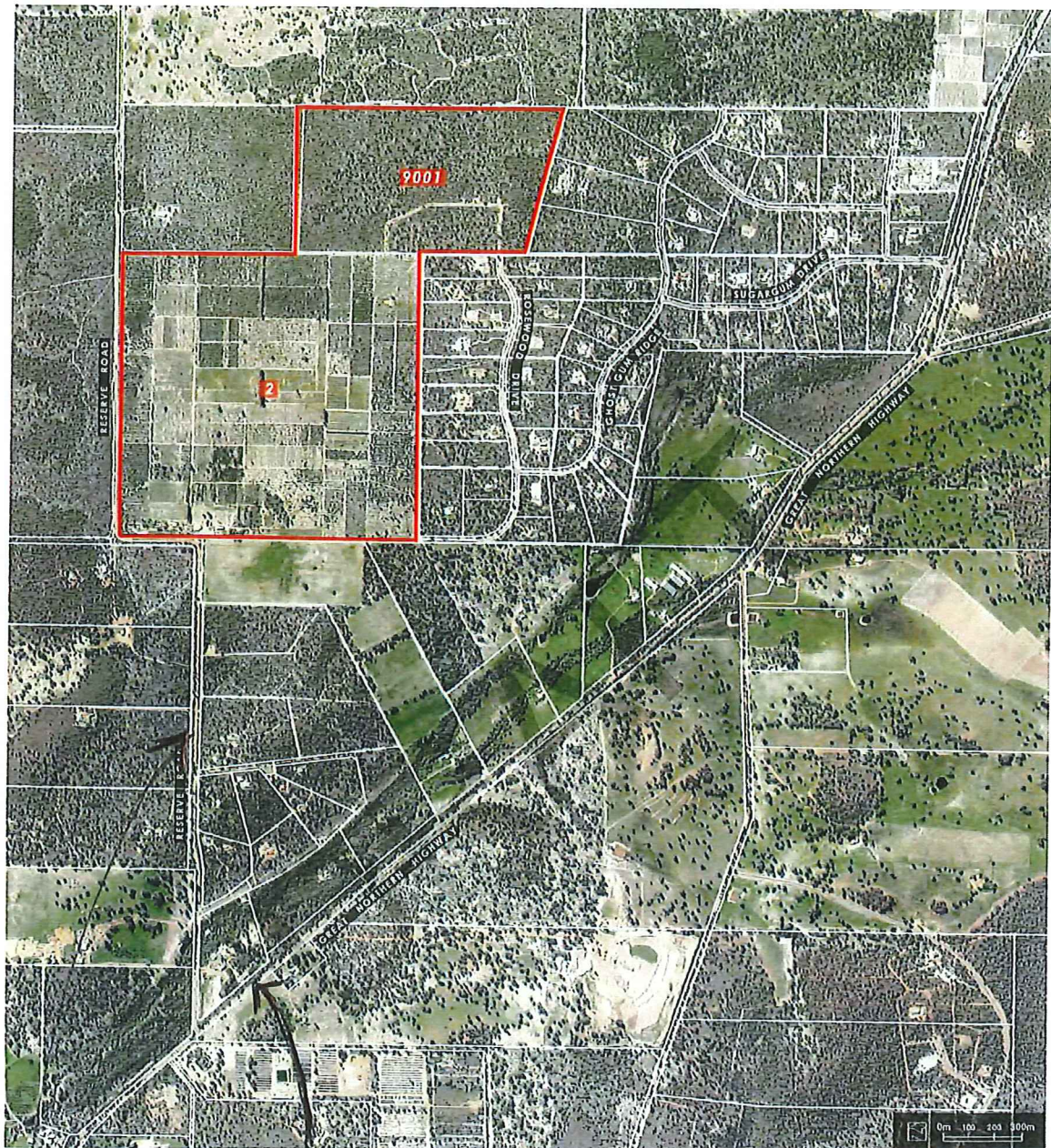
That Council:

1. In pursuance of section 75 of the *Planning and Development Act 2005*, resolves to initiate an amendment to the Shire of Chittering *Town Planning Scheme No 6* by:
 - a. Rezoning Lot 2 Reserve Road, Chittering from “Rural Residential” to “Residential R2”;
 - b. Rezoning Lot 9001 Rosewood Drive, Chittering from “Rural Residential” to “Rural Conservation”; and
 - c. Amend the Scheme Map accordingly.
2. Advise the Applicant that prior to endorsing the Development Plan, the Applicant enter into a Deed of Agreement with the Shire in relation to the provision of Community Infrastructure including Public Open Space, playing equipment, BBQ and ablution facilities on Lot 2 Reserve Road, Chittering. This Deed of Agreement shall be prepared by the Shire’s solicitors and costs associated with the Deed of Agreement will be at the cost of the Applicant.
3. Numbers the proposed amendment as ‘Amendment No 55’ of the Shire of Chittering *Town Planning Scheme No 6* and forwards to the Environmental Protection Authority for assessment in accordance with Section 81 of the *Planning and Development Act 2005*, prior to advertising in accordance with the *Town Planning Regulations 1967*.
4. Advise the Applicant that a reticulated potable water supply must be provided by a licensed water service provider, licensed under the provisions of the *Water Services Act 2012*, and connected to all lots for domestic and firefighting purposes.
5. Advises the Applicant to undertake a bushfire hazard assessment prior to considering the Development Plan, Local Biodiversity Strategy and Fire Management Plan for the Council’s further consideration.
6. Advises the Applicant that multiple conservation lots are not supported and should only be of a single title.
7. Advise the Applicant that development provision 10 is to be deleted and replaced with the following:

“A Bush Fire Management Plan in accordance with the Western Australian Planning Commissions’ relevant Bush Fire Management Plan policies, is to be prepared to accompany any future subdivision application to the satisfaction of the local government and relevant State Authority for Fire and Emergency Services. Land subject of this Development Plan is considered to be in a designated ‘Bushfire Prone Area’ for the purposes AS 3959 (as amended) – Construction of Building in Bushfire Prone Areas.”

THE SUBSTANTIVE MOTION WAS PUT AND DECLARED CARRIED 7/0

ATTACHMENT 1 - LOCALITY PLAN



RESERVE
ROAD.

GREAT NORTHERN HIGHWAY

Our Ref: 05/096 MW:dd

22 May 2015

Attention: Brendan Jeans, Senior Planning Officer

Chief Executive Officer
Shire of Chittering
PO Box 70
BINDOON WA 6502

via email: chatter@chittering.wa.gov.au

Dear Sir

SCHEME AMENDMENT 55 AND DEVELOPMENT PLAN – LOT 2 RESERVE ROAD AND LOT 9001 ROSEWOOD DRIVE, CHITTERING

On behalf of our client Riverside Investments (WA) No. 2 Pty Ltd, Taylor Burrell Barnett (TBB) in collaboration with the project team members UDLA, 360 Environmental and ICS Group, is pleased to lodge this submission in support for the proposed Scheme Amendment 55 and Development Plan.

This submission is lodged to provide additional support to the Development Plan currently with the Shire for consideration. This information provides additional justification and rationale in relation to fire management, vegetation retention objectives, landscape masterplan principles and resulting lot layout changes, particularly over Lot 9001 Rosewood Drive.

In summary, this submission on the Development Plan provides rationale and justification in relation to modifications including:

- Providing a revised lot layout for the Rural Conservation Lots on Lot 9001 Rosewood Drive;
- Based on the Department of Parks and Wildlife correspondence dated 19 March 2015, consideration of the reduction of the building envelope on the Conservation Lot to 1,500m²;
- Building envelope locations, vegetation retention areas and implications for fire management;
- Improved road interface between the Conservation Lot and remainder of Rural Conservation lots on Lot 9001 Rosewood Drive;
- Refinement and further clarification of the requirements for the Fire Service Access Routes (FSAR); and
- Updated Development Plan Requirements to address Landscape Masterplan and Fire Management Plan requirements.

Overall, the modifications aim to address biodiversity, fire management and lot layout issues raised during discussions with the Shire and other stakeholders.

Modification to Lot Layout

As an outcome of preparing the Fire Management Plan, modifications to the lot layout on Lot 9001 Rosewood Drive were warranted to optimise vegetation retention whilst accommodating the fire management requirements. The key objectives of these changes include:

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Toddville Prospecting Pty Ltd ABN 74 831 437 925

.../2



- Ensuring vegetated corridors are provided along the public road frontage to ensure the bushland characteristics of the site are generally maintained;
- Vegetation is retained on individual sites in clusters which satisfy the fire management requirements;
- vegetation retention supports the creation of a series of east-west landscape corridors, and supplements the east west corridor created by the 20ha conservation lot, as demonstrated on the draft Landscape Masterplan;
- Landscape buffers are maintained along the eastern boundary of Lot 9001; and
- Crossovers are located in pairs to also form a dual function of achieving necessary fire separation requirements between vegetation clusters.

This results in a reduction in the lot yield (excluding the drinking water protection site) from 246 lots to 243 lots within the Development Plan, and an increase in the average lot size from 6,074m² to 6,245m² across the Development Plan. Over Lot 9001, and excluding the Conservation Lot, the yield for Rural Conservation Lots has reduced from 38 lots to 35 lots, and average lot size has increased from 8,450m² to 9,700m².

Modification to Road Network

As a result of the modified lot layout over Lot 9001 detailed above, a revised road network is proposed for Lot 9001. The modified road network creates a demarcation between the proposed Conservation Lot (20 ha) and the smaller lots (approx 0.91-1.07ha). The modified road network also ensures:

- no cul-de-sacs are created, whilst still enabling future development on the neighbouring Lot 9000 Reserve Road to connect to the proposed street network in the future, if and when required;
- The roads provide fire access, and by default clearing zones to satisfy the fire management separate requirements.

Conservation Lot Building Envelope Size

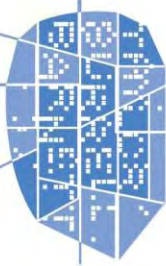
In the correspondence dated 19 March 2015, the Department of Parks and Wildlife support the size of the building envelope being limited to 1,500m²; or the alternative where clearing for the dwelling is placed within the building envelope, for which a building envelope of 2,000m² would be considered. The Development Plan identifies a scenario where clearing of the building envelope would result in the maximum extent separation area that would be possible. The actual clearing on the Conservation Lot could be reduced should the placement of houses and buildings in the envelope be as far south towards the road as is achievable.

We respectfully request the Shire's consideration for discussion in the report that documents the requirement to minimise clearing within the Conservation Lot in accordance with DPaW's submission.

Modification to Building Envelope Placement

To clarify the fire management requirements for Lots contained within Lot 9001, a new figure is proposed (refer **enclosed**) for inclusion within the Development Plan as follows:

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- for each building envelope an indicative clearing zone of 20m has been identified. This assumes that the house may be positioned anywhere within the building envelope. This will not require all of the 20m clearing zone to be cleared however cannot be determined until such time as the house is positioned within the building envelop.
- Vegetation areas cannot exceed 2,500m² in size and must be located 20m apart. Refer further discussion below.
- Vegetation within building envelopes will be retained to the extent possible to be classified as low threat vegetation as determined within Australian Standard AS3959. Individual landowners would then have the ability to undertake further clearing within the Building Envelope, as reasonably required, to accommodate dwellings, outbuildings and other structures approved by the Shire.
- Wherever possible, building envelopes have been placed in a manner that enables the overlapping of the 20m separation distance requirements; whereby building envelopes are 20m apart from each other. This enables the effective use of space and minimises the need for further management of vegetation to achieve requirements of the Fire Management Plan.
- For the north-south oriented Rural Conservation Lots, a minimum front setback of 10m is proposed for buildings within the building envelopes. This 10m setback results in an increased vegetation retention area in the front of the lot.

We respectfully request the Shire to consider the inclusion of the enclosed Figure and supporting text within the Development Plan report, to assist in the Shire's future consideration of final building envelope placements, subsequent subdivision and development.

Fencing

The Shire of Chittering Local Planning Policy No. 22 *Fences* (LPP 22) applies fencing standards for all zones. Within all zones, the LPP 22 states that the erection of any fence or gate to prevent access to a strategic fire break is prohibited. The FSAR are intended to be in public ownership or as easements, as shown on the Development Plan. The FSAR in private land will be protected by way of easement and will be maintained for unimpeded continuous access along the easements.

Where fencing is proposed that facilitates continuous access to FSAR, the Development Plan intends to require fencing (if proposed) to be to a rural standard, consistent with LPP 22. Such a standard minimises the visual impact of fencing; rural type fences also allow for the movement of fauna through the vegetation corridors. Gates will be included as required to ensure access through/onto properties for fire crews in the case of fire.

Access to individual lots will be facilitated through the 10m wide separation zones for each property, which could be accessed from the road network via the shared crossovers.

We respectfully request the Shire to agree to further provisions be inserted within the text of the Development Plan to further clarify the requirements for fencing, in a manner consistent with the Fire Management Plan.

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Identification of areas for Vegetation Retention

To enhance the objectives of Vegetation Retention within the Development Plan area, work has been done to inspect remnant vegetation on Lot 9001 Rosewood Drive to determine biodiversity values. An outcome is the need to ensure areas of Vegetation Retention remain classified as low risk vegetation for new dwellings. This is achieved by ensuring areas for Vegetation Retention are limited to 2,500m² in area. On the Development Plan, except for the Conservation Lot, vegetation retention clusters within Rural Conservation Lots are not to exceed 2,500m² in area. All vegetation clusters have 20m separation distances between other areas for vegetation retention, and to building envelopes.

Areas for Vegetation Retention are proposed to be shown on the face of the Development Plan, and on the supporting report figure (refer **enclosed**). The extension of Rosewood Drive is an important entry point for the Rural Conservation lots on Lot 9001. Vegetation clusters along the frontages aim to maintain the character of the locality, whilst providing environmental outcomes in the form of landscape corridors.

The land contained within the 20m separation areas will be managed in accordance with the Fire Management Plan. The separation areas would enable fire appliances to use these areas as accessways for fire suppression, provided they are maintained properly and remain accessible.

Draft Landscape Masterplan

The draft landscape masterplan is submitted to supplement our requested modifications to the Development Plan, providing further rationale as to how the changes to the Plan will achieve the desired landscape outcomes of the landowners and the Shire. The draft landscape masterplan takes its cues from the sites' endemic and recent land use. A copy of the draft landscape masterplan is **enclosed** for the Shire's information only (note the masterplan is not submitted for formal consideration).

The masterplan seeks to provide landscape treatment to the entry points, central public open space, road reserves and recommended landscaping for the lots.

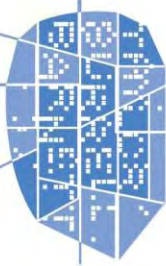
Entry

The entry to Lot 2 from Reserve Road is to be strong formally planted with rows of native wildflowers with specimens transplanted especially from the existing native flower farm. These rows of flowers can be used by the future and surrounding residents for cut flowers or purely for their seasonal striking colour and a reminder of the sites recent historical use.

Central Public Open Space

The central park area is to make use of the existing mature stand of Eucalypts as a backdrop to nestle in resident park amenity such as; shade structure(s), junior and senior play equipment focusing on adventure play, a large lawn area for picnicking, BBQ, toilet and water fountain conveniences, lighting, ball and pet play and as a contrast to the more arid endemic landscape. The central park will be organised spatially through the use of desire lines that cross the park providing not only cross access however a circuitous route within the park itself. The larger area is to be endemically rehabilitated to encourage local planting as a strong suggestion of the sites original landscape type.

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Road reserves

The development road reserves for both Lots 2 and 9001 are proposed to make the most of the lineal corridor open space, offsetting the rural type, (non-kerbed) one-way cross fall pavement with an enclosed swale system. The lineal swale is to embody water sensitive urban design principles and act as a rain garden infiltrating water run-off at or close to source. The swale is to be planted with endemic planting between residential crossovers. In this instance a number of shallow crossovers will have the swales joined with a culvert or pipe terminated by a full crossover. Size of swales, culvert pipes and placement of end crossovers is to be determined by civil engineer.

Residential lots – fire & vegetation management strategies

The landscape architectural (spatial design) recommendation for residential lots is primarily influenced by maintaining 'sense of place', including retention and the integrity of the rural and bushland setting where appropriate and possible. However this is conversely and equally strongly influenced by state fire management regulations that limit bushland planting 20m from the houses with areas of remnant or re-planted vegetation to be no more than 2,500m² in size. With this simplified description of the fire management regulations the masterplan detail plans and elevations indicate possible planting opportunities for residents with regard to both Lot 2 and Lot 9001.

Lot 2 residential lots are able to make use of the proposed endemic planting within the road reserves and provide limited planting within their lot as indicated. Due to the conservation objectives of Lot 9001 a large parcel of land has been left untouched to the north of this site to provide a strong flora/fauna corridor. In addition the residential lots proposed for this development have been separated to provide green link corridors through the built form. The northern corridor provides a buffer to the conservation lot, with a central corridor allowing a visual and ecological break between residents. A southern corridor provides remnant vegetation and visual woodland buffer to the front of the development and a buffer to the adjoining development.

Fire management requires areas to be slashed to maintain low fuel levels adjacent to houses and vegetation/soil management requires these areas to be immediately established with non-invasive drought resistant pasture/lawn or native herbaceous cover and maintained to no more than 100mm in height. Retention of existing trees are allowed however canopies are required to be 10m apart. It is important that topsoil and vegetation roots are not removed during the slashing/clearing process so that the sandy soil exposure is limited. Especially within Lot 9001, it is recommended that limited site slashing is undertaken to maintain landscape integrity within this conservation lot and that future residents can take advantage of living within a modified Jarrah Woodland landscape.

Black Cockatoo species

The Client commissioned 360 Environmental to prepare a Black Cockatoo habitat assessment report for the Development Plan area. This report has been prepared and issued to the Client. The Client will determine whether it is necessary to provide a referral in accordance with the Federal *EPBC Act*. It is not considered that the presence of Black Cockatoo habitat will be of significance as the environmental approval process at the State and Federal levels allow for the offsetting of any impacts by the acquisition of other suitable land for conservation purposes.

This consideration ensures that the Client will undertake reasonable steps in accordance with the Federal *EPBC Act*.

Conclusion

We would welcome the Shire's favourable consideration of this additional information in requesting modifications to refine the Development Plan.

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In summary, we respectfully request the Shire's consideration of the proposed modifications to the Development Plan, including further modification of the Development Plan report. Inclusions in the report will include additional text supporting the draft landscape masterplan, the relationship of the areas of vegetation retention, building envelopes and separation areas, and other textual updates as required.

Should you have any questions regarding this submission please do not hesitate to contact the undersigned or Michael Willcock of this office on (08) 9382 2911 or via email michael@tbbplanning.com.au.

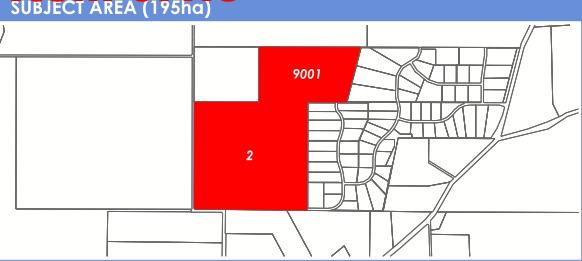
Yours faithfully
TAYLOR BURRELL BARNETT

SAMANTHA THOMPSON
DIRECTOR

CC: Stephen Seward – 3rd Wave Capital

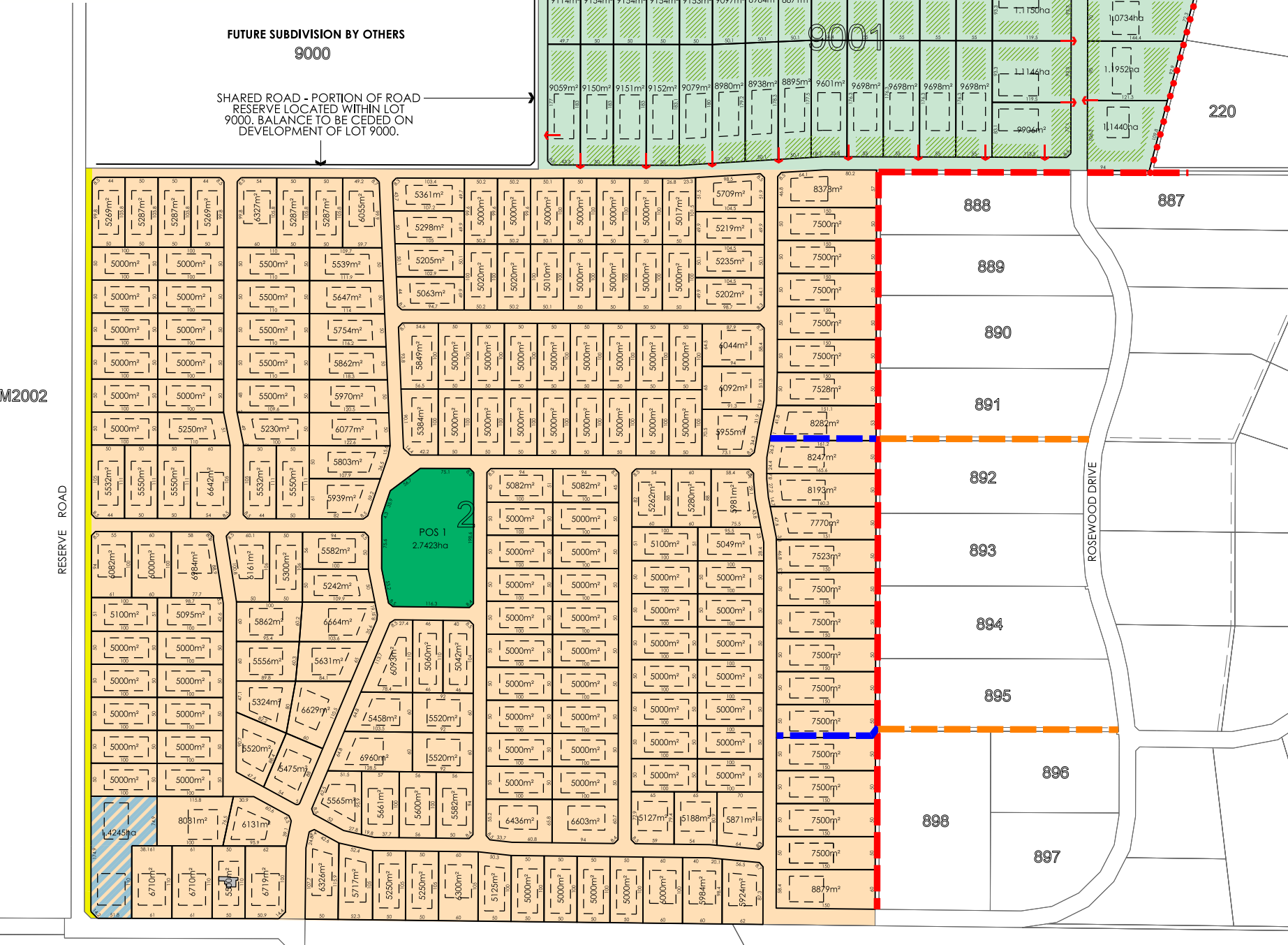
enc. Draft Development Plan
Draft Development Plan – Indicative Areas for Vegetation Retention
Draft Landscape Masterplan

Item 9.1.5



LOT SUMMARY TABLE				
LOT YIELD		LOT AREA		
Size	No. Lots	% Total Lots	Average Size	% of Total Area
1500m² - 5000m²	83	34.30%	5000m²	27.46%
5001m² - 10000m²	151	62.40%	6650m²	66.45%
10001m²+	8	3.31%	11509m²	6.09%
Sub Total	242	Minimum Lot Size 5000m² Maximum Lot Size 14245m² Average Lot Size 6245m² Total Lot Area 1511309m²		
Conservation Lot	1			
Total Number of Lots	243			

TOTAL LOTS - EXCLUDES DRINKING WATER PROTECTION SITE



NOTES

The Development Plan is prepared in accordance with the Shire of Chittering Town Planning Scheme No. 6 and shall be endorsed by the Shire of Chittering and the Western Australian Planning Commission.

Subdivision and development shall be generally in accordance with the approved Development Plan, the provisions of the Shire of Chittering Town Planning Scheme No. 6 (including Schedule 12 Rural Conservation) and Local Planning Policies. Where the provisions of the approved Development Plan and the Scheme are inconsistent, the provisions of the Development Plan and Schedule 12 shall prevail.

DEVELOPMENT PLAN REQUIREMENTS

- Development Requirements and Lot Sizes:
In considering development and subdivision of the land, the requirements of the Shire of Chittering Town Planning Scheme No. 6 for the 'Rural Conservation' and 'Residential R2' Zones apply, unless otherwise provided for within this Development Plan.
- Vegetation Retention:
Areas indicated on the Development Plan for Vegetation Retention shall be limited to a maximum 2,500m² area, and shall achieve minimum 20m separation to other areas for Vegetation Retention and/or buildings. Separation areas are to be maintained in accordance with the Fire Management Plan (refer Note 12).
- Vegetation management:
Vegetation management is permitted outside of the designated building envelope specified for each lot on the Development Plan, where those trees are diseased, present danger to life or property, or require removal / maintenance as specified within the approved Fire Management Plan.
- Indicative Building Envelopes
All development including buildings, water tanks and waste disposal systems, are to be contained within a cleared building envelope, which shall not exceed 2,000m². The position of the building envelopes are indicative as shown, and a final building envelope plan will need to be approved by the Shire prior to subdivision clearance and comply with the provisions of the Scheme, the requirements of the Development Plan and the approved Fire Management Plan.
Buildings, water tanks etc, that are to be located outside the nominated building envelope shall require planning consent from the Shire of Chittering and shall be considered on the individual merits of the proposal. It is however noted that the placement of built features outside the building envelope will generally not be supported unless extenuating circumstances exist.
- Minimum Building Envelope Setbacks
The following minimum building envelope setbacks (from the cadastral boundary), shall be applied for the Residential R2 and Rural Conservation Zones:

Residential R2 / Rural Conservation Zone	Conservation Lot
Front: 20m	Front: 20m
Side: 10m	Side: 15m
Rear: 10m	Rear: 20m

1 Excludes Conservation Lot
- Internal Building Envelope Setbacks – Rural Conservation Lots:
For the Rural Conservation lots located west of Rosewood Drive that are in a north-south orientation, buildings shall achieve a minimum 10 metre setback measured from the front boundary of the Building Envelope to any building.
- Conservation Lot:
The Conservation Lot is to be developed for the purpose of accommodating one (1) single house with ancillary outbuildings, within the prescribed building envelope for the lot, and will be subject to the management measures and requirements of the covenants for the site.

LEGEND

LAND USE

- RESIDENTIAL R2
- RURAL CONSERVATION
- PUBLIC OPEN SPACE

OTHER

- INDICATIVE BUILDING ENVELOPE
- DRINKING WATER PROTECTION SITE
- VEGETATION RETENTION
- INDICATIVE SHARED CROSSOVER

- FIRE SERVICE ACCESS ROUTE
- EXISTING 5.0m RESERVE (widening to 6.0m)
 - EXISTING 6.0m RESERVE
 - EXISTING 6.0m EASEMENT
 - PROPOSED 6.0m EASEMENT

- FIREBREAK
- PROPOSED 3.0m FIREBREAK (IN ACCORDANCE WITH SHIRE OF CHITTERING FIREBREAK NOTICE)

- RESERVE ROAD - ROAD WIDENING (10m)

Attachment 2

- Crossovers:
The construction of a crossover to each Residential R2 lot and the Conservation Lot is to be in accordance with Council's specifications.
The construction of shared crossovers for the Rural Conservation Lots are to be in accordance with the indicative shared crossover locations as shown on the face of the Development Plan, and construction of crossovers are to be in accordance with Council's specifications.

- Potable Water:
A reticulated potable water supply will be provided and available for fire fighting purposes.

- Land Management:
The maintenance of any drainage swales, easements, fire breaks/Fire Service Access Routes and Vegetation /re-vegetation areas on private property is the responsibility of the owner/occupier of the respective lot.

- Bores, Dams and Water Courses:
The sinking of bores, construction of dams and extraction of surface water is not permitted without prior approval from the Shire and/or any relevant government/service authority

- Fire Control:
A Fire Management Plan has been prepared by ICS Group and shall apply to the development and ongoing use of the land. Fire Service Access Routes shall be provided in accordance with the Development Plan.

- Permitted Uses:
The permissibility of uses shall be:

Rural Conservation Zone	Residential R2
Bed and Breakfast (D) Home Business (D) Single House (P)	Single House (P) Home Business (D) Ancillary Accommodation (D) Industry - Cottage (A) Public Utility (D)

For any use that may result in degradation of land or water resources or nuisance to neighbours, a management plan may be required as a condition of development approval.

- Public Open Space
Land identified as Public Open Space on the Development Plan shall be ceded free of cost to the Shire of Chittering at subdivision.
- Drinking Water Source Protection Site
Land identified to contain the potable water supply infrastructure and associated buffers and will be registered as a Priority 1 (P1) water source site.
- Keeping of Livestock
The keeping of livestock is not permitted.
- Non-reflective Materials:
All buildings shall be constructed of non-reflective materials.
- Effluent Disposal:
All lots shall be provided with Aerobic Treatment Units (ATUs) with nutrient retention capability for the disposal of waste.
- Vendor Responsibility:
The developer/vendor shall inform prospective purchasers of the lots, in writing, of the provisions of the Council's Town Planning Scheme relating to the management of the land, as specified in the Development Plan, Fire Management Plan and Covenants (as applicable).

ADOPTED FOR PRELIMINARY APPROVAL by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on

the _____ day of _____ 2015.

ADOPTED FOR FINAL APPROVAL by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on

the _____ day of _____ 2015 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

SHIRE PRESIDENT _____

CHIEF EXECUTIVE OFFICER _____

Date: _____

And resolution of the Western Australian Planning Commission on the:

Date: _____ Chairman: _____

DRAFT DEVELOPMENT PLAN

Lot 2 Reserve Road & Lot 9001 Rosewood Drive, Chittering


A Riverside Investments (WA) No 2 Pty Ltd Project





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d: 1:8000@A3
p: 21 May 2015
p: 05/096/016F





LEGEND


 INDICATIVE AREA FOR VEGETATION RETENTION

 INDICATIVE BUILDING ENVELOPE

 10m MINIMUM FRONT SETBACK WITHIN INDICATIVE BUILDING ENVELOPE

 POTENTIAL 20m SEPARATION TO HOUSE

 INDICATIVE CROSSOVER LOCATION

 BALANCE PORTION OF ROAD WIDENING, FUTURE CEDING FROM LOT 9000 AT TIME OF DEVELOPMENT

VEGETATION RETENTION NOTES

1.

Conservation Lot:

The indicative area for Vegetation Retention on the Conservation Lot is defined by the following requirements:

- 3m wide Firebreak for western and northern boundaries;
- 1m wide offset on eastern boundary for widening for a 6.0m Fire Service Access Route;
- Easement for a 6.0m Fire Service Access Route on southern boundary;
- 20m potential separation for house.

2.

Rural Conservation Lot Building Envelope setbacks:

For Rural Conservation Lots in a north-south orientation and west of Rosewood Drive shall require a 10m minimum front setback for buildings, measured from the front boundary of the Building Envelope.

3.

Rural Conservation Lots – Areas for Vegetation Retention

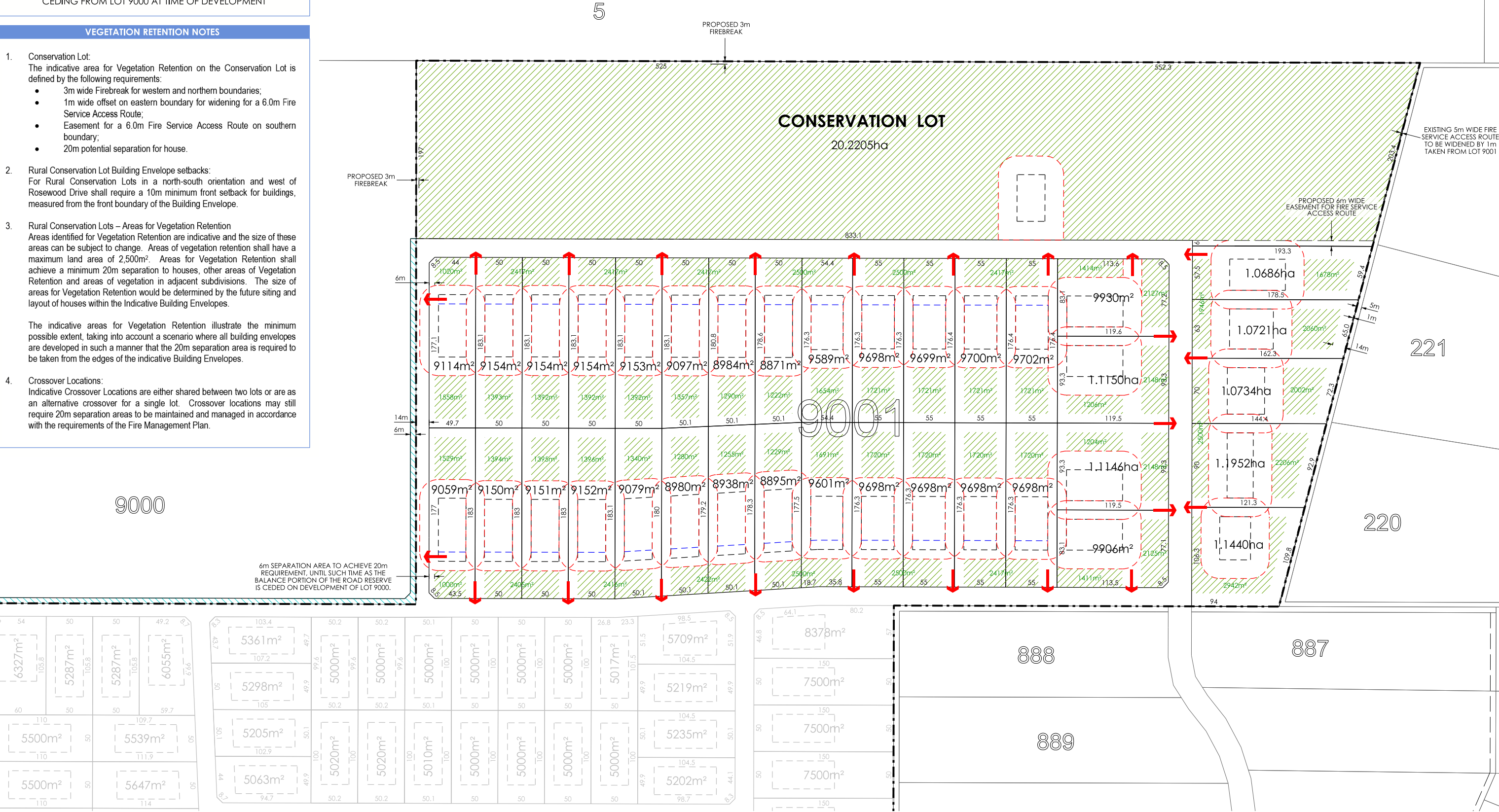
Areas identified for Vegetation Retention are indicative and the size of these areas can be subject to change. Areas of vegetation retention shall have a maximum land area of 2,500m². Areas for Vegetation Retention shall achieve a minimum 20m separation to houses, other areas of Vegetation Retention and areas of vegetation in adjacent subdivisions. The size of areas for Vegetation Retention would be determined by the future siting and layout of houses within the Indicative Building Envelopes.

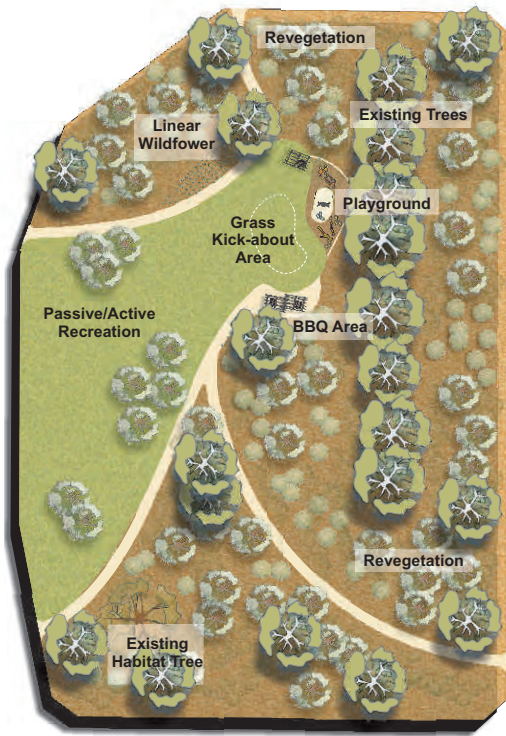
The indicative areas for Vegetation Retention illustrate the minimum possible extent, taking into account a scenario where all building envelopes are developed in such a manner that the 20m separation area is required to be taken from the edges of the indicative Building Envelopes.

4.

Crossover Locations:

Indicative Crossover Locations are either shared between two lots or are as an alternative crossover for a single lot. Crossover locations may still require 20m separation areas to be maintained and managed in accordance with the requirements of the Fire Management Plan.





1 Central Park

The central park area is to make use of the existing mature stand of Eucalypts as a backdrop to nestle in resident park amenity such as: shade structure(s), junior and senior play equipment focusing on adventure play, a large lawn area for picnicking, BBQ facilities, toilet and water fountain conveniences, lighting, ball and pet play on an active lawn as a contrast to the more arid endemic vegetation. The central park will be organised spatially through the use of desire lines that cross the park providing not only cross access however a circuitous route within the park. The larger areas encourage local planting as a strong suggestion of the sites original landscape woodland.



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Landscape Intent

The Lot 2 Reserve Road and Lot 9001 Rosewood Drive Landscape Masterplan borrows cues from the sites unique woodland ecology and recent use as a native flower farm

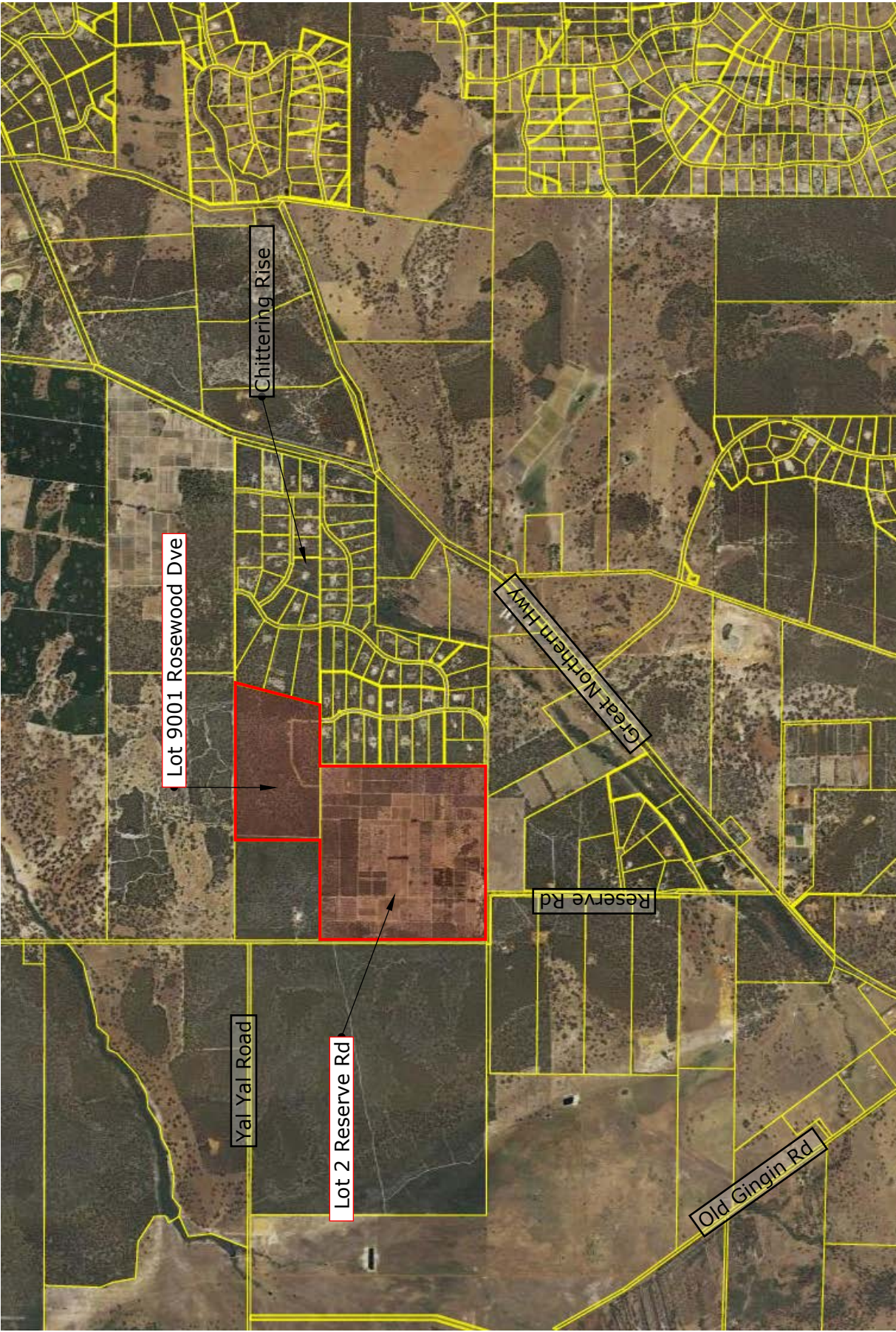


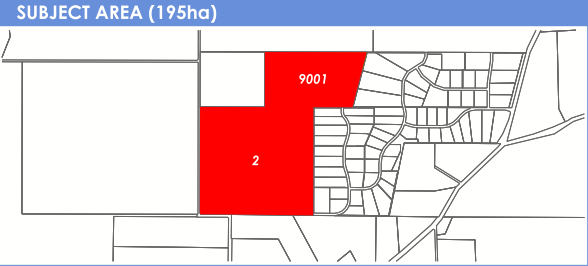
2 Entry & Roads

The entry to Lot 2 from Reserve Road proposes strong formerly planted rows of native wildflowers with specimens transplanted from the site. These rows of flowers can be used by future and surrounding residents for cut specimens or purely for their seasonal striking colour and a reminder of the sites recent history.

Road Easements - The development road easements for both Lots 2 and 9001 are proposed to make the most of the lineal corridor open space by offsetting a non-kerbed rural styled pavement. A one-way cross fall on the road aims to follow the natural fall of the land to an enclosed swale system. These lineal swales will embody WSUD principles and act as a rain gardens infiltrating water run-off close to source. The swale is to be planted with endemic planting between residential crossovers. Residential crossovers will join the swales through a simple culvert and pipe system, to be terminated by another crossover as required.

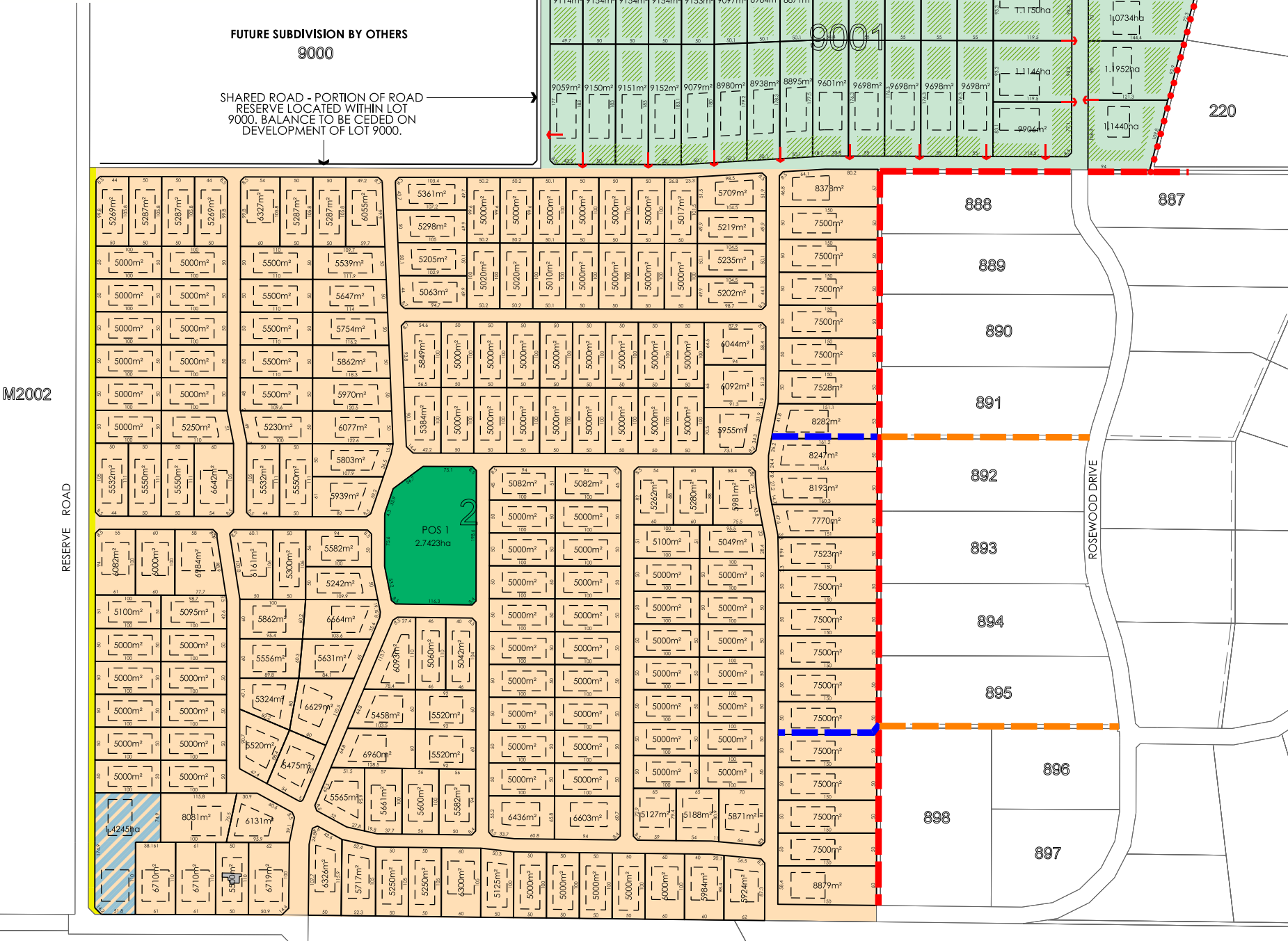






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Subdivision and development shall be generally in accordance with the approved Development Plan, the provisions of the Shire of Chittering Town Planning Scheme No. 6 (including Schedule 12 Rural Conservation) and Local Planning Policies. Where the provisions of the approved Development Plan and the Scheme are inconsistent, the provisions of the Development Plan and Schedule 12 shall prevail.

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- Vegetation management:
Vegetation management is permitted outside of the designated building envelope specified for each lot on the Development Plan, where those trees are diseased, present danger to life or property, or require removal / maintenance as specified within the approved Fire Management Plan.
- Indicative Building Envelopes
All development including buildings, water tanks and waste disposal systems, are to be contained within a cleared building envelope, which shall not exceed 2,000m². The position of the building envelopes are indicative as shown, and a final building envelope plan will need to be approved by the Shire prior to subdivision clearance and comply with the provisions of the Scheme, the requirements of the Development Plan and the approved Fire Management Plan.

Buildings, water tanks etc, that are to be located outside the nominated building envelope shall require planning consent from the Shire of Chittering and shall be considered on the individual merits of the proposal. It is however noted that the placement of built features outside the building envelope will generally not be supported unless extenuating circumstances exist.
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¹ Excludes Conservation Lot
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- Conservation Lot:
The Conservation Lot is to be developed for the purpose of accommodating one (1) single house with ancillary outbuildings, within the prescribed building envelope for the lot, and will be subject to the management measures and requirements of the covenants for the site.

LEGEND

LAND USE

- RESIDENTIAL R2
- RURAL CONSERVATION
- PUBLIC OPEN SPACE

OTHER

- INDICATIVE BUILDING ENVELOPE
- DRINKING WATER PROTECTION SITE
- VEGETATION RETENTION
- INDICATIVE SHARED CROSSOVER

FIRE SERVICE ACCESS ROUTE

- EXISTING 5.0m RESERVE (widening to 6.0m)
- EXISTING 6.0m RESERVE
- EXISTING 6.0m EASEMENT
- PROPOSED 6.0m EASEMENT

FIREBREAK

- PROPOSED 3.0m FIREBREAK (IN ACCORDANCE WITH SHIRE OF CHITTERING FIREBREAK NOTICE)

RESERVE ROAD - ROAD WIDENING (10m)

8. Crossovers:
The construction of a crossover to each Residential R2 lot and the Conservation Lot is to be in accordance with Council's specifications.

The construction of shared crossovers for the Rural Conservation Lots are to be in accordance with the indicative shared crossover locations as shown on the face of the Development Plan, and construction of crossovers are to be in accordance with Council's specifications.

9. Potable Water:
A reticulated potable water supply will be provided and available for fire fighting purposes.

10. Land Management:
The maintenance of any drainage swales, easements, fire breaks/Fire Service Access Routes and Vegetation /re-vegetation areas on private property is the responsibility of the owner/occupier of the respective lot.

11. Bores, Dams and Water Courses:
The sinking of bores, construction of dams and extraction of surface water is not permitted without prior approval from the Shire and/or any relevant government/service authority

12. Fire Control:
A Fire Management Plan has been prepared by ICS Group and shall apply to the development and ongoing use of the land. Fire Service Access Routes shall be provided in accordance with the Development Plan.

13. Permitted Uses:
The permissibility of uses shall be:

Rural Conservation Zone	Residential R2
Bed and Breakfast (D) Home Business (D) Single House (P)	Single House (P) Home Business (D) Ancillary Accommodation (D) Industry - Cottage (A) Public Utility (D)

For any use that may result in degradation of land or water resources or nuisance to neighbours, a management plan may be required as a condition of development approval.

14. Public Open Space
Land identified as Public Open Space on the Development Plan shall be ceded free of cost to the Shire of Chittering at subdivision.

15. Drinking Water Source Protection Site
Land identified to contain the potable water supply infrastructure and associated buffers and will be registered as a Priority 1 (P1) water source site.

16. Keeping of Livestock
The keeping of livestock is not permitted.

17. Non-reflective Materials:
All buildings shall be constructed of non-reflective materials.

18. Effluent Disposal:
All lots shall be provided with Aerobic Treatment Units (ATUs) with nutrient retention capability for the disposal of waste.

19. Vendor Responsibility:
The developer/vendor shall inform prospective purchasers of the lots, in writing, of the provisions of the Council's Town Planning Scheme relating to the management of the land, as specified in the Development Plan, Fire Management Plan and Covenants (as applicable).

REQUIREMENTS FOR DEVELOPMENT PLAN

1. Development Plan
Prior to subdivision or development, a Development Plan shall be submitted and approved by the Council and the Western Australian Planning Commission. Subdivision and development should generally be in accordance with the Development Plan approved by the Council and the Western Australian Planning Commission.

2. Lot Sizes

In considering development and subdivision, Council shall recommend a minimum lot size of one hectare. The average lot size should conform to the recommendations of the Shire of Chittering Local Planning Strategy.

3. Vegetation Protection Areas

Vegetation Protection Areas are defined on the Development Plan as all naturally vegetated areas. No clearing shall be permitted in the areas identified for vegetation protection. Council may require a land owner, as a condition of building approval, to commence tree planting to its specification, and to maintain those trees for a period of not less than two summer seasons.

4. Building Envelopes

All buildings (including outbuildings and water tanks), waste and effluent disposal systems, and a building protection zone for bushfire management are to be located within the Building Envelope defined for each lot as on the Development Plan. No clearing shall be permitted outside designated building envelopes on the Development Plan other than for driveways and firebreaks that have been approved by Council. The building envelope shall not exceed 2000 m² without Council's prior approval and shall be set back from cadastral boundaries as follows:

Front: 20 metres
Rear: 20 metres
Side: 15 metres

5. Fencing

Fencing shall only be permitted within the building envelope and adjacent to road frontages in accordance with Local Planning Policy No. 22 Fences. No fencing is permitted within the Vegetation Protection Areas and no other fencing is permitted without Council approval.

6. Crossovers

The construction of crossovers to each lot shall be in accordance with Council's specifications.

7. Potable Water

Where possible, each dwelling within the Development Plan Area shall be connected to a reticulated potable water supply by a licensed water service provider. In addition to this reticulated water supply, each dwelling shall be provided with a rain water tank with a minimum capacity of 20,000 litres in accordance with Council's Local Planning Policy No. 6 - Water Supply and Drainage. Where no reticulated potable water supply from a licensed water service provider is available, each dwelling shall be provided with a water tank of not less than 120,000 litres capacity.

8. Land Management

Any removal or new works stipulated on the Development Plan for the purpose of water catchment shall be implemented prior to subdivision. The maintenance of any streams and associated tree planting shall be the responsibility of the owner/occupier.

9. Dams and Water Courses

The construction of dams and the extraction of surface water is not permitted without the approval of the Council, Department of Environment and Conservation and Department of Agriculture.

10. Fire Control

Strategic fire breaks as shown on the Development Plan shall be constructed by the developer and shall be maintained to the satisfaction of the Council and the Bush Fire Board in accordance with Local Planning Policy No. 21 Fire Management Plans.

11. Effluent Disposal

All lots are to be provided with an approved Alternative Treatment Unit (ATU) disposal system that incorporates nutrient retention capability.

12. Permitted Uses

A single house and associated outbuildings are the only permitted uses. Other uses specified in the Town Planning Scheme may be approved at the discretion of the Council. Approval is required for a home business but not for a home office. Council may require the preparation and implementation of a management plan as a condition of approval for any use that may result in degradation of land or water resources or nuisance to neighbours.

13. Domestic Pets

The keeping of domestic cats is prohibited.

14. Stocking Restrictions

The stocking of pigs, horses, poultry or any grazing animals is not permitted.

15. Water and Drainage

An urban water management plan shall be prepared and implemented by the landowner prior to the commencement of any ground disturbing activities and shall include the construction of the identified wastewater, stormwater and groundwater management systems, to the satisfaction of the WAPC on advice of local government.

Landowners shall maintain natural drainage lines to prevent erosion and soil export to adjoining lots. There shall be no alteration to natural drainage lines.

16. Vendor Responsibility

The developed vendor shall inform prospective purchasers of the lots, in writing, of the provisions of the Council's Town Planning Scheme relating to the management of the land, as specified in the Development and Fire Management Plans for the land concerned.

17. Non-reflective Materials

All buildings shall be constructed with roofs of non-reflective materials.

18. Open Space within Public Open Space

A vegetation protection plan shall be prepared and implemented to the satisfaction of the Local Government prior to any development within the public open space. The developer shall provide playground equipment within the public open space in a location to be determined in consultation with the Shire of Chittering and generally in a location as identified on the Development Plan and in accordance with an approved vegetation protection plan.

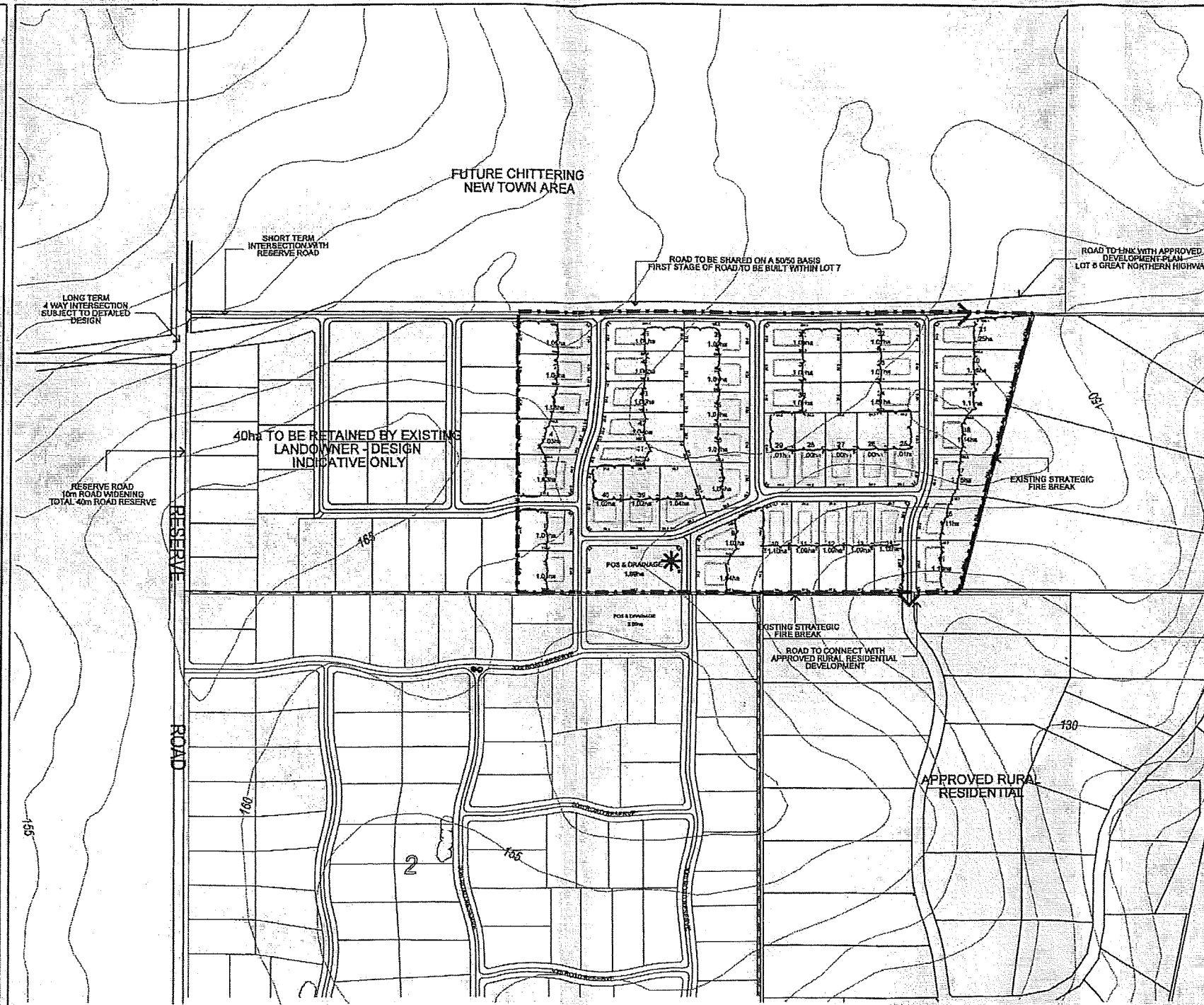
DEPARTMENT OF PLANNING

06 AUG 2009

FILE

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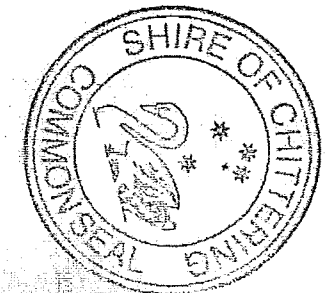
Development Plan
LOT 7 RESERVE ROAD
MUCHEA



ADOPTION
Adopted by resolution of the Council of the
SHIRE OF CHITTERING at the Ordinary Meeting
of the Council held on the 18th day of March 2009 and the
Seal of the Municipality was pursuant to that resolution hereto
affixed in the presence of:

[Signature]
PRESIDENT

[Signature]
CHIEF EXECUTIVE OFFICER
3/8/2009
DATE



Signed for and on behalf of the Western
Australian Planning Commission.

[Signature]

an officer of the Commission duly authorised
by the Commission pursuant to Section 24
of the Planning and Development Act 2005.

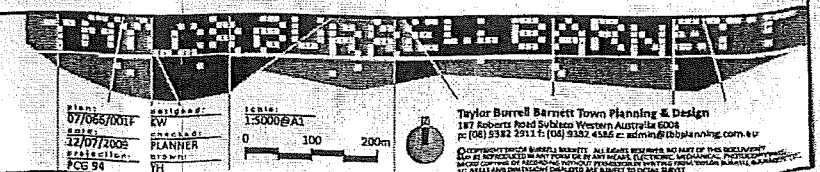
[Signature] Witness

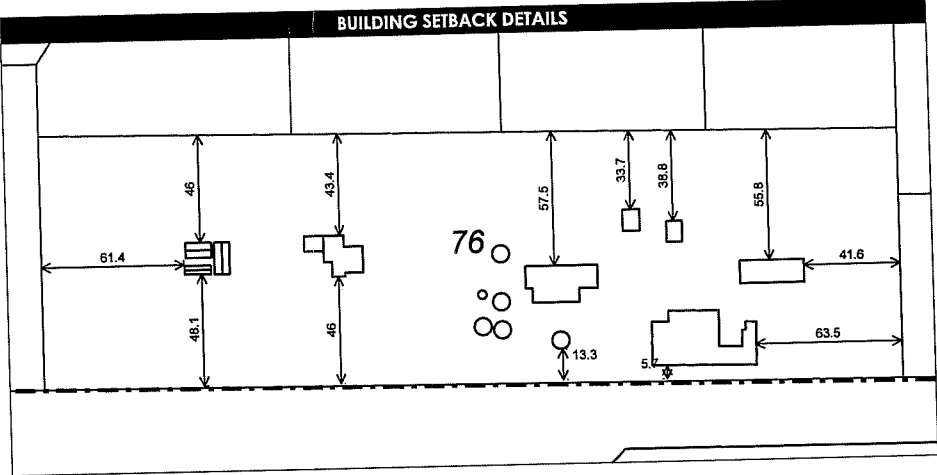
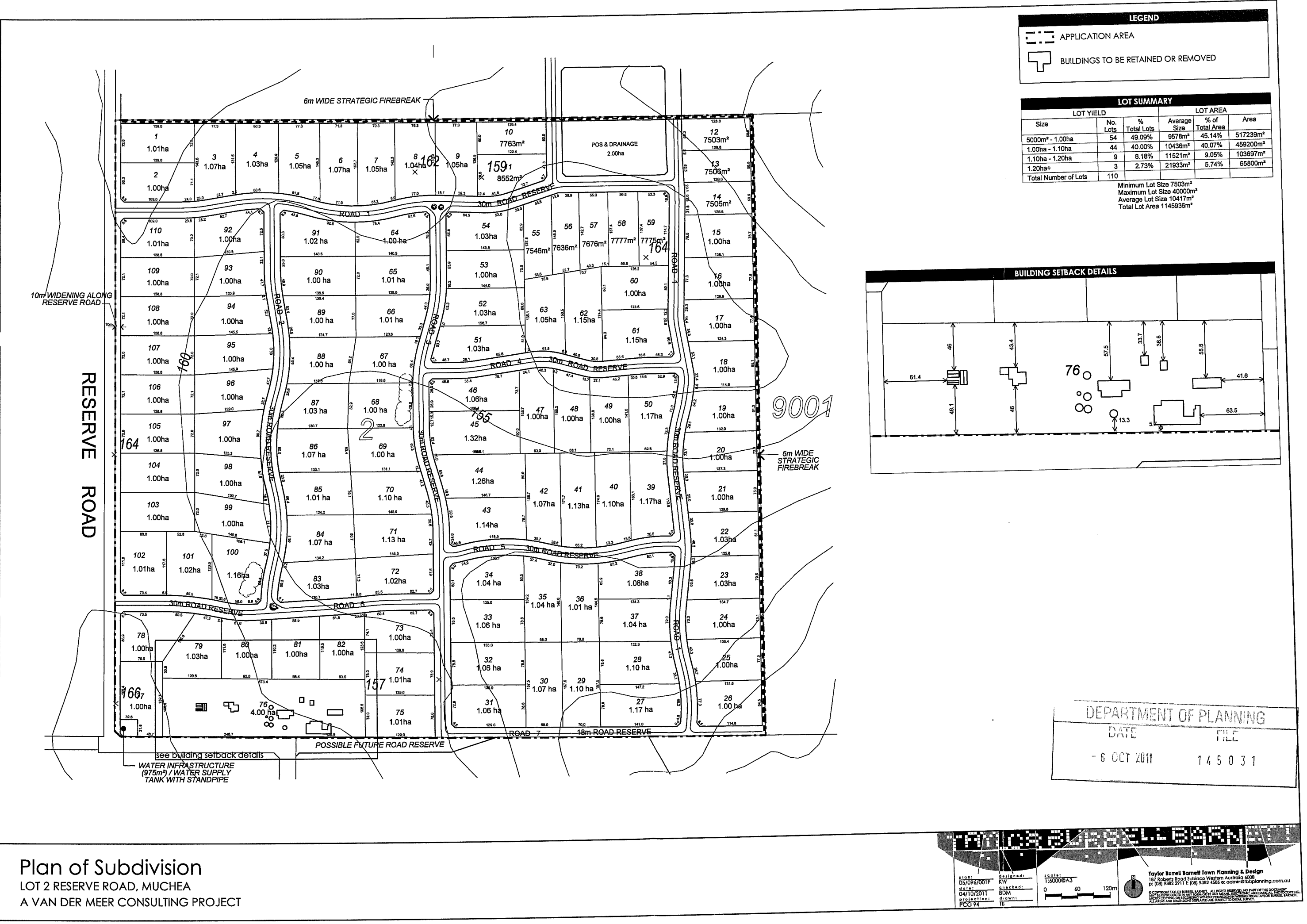
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Date

LEGEND

- BUILDING ENVELOPE (2000m²)
- STRATEGIC FIREBREAKS
- VEGETATION PROTECTION AREA
- EXISTING BUILDING
- INDICATIVE LOCATION FOR PLAY EQUIPMENT
- APPLICATION AREA





Plan of Subdivision
LOT 2 RESERVE ROAD, MUCHEA
A VAN DER MEER CONSULTING PROJECT

DEPARTMENT OF PLANNING
DATE: - 6 OCT 2011
FILE: 145031

plan: 05/09/2011
date: 04/10/2011
project: PCC 94

designed: RW
checked: BDM
drawn: TB

scale: 1:6000@A3
0 60 120m

Taylor Burrell Barnett Town Planning & Design
187 Roberts Road Subiaco Western Australia 6008
P: (08) 9382 2911 F: (08) 9382 4588 E: taylor@tbnplanning.com.au
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Submitter	Submission comments	Applicant response comments	Officer comments
Main Roads WA	MRWA objects to the proposed scheme amendment on the basis that the intersection of Reserve Road and Great Northern Highway is not suitable for the proposed increase in traffic. MRWA recommends that the proponent engage a suitably qualified consultant to prepare a Traffic Impact Statement (TIS) that investigates the impact of the proposal on the road network in particular the upgrades required at the Reserve Road/Great Northern Highway intersection.	Approved Development Plans are in place for both sites. A Development Plan was endorsed for Lot 2 Reserve Road on 17 December 2007. Approval for a Development Plan for Lot 9001 was granted by the WAPC in June 2009. The Western Australian Planning Commission has approved a subdivision application for 110 lots over Lot 2 Reserve Road (subdivision approval is still active) and a subdivision application for 45 lots over Lot 9001 Rosewood Drive (subdivision approval is still active). The active subdivisions allow for the creation of 155 lots and a commensurate increase in traffic. In comparison, the modified Development Plan proposes a yield of 244 lots, an increase of 89 lots overall. The requirement for Traffic Impact Statements is not identified for the existing subdivision approvals or Development Plans. The applicant is happy to work with MRWA on investigating impacts on the road network and further assessment of the Reserve Road intersection at Great Northern Highway can be undertaken.	It is acknowledged that a Traffic Impact Statement will be required of the Applicant for required upgrades and suitability of Reserve Road and the intersection with Great Northern Highway. It is considered this should be addressed prior to a Development Plan being endorsed. This is reflected in the report and Officer's Recommendation.
	As you are aware, MRWA is currently completing a planning study for upgrades to the Great Northern Highway between Muchea and Wubin. It is recommended that the proponent's traffic consultant liaise with the Project team undertaking the planning study to ensure any proposed upgrades do not conflict.	Suggest that as a condition of the Development Plan, any subdivision application shall be supplemented with a Traffic Impact Statement to consult with MRWA to identify what, if any, upgrades may be required at the intersection of Great Northern Highway and Reserve Road.	Noted as per comment above.
Department of Fire and Emergency Services	Please be advised that DFES has no comment regarding this matter at this stage, The Shire of Chittering are the Authority regarding fire protection matters in this instance and as such would be expected to apply a condition requiring compliance with DFES and the WAPC Planning for Bush Fire Protection Guidelines Edition 2 - May 2010 (These Guidelines replace DC 3.7 Fire Planning and Planning for Bush Fire Protection, which were released by the WAPC and DFES in December 2001) and clause 6 of the State Planning Policy 3.4 Natural Hazards and Disasters (SPP 3.4).	Noted. The applicant’s fire consultant aims to comply with both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014). The solution for bushfire risk management is also based on compliance with the Australian Standard for the Construction of buildings in bushfire-prone areas AS3959.	Noted. The proposed rezoning and Development Plan is to be assessed in accordance with the relevant state policies. The Fire Management Plan was refereed internally to the Shire of Chittering's Community Emergency Services Manager, who has provided feedback that modifications are required to be made to the Fire Management Plan prior to the final approval of the Development Plan.
Department of Water	A Local Water Management Strategy (LWMS) should be compiled for the subject site. The LWMS should contain a level of information that reflects the site constraints and risk to water resources and a commitment to prepare an Urban Water Management Plan at subdivision. The principles identified in the LWMS should be consistent with the Better Urban Water Management *WAPC, 2008) document, Livable Neighborhoods (WAPC, 2008) document, the Stormwater Management Manual for Western Australia (DoW 2004-2007) and the Interim: Developing a Local Water Management Strategy (DoW 2008).	The Development Plan outlines water supply, storm water drainage, water quality control and groundwater resources management within the submitted report to the Shire of Chittering. These report sections respond to the site constraints and risk to water resources. This level of detail was initially provided with the Development Plan. At the time of subdivision the Shire of Chittering may recommend a condition, as applicable, requiring the preparation and/or implementation of an Urban Water Management Plan.	The Officer's Recommendation requests a LWMS to be prepared prior to the Development Plan being considered. It is considered critical to the design of the Development Plan that a informed LWMS is prepared, detailing catchments areas, stormwater retention, diversion which will guide future stormwater design at the subdivision stage.
DPaW	The proposed Scheme Amendment and Development Plan is located within an area of native vegetation that is in good condition. The department is supportive of measures to retain native vegetation in the proposed development plan and is supportive of a conservation covenant as proposed for the larger conservation lot on Lot 9001. Parks and Wildlife also supports the development provisions to protect the Rural Conservation Zone as detailed in Part 5, section 5.8 of the Shire of Chittering Town Planning Scheme No. 6, however the department hasn't had the opportunity to view the Fire Management Plan (FMP).	The applicant has liaised with the Department of Parks and Wildlife in relation to the inclusion of the proposed Conservation Lot within DPaW’s Nature Conservation Covenant Program. DPAW has no objections and are supportive of the Conservation Lot. As a result of negotiations with DPaW, the Fire Management Plan provides guidance on clearing of the building envelopes on the Conservation Lot. The firebreaks for the Conservation Lot were also reduced from 6m to 3m to the northern and western boundaries. This has support from DPaW.	Support for conservation development noted.
	If the event that the FMP doesn't adequately address the issue of potential dieback spread through the construction of firebreaks, Parks and Wildlife recommends that all material and machinery used to construct fire breaks surrounding the Conservation Lot is dieback free. Further consideration should be given to a preference for compacted limestone to be used as a base, particularly the fire break that is adjacent to the dwellings on the southern boundary of the conservation lot.	DPaW's advice is noted. <i>Phytophthora cinnamomi</i> (dieback) was not identified in environmental studies performed within the development area. The Department of Conservation and Land Management ((CALM) now the DPaW) ' <i>Best Practice for the Management of Phytophthora cinnamomi</i> ' will be adhered to should dieback be seen as a risk in the development area.	Concern of dieback noted. Dieback Management Plan can be imposed prior to subdivision as a condition consistent with Clause 5.8.1(f) of Town Planning Scheme No 6. The Fire Management Plan has been referred to DPaW for further comment which will be included in the schedule of submissions presented to Council with the amended Development Plan.

Submitter	Submission comments	Applicant response comments	Officer comments
	The proponent should be advised that the clearing of native vegetation that will occur as a result of this proposal may cause a loss of habitat for Carnaby's cockatoo (<i>Calyptorhynchus latirostris</i>), listed as Endangered under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). The proponent may therefore have notification responsibilities under the EPBC Act. The proponent may therefore have notification responsibilities under the EPBC Act. The proponent should contact the Federal Department of the Environment for further information on these responsibilities, (if required) prior to further planning stages.	DPaW's advice is noted. At the time of writing the Black Cockatoo Habitat Assessment was in the process of being finalised. The impacts to these species will be assessed through the EPBC referral process. This information has been provided to the Shire.	Noted. An EMP is requested to be imposed as a provision on the Development Plan to identify and protect appropriate habitat.
Ellen Brockman Integrated Catchment Group Inc.	This proposed scheme amendment and development plan has been reviewed previously by the Ellen Brockman Integrated Catchment Group in collaboration with the Chittering Landcare Group. The overall objections to the plan were stated in a letter dated 12th March 2015.	The previous submission from the Ellen Brockman Integrated Catchment Group has been reviewed by the project team and the issues raised have been initially addressed in documentation provided with the Development Plan. Clarifications were provided on many of the issues raised. Commitments were made in relation to conducting further assessments, particularly in relation to Black Cockatoos.	Noted. As mentioned above, the requirement of an EMP & Management Plan specific to the management & protection of the Carnaby will be implemented on the Development Plan and a condition of subdivision approval.
	To date, the updated development plan and environmental plan have not been sighted for this development and as such we highly recommend that this amendment and development plan does not receive approval from the Shire Council until these documents have been completed, submitted and approved.	The updated Development Plan and associated information is submitted to the Shire of Chittering for assessment and determination. Documentation on the environmental attributes of the site has been provided with the planning documentation. It is considered that no additional environmental plans are required to gain the necessary planning approvals.	All documentation was provided to agencies and made available to the public during the advertising process.
	Recommendations:	Since the Development Plan was submitted the proponent has performed a site specific assessment of the habitat value of the site in accordance with a commitment made in previous correspondence to the Shire. At the time of writing the Black Cockatoo Habitat Assessment was in the process of being finalised. Referrals under the EPBC Act are a separate process to the Shire's consideration of the Scheme Amendment and Development Plan. Some trees on Lot 9001 have been identified to be potential breeding trees (as defined by federal guidelines) due to their size however none of these trees were found to contain suitable breeding hollows for Carnaby's Black Cockatoo. Breeding for Carnaby's Black Cockatoos primarily occurs in the Wheatbelt (Johnstone & Storr 1998). Due to the lack of hollow bearing trees within the site and the fact that Carnaby's Black Cockatoos primarily breed in the Wheatbelt, it is concluded that Lot 9001 is not currently a breeding site for Carnaby's Black Cockatoos. Lot 9001 is known to contain foraging species utilised by Carnaby's Black Cockatoos, however no feeding evidence in the form of chewed nuts or cones was recorded during the habitat assessment.	As above.
	1. Lot 9002 is an entirely bush block apart from a roadway cleared before approval was given for the development and contains a considerable number of "significant trees" for hollow nesting birds and animals, in particular, the nationally protected Carnaby's White-tailed Black Cockatoos. The area would also be feeding habitat for these birds. The significant trees need to be documented and mapped.	A 20 ha Conservation Lot will be created as part of the development that will be covenanted for conservation. This will retain habitat to be utilised by fauna, and will retain a linkage to surrounding habitat. The Rural Conservation Lots will retain as much vegetation as possible, with each lot having a maximum building envelope of 2,000m ² . It must be noted that clearing for the purposes of bushfire management (including fire service access routes, firebreaks and separation of vegetation from houses) is to achieve a balance between bushfire management requirements and environmental protection was considered in the design for the Development Plan.	Noted. EMP & Carnaby Plan required as above.
	2. An Environmental Plan for Lot 9001, at the very least, needs to be completed and approved by Council before the scheme amendment is considered. This is required to ensure that protection of important natural habitat areas occurs and environmentally sensitive development takes place.	Since the development plan was submitted the proponent has performed a site specific assessment of the habitat value of the site in accordance with a commitment made in previous correspondence to the Shire. At the time of writing the Black Cockatoo Habitat Assessment was in the process of being finalised. A vegetation retention plan has been prepared and submitted with the updated Development Plan, showing indicative areas of vegetation retention outside of building envelopes, roads and bushfire protection areas. An Environmental Plan is not required in light of previous documentation being prepared.	It is considered that the lot layout and envelope locations satisfies that enough vegetation will be retained and protected to allow this rezoning to progress. Further EMPs will be required at subdivision stage.

Submitter	Submission comments	Applicant response comments	Officer comments
	3. A comprehensive flora and fauna survey (Level 2 at least) needs to be undertaken for 9001 Rosewood Drive, and a report submitted.	<p>The biological surveys undertaken for the Development Area were accepted by the Environmental Protection Authority (EPA). The EPA did however request that the proponent consider its responsibilities regarding matters of National Environmental Significance (MNES) under the <i>Environment Protection and Biological Conservation Act 1999</i> (EPBC Act), with particular attention given to the Black Cockatoos. Since the Development Plan was submitted the proponent has performed a site specific assessment of the habitat value of the site in accordance with a commitment made in previous correspondence to the Shire.</p> <p>The proponent’s consultants, 360 Environmental, also undertook a gap analysis to determine if any of the flora species identified are now listed as ‘Priority’ by the Department of Parks and Wildlife or as ‘Threatened’ under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> . None of the flora species identified are currently considered to be of conservation significance.</p> <p>Further work has determined that based on the habitat availability and known records of Threatened fauna species, the development area is only likely to contain suitable habitat for one Threatened fauna species the Carnaby’s Black Cockatoos. At the time of writing the Black Cockatoo Habitat Assessment was in the process of being finalised. The impacts to these species will be assessed through the EPBC referral process. This information has been provided to the Shire.</p>	Noted. The Applicant has undertaken and submitted flora and fauna surveys for Lot 2 and Lot 9001 with the application, it is considered that this level of detail is sufficient for the Scheme Amendment to be adopted by Council, further more detailed environmental studies will be required at the subdivision stage.
	4. The Shire needs to request a referral in accordance with the EPBC Act for the threatened species (Carnaby’s White-tailed Black Cockatoo).	The proponent is aware of the EPBC referral process and this is a matter that is separate of the Shire’s consideration of the Scheme Amendment and Development Plan.	Noted.
	5. The lot sizes in 9001 need to reflect the environmental qualities of the site. The lot sizes indicated in Lot 9001 are too small and would require total clearance to comply with the Bush Fires Act, thus the loss of habitat trees and understorey. It is recommended that the lot sizes be similar to the adjoining special rural subdivision or considered as rural retreat (minimum 10Ha lots). This will allow for better protection of the vegetation and compliment the properties in the adjoining subdivision. Alternatively, the Lot 9001 should be completely protected for its biodiversity values, particularly since the POS of lot 2 is not 10% of the lot size.	<p>The large Lot sizes proposed for the development, particularly within Lot 9001, have been designed in a way to retain as much vegetation as possible and to reflect the natural landscape that the site forms part of. The studies performed to date have not identified environmental characteristics that warrant larger lot sizes.</p> <p>A 20 ha Conservation Lot will be created as part of the development that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat.</p>	The Rural Conservation zone promotes cluster type development to avoid fragmentation of remnant vegetation and biodiversity corridors. Required clearing for bush fire protection is to be further assessed subject to a fuel load assessment in the Officer's Recommendation.
	6. The SPP Policy for Bush Fire Protection has not been finalised and adopted and it would be advisable for the Shire Council to wait until those guidelines are adopted as this may require changes to occur in the DA and the fire management plan.	<p>The design of the proposed development addresses vegetation management to meet the requirements of the Shire of Chittering Firebreak Notice and the Australian Standard for the Construction of buildings in bushfire-prone areas AS3959.</p> <p>The design of the road network proposed for the development of Lot 2 and Lot 9001 meets the requirements of both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014).</p>	The Shire will assess the proposal in accordance with the current SPP and take into account the draft SPP relating to bush fire protection and management. All fututure development on this site will be subject to an approved Fire Management Plan which will indicate hazard levels for the landowners to build to. As the amended SPP for Bushfire protection & DFES associated mapping was due to originally be released in May and has now been pushed back to September, without confirmation that the requirements will be anymore onerous to the existing requirements in current state documentation it is considered unreasonanle to hold up this development going through on the basis that a new document may be released in September 2015.
	7. Any vegetation in entry statements and roadside reserves needs to be endemic species. The planting of large trees (eg Eucalyptus rudis) as they will grow very large and Acacia species which seed prolifically and are short lived is not recommended as it will become a maintenance issue for the Shire.	The Landscape Masterplan prepared for the proposed development was included in the updated Development Plan. The entry to Lot 2 from Reserve Road proposes strong formerly planted rows of native wildflowers with specimens transplanted from the site. These rows of flowers can be used by future and surrounding residents for cut specimens or purely for their seasonal striking colour and a reminder of the site’s recent history. Road reserves will be planted with a mixture of local Banksia and Eucalyptus trees as well as shrubs and groundcovers.	Noted. Should the development be supported, it is expected a detailed Landscape Management Plan would be required to be submitted and approved at the subdivision stage.
	8. The road reserves in Lot 2 need to be offset. Narrow road reserve for utilities that can be maintained by mowing and a wider reserve on the opposite side that can be revegetated to create corridors linking the POS and the remnant vegetation and act as a swale.	<p>The proposed within the design are 20 metres in width and are proposed to be sealed. These road reserve widths are consistent with Rosewood Drive, Ghost Gum Drive and Sugar Gum Drive.</p> <p>Reserve Road, along the western boundary to Lot 2, is currently 20m wide. Through the Development Plan, the landowner will be ceding 10m of land from the western boundary, to result in a road reserve width of 30m for Reserve Road.</p> <p>All road reserves will be drained with rural standard open drains and drainage swales designed in accordance with water sensitive design principles.</p>	As the development Plan is proposing Residential R2 lot sizes, this subdivision will be treated as a residential subdivision not a rural subdivision. The requirements for this subdivision would be consistent with the residential standards specified in the IPWEA subdivision guidelines. A Local Water Management Strategy will be required to be formalised prior to the Development Plan being presented to Council for consideration. At the subdivision stage a detailed stormwater design will be required to be submitted along with detailed engineering plans to residential standards.

Submitter	Submission comments	Applicant response comments	Officer comments
	9. Any fencing of lots in Lot 9001 needs to allow for fauna movement (kangaroo gates or 4 line single strand fencing) between the estates and other properties or no fencing allowed on Lot 9001 except around the building envelope.	If fencing is required it is proposed to be to a rural standard, i.e. post and wire, which would permit the movement of fauna.	Noted. It is recommended no fencing be constructed or permitted outside of the building envelope areas to retain fauna movement as much as possible.
	Retention basins and drainage of needs to be done using Water Sensitive Urban Design. Swales and retention basins are to be appropriately vegetated. This was not stated in the previous documents.	The development road easements for both Lots 2 and 9001 are proposed to make the most of the lineal corridor open space by offsetting a non-kerbed rural styled pavement. A one-way cross fall on the road aims to follow the natural fall of the land to an enclosed swale system. These lineal swales will embody Water Sensitive Urban Design (WSUD) principles and act as a rain gardens infiltrating water run-off close to source. The swale is to be planted with endemic plant species between residential crossovers. Residential crossovers will join the swales through a simple culvert and pipe system, to be terminated by another crossover as required.	Noted. A detailed Stormwater Management Plan would be required at the subdivision stage to address, mostly, the road drainage design. The Officer's Recommendation requests a Local Water Management Strategy to be prepared to reference best practice water sensitive design for the Development Plan. In addition to this as specified above, this is a residential subdivision therefore, the likes of curbing roads will be required.
	We recommend that the Shire Council not approve this scheme amendment at this time until the issues stated have been adequately dealt with and accepted by the Shire.	It is considered that the updated Development Plan and associated documentation adequately addresses the queries from the Ellen Brockman Integrated Catchment Group Inc.	Noted. The Shire considers the proposed zones to be acceptable and a better outcome for the site. The Shire acknowledges issues raised should be dealt with prior to the Development Plan being considered.
Public A	As a nearby landowner, my objections to this are:		Objection noted.
	1. The blocks should be the same size as Chittering Rise Estate as the developer is just trying to squeeze as many lots in as they can. These should coincide with roughly the same as in our estate.	Through discussions with Shire Officers and the Department of Planning, there was an expressed desire for development density to be increased given: <ul style="list-style-type: none">its close proximity to Muchea Employment Node and need to deliver living options for workers nearby;the need to deliver a potable water supply scheme capable of supplying the Muchea employment Node and the district in general;the desire to deliver 20ha of land for conservation purposes consistent with the Shire's <i>Local Biodiversity Strategy</i>.	The development is supported with the provision of a reticulated potable water supply. This allows for smaller lot sizes and hence the proposal to rezone to Residential R2. Chittering Rise estate is not serviced with a reticulated water supply and therefore is limited to Rural Residential development, hence the 2ha lot sizes. The Development Plan indicates a variety of lot sizes to help integrate this development with surrounding developments.
	2. There will be no bush left by the time fire management is applied.	The proposed development design and fire management plan allow for the following vegetation to be retained: <ul style="list-style-type: none">Most of the native vegetation is on the large conservation lot. The exceptions are the 3m wide firebreaks along the northern (already cleared) and western boundary of this lot, the 1m which will be added to the fire services access route along the eastern boundary and part of the southern boundary of this lot, and around the proposed building as well as driveway to the building.Clusters of native vegetation which form landscape corridors across the proposed Rural Conservation lots on Lot 9001. These clusters can be up to 2500m² in size, provided that a separation distance a minimum of 20m is maintained between clusters and between houses and clusters.Clusters of vegetation up to 2500m² can be retained on the proposed lots within Lot 2. These clusters can also be up to 2500m² in size, provided that a separation distance a minimum of 20m is maintained between clusters and between houses and clusters.	Extent of clearing for fire protection is noted. The Officer's Recommendation requesting a fuel load assessment should provide the information to make an assessment of the extent of clearing/modification to vegetation. As this is a joint scheme amendment to rezone the sites to residential R2 and Rural Conservation vegetation retention is considered a priority of this development, the Bushfire Management Plan will be guided by the Biodiversity Strategy in relation to appropriate areas for retention & clearing.
	3. There will be more traffic in the area as there is no other access road other than Reserve and Sugar Gum roads. This will be bedlam should we have a fire. There is a need for more in and out of these areas.	Noting the existing approvals allow for 155 new lots into this area, and the fact that this proposal only proposes an additional 89: <ul style="list-style-type: none">The existing subdivision to the east of the proposed development of Lot 2 and Lot 9001 currently only has one access point – Sugar Gum Drive. This does not meet the requirements for access listed in the previous and the current <i>Planning for Bush Fire Protection Guidelines</i> (FESA & WAPC 2001 & Edition 2, FESA & WAPC May 2010). Both guidelines state that two different access routes should be available to the public.The road network in the proposed development on Lot 2 and Lot 9001 will connect the road network in the existing special rural subdivision to Reserve Road. This will provide two access points to Great Northern Highway for residents in the existing special rural subdivision as well as for residents in the proposed development.The design of the road network proposed for the development of Lot 2 and Lot 9001 meets the requirements of both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014.) Notes: <ul style="list-style-type: none">In order to reduce the risk to residents, DFES recommends that residents leave well before a bushfire impacts on an area, rather than during the time a bushfire impacts on an area. Provided that this advice is followed, the relocation of residents can be undertaken in a controlled manner.	The Bushfire Management Plan guided by State Government requirements ultimately determines whether a subdivision is designed appropriately to reduce any possible risk to life. This development, as required by the Bush Fire Guidelines, proposes multiple access options which have been assessed by the Shire of Chittering's Community Emergency Services Manager.


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		<ul style="list-style-type: none">Houses in the proposed development are required to be constructed to comply with the Australian Standard for the Construction of buildings in bushfire-prone areas AS3959. This would allow residents to shelter in their homes during the passage of a wildfire, reducing the need to evacuate the area late, when a bushfire is impacting on the area.	
	4. The Great Northern Highway is already very busy with this many homes to be built it will be adding to the build-up of traffic already. The highway is terrible between Brand and Sugar Gum Drive.	As per the MRWA submission, a study is being undertaken for upgrades to the Great Northern Highway between Muchea and Wubin. The Great Northern Highway is a regional road and will be supplemented by the future Perth-Darwin Highway, which is located to the west of the subject land. The future highway is likely to divert traffic volumes from using Great Northern Highway, and will increase the regional road capacity. It will be important to work with MRWA to ensure access to Great Northern Highway is maintained and safe access is provided at the two locations.	Noted. Access to the highway shall require an approved design through Main Roads WA. The Officer's Recommendation requests a Traffic Impact Statement is to be undertaken prior to the Development Plan being considered.
	5. There will be the need for extra services that are already working to capacity.	<p>Consistent with the existing subdivision approval, infrastructure will be provided as follows:</p> <ul style="list-style-type: none">The applicant proposes to provide a reticulated water supply to the development, the future Muchea Employment Node and surrounding district. On-site effluent disposal systems are proposed for each household. These systems will treat effluent water to meet the Australian Drinking Water Guidelines.Stormwater and drainage will be managed effectively within the Development area with localised infiltration and site storage and recharge into existing aquifers.Preliminary information from Western Power indicates there is sufficient capacity to service the development with underground power.Preliminary information from Telstra indicates there is sufficient capacity to service the development with telecommunication services.Gas supply is not available and is not anticipated to be provided.	Should the need for upgrade to existing services be required it would be at the cost of the developer. This will be determined at the subdivision stage, however, it should be noted that a water supply, underground power upgrade and designation of public open space would be provided if this subdivision is approved.
	6. Our native bush will be destroyed, especially the birdlife and marsupials and any other snakes, lizards etc that live in the area.	<p>A 20 ha Conservation Lot will be created as part of the development that will be covenanted for conservation. This will retain habitat to be utilised by fauna, and will retain a linkage to surrounding habitat.</p> <p>The Rural Conservation Lots will retain as much vegetation as possible, with each lot having a maximum building envelope of 2,000m².</p> <p>It must be noted that clearing for the purposes of bushfire management (including fire service access routes, firebreaks and separation of vegetation from houses) is to achieve a balance between bushfire management requirements and environmental protection. This was considered in the design for the Development Plan.</p>	Noted. The proposed Rural Conservation zone provides a better opportunity to protect vegetation and associated habitat through conservation covenants. The current Rural Residential approval would result in greater impact. Environmental Management Plans would make a condition of subdivision approval.
	7. People will bring in there cats and they do plenty of damage to the birdlife and the small animals. There are feral cats here now and they are known predator to the wildlife.	It is considered that the control of cats issue is more appropriately addressed at the local government level.	Cats are controlled by the Cat Act 2011 and relevant local law.
	8. The Banksia's in this area are a protected species, there are many more wildflowers here surely they should be protected not cleared.	The proponent's consultants, 360 Environmental, undertook a gap analysis to determine if any of the flora species, including the Banksias, identified are now listed as 'Priority' by the Department of Parks and Wildlife or as 'Threatened' under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> . None of the flora species identified are currently considered to be of conservation significance.	Noted Applicant's response. Retention of vegetation for the objective of the Rural Conservation has been considered in the report.
	9. If scheme water is supplied will we in this estate have to pay for it to pass our property? I don't think we should as we had to pay for a large rainwater tank to supply water.	The proposed water supply will be made available to the broader community to access. The cost associated with this work will be largely dependent on the location of the property(s) relative to the infrastructure.	The Applicant is not proposing the reticulated potable water supply beyond this development area at this time and is not part of the Shire's consideration.
	10. This will bring crime to the area and the added bonus of hooligans racing around doing burnouts.	<p>Increasing the residential population of an area isn't necessarily going to result in an increase in crime in the area. In fact, increasing the residential population has the potential to provide increased passive surveillance through the presence of residential population and therefore deter and discourage unsavoury behavior in a locality.</p> <p>For the period January-May 2015 the following Crime Statistics are available from WA Police: Chittering – 3 crimes; Muchea – 2 crimes; Bindoon – 6 crimes.</p> <p>Crime statistics from WA Police for between 1999 and 2015 indicate: Chittering – 93 crimes; Muchea – 282 crimes; Bindoon – 278 crimes. It is noted that Chittering crime statistics are lower than for Muchea and Bindoon.</p>	Comment noted, however, there is no direct correlation between this proposed development and an increase in crime rate.
	11. I don't want to fence my property as I enjoy the lifestyle, natural bushland and Kangaroos, Wallaby's that frequent this beautiful land.	The Development Plan does not propose fencing requirements for neighboring landholdings that are outside of the Development Plan area.	Noted.
	12. What infrastructure is in place for this extra subdivision and future subdivision?	Infrastructure is discussed within Section 6 of the Development Plan Report. The proponent will be responsible for servicing the development.	The Applicant proposes the provision of a reticulated potable water supply as well as other essential services such as phone and power. The development also proposes the provision of Public Open Space with community infrastructure.

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	13. Further more why do we need a satellite town in this area? What future employment is set in place for population of this development?	<p>It is recognised that the Muchea Employment Nodes should be supported by a local workforce. Population growth within the Shire is seen as an important contributory towards ensuring available jobs are taken up by residents. The development provides a close living option for the future Muchea workforce.</p> <p>The Development Plan addresses the relevant aims of the Local Planning Strategy, and approaches the development of the land for a mix of lot sizes that are reflective of the land capabilities as well as the feasibility and viability for the provision of necessary infrastructure such as reticulated water supply.</p>	The proposed development is not considered to be a 'satellite town'. The development is for low density residential subdivision due to availability of reticulated potable water. The Muchea Employment Node is a regional strategic industrial development site which is considered to provide employment opportunities. Furthermore the Shire's proximity to the Perth metropolitan area results in many residents maintaining their work arrangements outside of the Shire.
	I think these blocks are far too small for this subdivision and hopefully the Shire of Chittering will take into account the submissions sent to them from this Estate.	Noted.	Noted. All submissions are noted and considered.
Public B	We wish to register our objection to part 1 of the proposed scheme amendment regarding the rezoning of Lot 2 Reserve Road from Rural Residential to Residential R2.	Noted.	Objection noted.
	Shire of Chittering Town Planning Scheme No 6 Local Planning Policy No 32 Development Plans (herein LPP No 32) 5.6 C) iii) states that where the amendment proposes to increase the number of lots the attitude of existing nearby landowners and residents must be taken into account.	<p>The submitted Development Plan and Report has addressed the requirements of LPP 32, and in particular section 5.6 c) iii). In considering the proposal, the Shire has advertised the proposal to surrounding residents. As part of its consideration, submissions received are interrogated by the Shire to determine if issues are addressed or if further modifications to the proposal are required.</p> <p>It is noted that the applicant is happy to work with the Shire and local community to address issues as they arise. In this regard, modifications addressing issues raised by the Chittering Landcare Group were submitted to the Shire on behalf of the applicant, on 22 May 2015 (within the advertising period).This resulted in modifications to the Development Plan, and a subsequent reduction in Lot yield.</p>	The Shire advertised the proposed Development Plan and rezoning to all residents of Chittering Rise estate by letter. Whilst it is understood there are concerns regarding the intensification of this site, it is considered that this site and surrounding land is capable of sustaining this intensification, in addition the provision of reticulated water is considered to be a positive contribution to the Shire of Chittering which is currently very under serviced.
	The rezoning of this previously approved subdivision to R2 is not in keeping with rural amenity of surrounding subdivisions, nor indeed that of the Shire of Chittering in general.	Noted.	Noted. However, it is considered that this proposed Development Plan is appropriate for the Shire of Chittering and surrounding subdivisions.
	The Shire of Chittering Local Planning Strategy 2001-2015 (herein LPS 2001-2015) clearly states that the first objective of this planning strategy is to 'Retain the lifestyle in the context of the rural character of the shire...' and the Shire of Chittering Town Planning Scheme no. 6 District Zoning Scheme 4.2.6 refers to the objectives of the rural residential zone 'To maintain and enhance the rural character and amenity of the locality'. To allow rezoning of Lot 2 Reserve Road to Residential R2 is against these objectives of all the local planning documents of the last 15 years and is not in keeping with the rural context of the shire. This will have a detrimental effect on the rural amenity of current landowners and residents in adjoining rural properties and rural residential subdivisions.	<p>Through discussions with Shire Officers and the Department of Planning, there was an expressed desire for development density to be increased given:</p> <ul style="list-style-type: none">its close proximity to Muchea Employment Node and need to deliver living options for workers nearbythe need to deliver a potable water supply scheme capable of supplying the Muchea employment Node and the district in generalthe desire to deliver 20ha of land for conservation purposes consistent with the Shire's <i>Local Biodiversity Strategy</i> <p>Noting the existing approvals allow for 155 new lots into this area, and this proposal only proposes an additional 89 lots.</p>	The proposal for Residential R2 development on Lot 2 is not considered to detriment the rural amenity or character of the Shire. Currently Lot 2 is vastly cleared of remnant vegetation and the current approval on Lot 2 is for Rural Residential lots of 1ha. The Shire of Chittering is currently reviewing its existing Local Planning Strategy to ensure it accurately reflects the needs of the Shire of Chittering.
	Access to the currently approved subdivision of Lot 2 Reserve Road and Lot 9001 Rosewood Drive is via Rosewood Drive, Ghostgum Ridge and Sugargum Drives or via Reserve Road. These roads currently provide access to a combined total of 92 properties. The currently approved subdivision providing for 155 new lots will significantly increase the vehicle movements along these roadways. To allow a residential development of R2 scale on Lot 2 Reserve Road will further increase the demands on these roads as they would be providing access for a further 91 properties above the already very large increase. This situation is not acceptable to residents and owners who brought properties in quiet rural and rural residential streets.	Access to the proposed development is taken from Reserve Road, whilst providing road connectivity to the eastern rural residential lots via Rosewood Drive. It is anticipated, however, that Reserve Road would cater for the majority of vehicle trips. As such, traffic through existing rural residential subdivisions will be lessened, with vehicle trips being made via Reserve Road.	The Reserve Road area has been identified for Rural Residential type development in the Local Planning Strategy for some time. It is believed the increase in use of the local roads can be addressed through required upgrades.
	Further to this 5.6 C) v) of LPP No 32 states that the development plan should address the additional motor traffic generated by the increased population and at 5.6 D) ii) 'In considering amendment to a development plan that increases the number of proposed lots the council may: request the applicant to remedy any identified deficiency in relation to road...resulting from the needs of the increased population, prior to approval of the amended Development plan.' Reserve Road is clearly in need of upgrade if this	The Development Plan results in an overall increase of 89 lots in comparison to the current subdivision approvals for Lot 2 Reserve Road and Lot 9001 Rosewood Drive. The current approved Development Plan has been approved by the Shire of Chittering and Western Australian Planning Commission. The modified Development Plan for both lots is for 244 lots, an increase of 89 lots overall. It is considered a further 89 lots would not have a significant impact on the road capacity of Reserve Road.	The Officer's Recommendation requests the Applicant undertake the necessary studies required by Main Roads WA for the purpose of assessing the Development Plan.

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	amendment is to be approved as the first approximate 1km of sealed roadway from Great Northern Highway towards the proposed subdivision has sections in need of repair and the second approximate 1km is gravel road and therefore not suitable for this largely increased volume of traffic.	Reserve Road, along the western boundary to Lot 2, is currently 20m wide. Through the Development Plan, the landowner will be ceding 10m of land from the western boundary, to result in a road reserve width of 30m for Reserve Road. In addition, requirements to upgrade Reserve Road will be negotiated and agreed with the Shire.	
	LPS 2001-2015 already has provision for the creation of a new town site (Future Urban Node) and as referenced in the Shire of Chittering Economic Development Strategy 2015-2025 will provide accommodation and other infrastructure requirements for the increased workforce needs of the Muchea Employment Node. This location on the western side of Great Northern Highway is much better suited to higher density residential development as it will be directly accessed from Great Northern Highway to the east and the planned Perth-Darwin highway to the west, thus not affecting current owners and residents in rural properties and rural residential subdivisions.	Through discussions with Shire Officers and the Department of Planning, there was an expressed desire for development density to be increased in this location, building on the existing community in addition to other locations identified within the Shire.	The Applicant is not proposing to replace the 'Chittering new town'. The proposal to rezone to a higher density has been determined on the basis of the availability of reticulated potable water supply. The result of residential development in close proximity to the 'new town site' would likely result in more demand of such a development. Furthermore the construction of reticulated water supply provides greater opportunities of various developments in the Shire which is currently restricted by lack of available water. As mentioned above the Local Planning Strategy is currently being reviewed as it is due to expire this year.
	LPS 2001-2015 indicates that the development of this new town should be deferred 'until such time as Bindoon achieves a high level of development', yet this development plan seeks to increase the number of lots (246) available in Reserve Road/Rosewood Drive development to within a similar number of lots (291-Local Planning Policy No. 1) as provided by the Bindoon Country Club Estate.	The consideration of modifications to the Development Plan was in context to the townsite of Muchea and the future Muchea Employment Node. There are advantages in providing additional residential population within reasonable commuting distance from the future Muchea Employment Node.	Noted. As mentioned above this proposal is not for 'new town' and is simply seeking approval for a higher density residential development with the provision of reticulated water supply. Additional intensification of land can only occur if services are made available.
	We feel it is not necessary to provide for higher density residential areas above that of a rural residential zoning within the Shire of Chittering, with the exception of the existing Bindoon townsite area or the Future Urban Node.	Noted.	Noted. The proposed rezoning is to be considered by Council.
	The Shire of Chittering should be developed according to local planning policy.	The Development Plan has been prepared having regard to the Shire’s local planning framework.	Noted. All development and decision making is guided by policy in the Shire.
	In reference to part 2, 3 and 4 of the proposed Amendment 55 we have no objections as this is in keeping with local planning strategies and will increase amenity of the Shire of Chittering.	Noted.	Noted.
Public C	We, as residents of Chittering Rise strongly object to this proposed Scheme Amendment and offer the following comments and concerns in support to this objection:		Objection noted.
	1. This proposed amendment and the new estate is completely incompatible with the area and especially Chittering Rise. Chittering Rise consists of approximately 71 sizable bush block lots with a number of caveats on clearance and land use dedicated to the preservation of native fauna and flora. What is proposed and its connection directly to the rear of Chittering Rise is more akin to an urban development in comparison to the Chittering Rise estate. Note Chittering Rise is now zoned Rural Residential because of the size of the properties and will have a GRV rating. These new properties will adversely impact on the GRV values of Chittering Rise properties. What will be the rating of this urban development?	The subdivisional design considers and responds to the physical and environmental sensitivities of the land. Smaller lots are proposed over Lot 2 Reserve Road due to it being cleared of remnant vegetation (former use as a plant nursery). Larger lots are proposed adjacent the existing rural residential lots to the east to provide increased vegetation retention buffers where possible. All dwellings on rural residential lots to the east are generally centrally located within their properties to enhance buffering to the Lot 2 development. The Shire will be responsible for determining rates for the development area. With regards to land values, these are not a material planning consideration. Other factors have a bearing on the land value of a property that cannot be controlled by local government and are outside of the planning system (i.e. regulatory changes to home ownership or development requirements, changes in interest rates, changes in unemployment (or job growth/cuts in the local economy), shifts in the housing market, general demand/supply for housing, etc.).	Lot 2 is predominantly cleared with existing wildflower plantings from the previous business venture. It is not considered increasing density on Lot 2 is incompatible. The development of Lot 9001 is to retain and protect the conservation values of the site and provide a better outcome than currently approved. Your concerns regarding rating are noted, however do not make part of the planning decision process.
	2. This proposed amendment and estate will definitely increase traffic to and through Chittering Rise to the detriment of Chittering Rise's amenity and the safety of the estates children, fauna and environment. At the present Chittering Rise, with about 71 lots, enjoys being a "no throughway" area where only local traffic comes into or goes out of the estate via Sugar Gum Drive to Great Northern Highway. To connect both ends of Rosewood Drive to this new estate with its proposed 246 lots will more than quadruple traffic and all its associated impacts on the amenity, lifestyle and safety of Chittering Rise residents. This connection will result in and will encourage of course through traffic especially with any road works and the upcoming works to Great Northern Highway.	Access to the proposed development is taken from Reserve Road, whilst providing road connectivity to the eastern rural residential lots via Rosewood Drive. It is anticipated, however, that Reserve Road would cater for the majority of vehicle trips. As such, traffic through existing rural residential subdivisions will be lessened, with vehicle trips being made via Reserve Road. Rosewood Drive has always been proposed to be extended under the existing approvals to create 155 lots. This new proposal seeks to increase the lot yield by 89 lots only. Importantly, connections between Rosewood Drive and Reserve Road are considered essential to enhance public safety with respect to fire management requirements and ensure two access and egress points to Great Northern Highway for the area.	The roads of Chittering Rise were designed for future connection with Lot 2 and Lot 9001. The use of the roads would increase as a result of this development being approved and developed, however the interconnectivity of roads would improve for the benefit of residents. As detailed above a Traffic Impact Statement will be required prior to the Development Plan being presented to Council for consideration.

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	3. Further, it will also increase the size of vehicles and the speed of this additional now through traffic to the detriment of Chittering Rise residents including local children. Already we experience excessive speeds of some existing residents and the odd hoon and criminal activity so to compound it with the connection to the additional traffic and through traffic is going to add to this safety issue, increase opportunities for crime and antisocial behaviors.	The issues regarding vehicles exceeding local speed limits and vehicle-related behavior are a police matter. The applicant will consult with the Shire at detailed road design to identify what traffic management techniques can be implemented to address these concerns.	Road infringements are not a consideration of this proposal. The RAV rating for the proposed roads would be the same as Chittering Rise and therefore not result in larger vehicles.
	4. This additional traffic is going to considerably add to the level of noise impacting the amenity at Chittering Rise. As you are aware there are already major issues at Chittering Rise with the sole trucking business still running their trucks along Chittering Rise roads. Also there are existing issues with trail and quad bike riders using the strategic fire breaks and sometimes our roads as their private speedways. This proposed estate will increase the number of truck throughput, trail and quad bike abuse of the Chittering Rise road and firebreak system and their incidents within Chittering Rise.	The issues relating to a local trucking business are not relevant to the proposed Development Plan. The management of unauthorised vehicles on the existing ‘strategic firebreaks’ in the special rural subdivision to the east of Lot 2 and Lot 9001 is beyond the control of the proponent.	It would be expected most traffic would travel via Reserve Road due to most trips predominantly being south of the site. The increase in noise on the road due to higher use is not a consideration due to the substantial road widths and setback to dwellings. The unauthorised use of the strategic fire breaks are a compliance matter and options to improve this issue will be assessed.
	5. The plan does not show any speed mitigation whatsoever. This should and has to be a major requirement.	Traffic management is not typically documented at the Development Plan phase and will be addressed through the detailed design phase of the project. The proposed road network is considered to cater for a 50km/h local speed environment.	The Engineering design drawings are submitted and dealt with at subdivision stage. The application is for proposed rezoning and Development Plan approval.
	6. This new estate while connecting to Reserve Road and then to Great Northern Highway has a number of internal roads proposed in this new estate but with its double connection to Rosewood Drive this bulk of new traffic will be forced to then funnel down to a single road (Sugar Gum Drive) to exit through Chittering Rise to Great Northern Highway. To have an easily accessible connection to Chittering Rise is going to exacerbate all of these issues above and will become a major safety issue especially at the Chittering Rise entry at Sugar Gum Drive and Great Northern Highway. As the Highway is a major traffic and truck route north and south it will only be a matter of time before this increased traffic entering and exiting causes a major accident. Chittering Rise roads and this entry intersection point was not made or designed to be a major thoroughfare or that intersection at the Highway to handle that amount of additional traffic. Note also Chittering Rise has a number of young children and during the morning and afternoon is a school bus route.	Access to the proposed development is taken from Reserve Road, whilst providing road connectivity to the Great Northern Highway (east) via Rosewood Drive. This route to Great Northern Highway is somewhat circuitous and therefore less likely to be utilised over the more direct Reserve Road connection. As such, it is anticipated that Reserve Road would cater for the majority of vehicle trips.	Mentioned previously, the Shire believes that traffic from the proposed development would travel mostly via Reserve Road. Chittering Rise was designed with future connection to adjoining developments. The Traffic Impact Statement, requested in the Officer's Recommendation, is designed to assess and address this concern.
	7. This proposed estate is also going to have a detrimental impact on the local fauna, flora and environment. The sheer addition of (at 3 persons per lot estimate) could increase the population by nearly 1000 with all its associated environmental pressures. Add the through traffic to this equation will mean that the local fauna will be decimated.	The 20ha Conservation Lot and proposed east-west landscape corridors will retain habitat to be utilised by fauna and will retain linkages to surrounding habitat. Revegetation of local native species will also occur within the development, for example within the road reserves, in the lots and in the public open space. It has been determined that services are available, or will be provided by the proponent such as reticulated water supply, and are capable for the proposed development.	The proposed Development Plan aims to retain a 20ha portion of existing vegetation on Lot 9001 and reduce the impact on the site with clustered development. This will assist in the protection of local fauna habitat. Additional environmental management plans would be required at subdivision stage.
	8. As with some of the other estate developments if developed there will be a large number of properties undeveloped for a long time and even more so with the current down turn in the WA economy. This will mean that these roads will become a draw card for hoon activity which you would be very aware is an ongoing issue in and around Chittering and Bullsbrook. There is simply no good reason for this development to occur or proceed as there are already a glut of these type of properties in the Chittering Shire, vacant, on the market and/or undeveloped.	The staging of development will be determined by the proponents and guided by market conditions and demand. Road construction generally will occur as staging of development progresses and lots are sold. The issues regarding vehicles exceeding local speed limits and vehicle-related behavior are a police matter.	Market demand is not a planning consideration. Generally a developer will stage a development based on sale of those lots.
	9. This estate, if developed will of course reduce existing owners' properties values especially for those, like us, in Chittering Rise.	Refer to comments to point 1 of this submission.	Property values are not a planning consideration and are subject to various matters beyond the planning framework.
	10. Lot 9001 is currently native bushland. To partly turn this into these 40 small allotments will effectively mean the clearing of this native bushland. This is against current Shire and State Government environmental native bush clearance policies. The proposed public open space is currently a cleared block and far too small for the number of likely residents.	The proposed Development Plan redesign for Lot 9001 Rosewood Drive results in a reduction in the number of lots from the approved Development Plan, from 45 lots to 35 lots and one 20ha Conservation Lot, which is a significantly improved conservation outcome for the community.	The extent of clearing of the Rural Conservation lots is to be further assessed for consideration of the Development Plan. The rezoning from Rural Residential to Residential R2 requires the provision of Public Open Space in accordance with State Policy.

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		As part of the proposed development a 20 ha Conservation Lot will be created that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat. The large Lot sizes proposed for the development, particularly within Lot 9001, have been designed in a way to retain as much vegetation as possible and to reflect the natural landscape that the site forms part of. Revegetation of local native species will also occur within the development, for example within the road reserves, in the lots and in the public open space.	
	11. It is noted that the proposed estate will allow for in the Conservation Zone for Bed and Breakfast and Home Businesses and in the Residential R2 allow for the establishment of Home Businesses, Accommodation, Cottage Industry and Public Utility again all completely incompatible with Chittering Rise as rural residential/bush blocks. As this sets a precedent for this type of zoning and activities mix there will be pressure on the Shire to allow these activities to be undertaken elsewhere including Chittering Rise. These activities by themselves will also increase the through traffic and non-residential traffic.	The lots within Chittering Rise are zoned ‘Rural Residential’ under the Shire’s Scheme. The land uses referred to (Ancillary Accommodation, Bed and Breakfast, Home Business, Industry – Cottage and Public Utility) are all land uses listed in the Zoning Table as ‘D’ discretionary or ‘A’ discretionary uses subject to advertising, within the ‘Rural Residential’ zone. Landowners in areas zoned ‘Rural Residential’, such as the Chittering Rise area, already have the ability to apply for planning approval for any of these uses with the Shire of Chittering, as such this approach is consistent with the land uses possible within Chittering Rise.	The land uses are controlled by the Shire's Town Planning Scheme and are simply reflected on the proposed Development Plan.
	12. There is no buffer zone between this proposed estate and Chittering Rise. These lots directly abut Chittering Rise and are very small compared to Chittering Rise lots which will encourage negative activities and pursuits off their respective small lots in this estate. If it is to have any Shire support then the developer should allow for a buffer zone and appropriate containment fencing to restrain traffic, and anti-social behavior from impacting Chittering Rise. Also if supported the Shire should insist on speed mitigation infrastructures throughout. NB: This will increase the need for and add to the cost of the Shire's Ranger Services to manage and police this area if developed. It will also be a further drain on the Shire's resource at every level.	There is no requirement to have a buffer between residential land uses. The buffer requirements for the potable water supply system will be contained within that lot, and do not have an impact on nearby landholdings. No other land uses would be proposed within the Development Plan area that would require a buffer. Firebreaks and Fire Service Access Routes are provided where required, in accordance with the Fire Management Plan. Development or use of land may have impacts on the amenity of the area, which is a material planning consideration (pursuant to clause 10.2 of the Scheme). Amenity may be considered in a variety of ways and the planning system aims to maintain or improve the amenity of the locality, from a site specific to a regional extent. Amenity issues include (but not exhaustive): <ul style="list-style-type: none">– Sunlight access into the development and neighboring development;– Overshadowing and loss of outlook (but not loss of views);– Overlooking and loss of privacy;– Noise or disturbance, including from hours of operation different to neighbouring uses;– Odours;– Loss or effect on trees and vegetation, including conservation or biodiversity values. In assessing applications for planning approval, the Shire would have regard to matters of amenity. The Development Plan seeks to address these matters, as far as possible through the placement of building envelopes, vegetation retention areas, road access etc.	Buffers are not required between residential developments. The containments of residential development from one another is not considered practical or reasonable on planning grounds.
	In summary this amendment and proposed estate is incompatible with surrounding properties, will increase traffic to Chittering Rise, increase the size of vehicles and speed of this traffic through Chittering Rise, has numerous safety issues and concerns, will increase noise and antisocial behaviour, likely increase crime, negatively impact the local native fauna and environment, encourage incompatible industry and business activity, will reduce existing property values, is not warranted as there will be little and slow uptake with the State's economic down turn and does not buffer Chittering Rise from these negative impacts. In short these will all negatively impact the amenity and safety of Chittering Rise residents. We therefore strongly recommend the Shire does not support this proposed amendment and development.	Issues mentioned in this summary are addressed in the preceding responses.	Objection and reasons noted.
Public D	We oppose the proposed rezoning of Lot 2 Reserve Road, Chittering from 'Rural Residential' to 'Residential R2'.	Approved Development Plans are in place for both sites. A Development Plan was endorsed for Lot 2 Reserve Road on 17 December 2007. A Development Plan for Lot 9001 was granted by the WAPC in June 2009. These approvals predate the submitter’s purchase date of “5 years ago”.	Objection to rezoning and Development Plan noted. Lot 2 and Lot 9001 are zoned Rural Residential and have existing subdivision approvals. Lot 9001 lot yield has not altered significantly however it is sighted a proposed road reserve would adjoin a strategic firebreak which adjoins Lot 888.

Submitter	Submission comments	Applicant response comments	Officer comments
	<p>We also oppose the Development Plan proposing a total of 246 lots ranging from 5,000m2 with the provision of reticulated potable water supply. Reasons for our opposition are:</p> <p>1. We purchased within Chittering Rise for the rural setting and wildlife. We reside at Lot 888 Rosewood Drive. Surrounded by other 2 hectare or larger properties and strategic fire breaks on one side and to the rear. After contact with the council (verbally) we were told there were no planned subdivisions to either the side, or back of the lot. After purchasing and building our house we found there was a proposed plan in place with 5 lots to be at the side of our property. However, the rears of these lots were to be towards our side fence and would not significantly effect our property. Now, under this proposal we are to have a 2 road frontage and 5 houses facing towards our property. This will destroy the rural setting we purchased merely 5 years ago.</p>	<p>It is not a requirement under the <i>Planning and Development Act 2005</i> that subdivision applications be advertised by the Western Australian Planning Commission or local governments, nor the determinations of subdivisions be made public. However, subdivision approvals currently apply to Lot 2 Reserve Road and Lot 9001 Rosewood Drive. Subdivision approvals for Lot 2 Reserve Road date back to 2007, with the current subdivision approval dated December 2011. The current subdivision approval for Lot 9001 Rosewood Drive is dated from June 2009.</p> <p>It should be noted, with the exception of road interface along the northern boundary of Lot 888, the number of lots and size of the lots interfacing with Lot 888 is generally consistent with the current approvals. Five lots are approved on the subdivision plan along the northern boundary; the Development Plan now proposes four lots. Two lots interfacing on the western boundary are proposed under both the approved subdivision plan (2009) and the proposed Development Plan (2015).</p> <p>It should be noted the Vegetation Retention Areas to the fronts of the properties will also provide a degree of screening between new houses and the existing house on Lot 888. Shared crossovers proposed along the new road along the northern boundary aim to maximise vegetation retention and buffering to Lot 888, and reduce the number of access points.</p>  <p>Above: L: Subdivision Approval excerpt (June 2009); R: proposed Development Plan (May 2015).</p>	
	<p>Our house is located to the side of the property and we will not have any privacy as a result of the second road proposed up the side of our property and 5 houses facing into our property. We have already moved the location of our building envelope to allow for our future plans to build another shed. This location of the road will not allow us to build another shed as planned.</p>	<p>The proposed road will be wholly contained (and subsequently ceded from) Lot 9001 Rosewood Drive. Clearing of the Fire Service Access Route will be undertaken in accordance with the requirements of the Fire Management Plan. The proposals on Lot 2 and 9001 should not impact the owner’s ability to build a shed within Lot 888.</p> <p>An intention of the Development Plan is to retain clusters of vegetation on proposed lots and require shared crossovers to maximise vegetation retention along the lots proposed within Lot 9001, which will contribute towards the screening of new houses within building envelopes.</p>	<p>Noted concern of adjoining road.</p>
	<p>We strongly oppose the location of a new road to the side of our property.</p>	<p>See comments above.</p> <p>In addition, the road location along the northern boundary of Lot 888 has been selected to:</p> <ul style="list-style-type: none">– Minimise further clearing by utilising existing cleared land;– Address fire management concerns raised by the Shire and existing Chittering Rise residence to ensure a second and direct egress point to Reserve Road along the northern boundary of Lot 2.	<p>Noted.</p>

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	2. The increase in traffic will place our children and those walking/running within Chittering Rise Estate at risk. Children currently living within Chittering Rise regularly ride on the roads - in particular along Ghostgum Ridge and Sugar Gum Drive. They correctly ride on the road, however, due to bends on the roads it is difficult to see a child who is not riding right on the edge. Increased traffic will increase the risk significantly of one of our children being seriously hurt. Similarly, those walking and running must do so on the road. There are no established footpaths throughout the area with the road being the only safe place to walk. Increased traffic will increase the risk of injury to those walking or the dogs they may be walking.	<p>The proposed internal roads will incorporate road design measures to the specifications and satisfaction of the Shire. The proposed design includes interconnected road networks with 20m wide road reserves, and roads are proposed to be sealed. Appropriate road reserve widths and sealed roads will be important to maintain a safe street network, as well as to allow for shared use by pedestrians, cyclists and motorists.</p> <p>Through detailed road design, the applicant will work with the Shire to ensure traffic calming is incorporated into the road network, and where appropriate, to limit vehicle speeds.</p>	The informal shared use of the roads is acknowledged. Effective use of pedestrian signage and traffic calming would be required for the road design at the subdivision stage however the Development Plan is assessed in line with Liveable Neighbourhoods which considers these issues. The Traffic Impact Statement required will also determine if the proposed road networks are appropriate for this area.
	3. The roads within the area (including Great Northern Highway) are not sufficient to support the increased traffic of approximately 500 extra cars a day. Entering Great Northern Highway from Reserve Road is currently difficult with limited vision of oncoming traffic. Increasing the vehicles using this intersection will increase the risk of serious accidents. The roads throughout Chittering Rise Estate itself contain many crests and blind corners.	Refer to comments for the MRWA submission, regarding Great Northern Highway and the existing intersection with Reserve Road.	The use, design and upgrade of local roads would be required at the subdivision stage. The intersection of Reserve Road with Great Northern Highway would be subject to Main Roads WA approval which has been requested in the Officer's Recommendation prior to the Development Plan being considered.
	4. A development of this size will clear a large amount of the habitat for the wildlife in this area. Loss of the habitat will put strain on those areas still maintained as native bush including our own lot. Loss of wildlife will not only occur within the areas cleared but also in surrounding areas (such as our property already established within Chittering Rise). We have been careful to maintain the majority of our property as native bush allowing the birds, kangaroos, bobtails, echidnas, snakes etc a safe and undisturbed area together with neighboring properties (including the proposed development site). Allowing 246 lots of a smaller size will inevitably destroy the native habitat to a much greater extent than larger properties (i.e. 2 hectare or greater) as required under the rural residential zoning.	<p>The proposed Development Plan redesign for Lot 9001 Rosewood Drive results in a reduction in the number of lots from the approved Development Plan, from 45 lots to 35 lots and one 20ha Conservation Lot, which is a significantly improved conservation outcome for the community.</p> <p>As part of the proposed development a 20 ha Conservation Lot will be created that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat. The large lot sizes proposed for the development, particularly within Lot 9001, have been designed in a way to retain as much vegetation as possible and to reflect the natural landscape that the site forms part of. Revegetation of local native species will also occur within the development, for example within the road reserves, in the lots and in the public open space.</p>	Noted. The proposed Rural Conservation zone and design of Lot 9001 greatly improves on the retention of existing vegetation from what is currently approved for Rural Residential.
	For example, we regularly have a mob of 10 to 15 kangaroos on our property. A road next to our property and smaller properties will destroy the habitat for these kangaroos as well as place them at risk of being hit.	The applicant can work with the Shire to identify what road design considerations can be incorporated, as appropriate.	The retention of vegetation and habitat of local fauna by design will assist in this issue and reduce fauna fatalities.
	Increased traffic will also place the wildlife at risk. Most residents currently travel at a speed and with alertness sufficient to prevent wildlife and animals being hit. Additional traffic will increase the number of injured wildlife within the area.	The proposed internal roads will incorporate road design measures to the specifications and satisfaction of the Shire. The majority of internal roads will be designed to be generally straight, which will assist in providing sufficient sightlines for motorists to see pedestrians and cyclists, as well as to identify and avoid wildlife.	The Shire acknowledges increase in traffic increases risk of fauna injury/fatalities however the proposed rezoning and Development Plan design provides for retention of vegetation and habitat land to reduce the movement of fauna over roads.
	5. Chittering Rise currently has an issue with dogs roaming the area. 246 additional lots will increase the severity of this issue. I have lost count of the number of times dogs having been roaming the road and our property.	The Shire’s rangers are responsible where appropriate to impound dogs, issue warning and infringement notices on offending dog owners, investigate dog attacks and any other matters under the <i>Dog Act 1976</i> .	The Dog Act 1976 deals with the control of dogs.
	6. Small lots of merely 5,000m ² and a total of 246 lots do not fit within the rural setting of the area.	Through discussions with Shire Officers and the Department of Planning, there was an expressed desire for development density to be increased in this location, building on the existing community in addition to other locations identified within the Shire.	The rezoning of Lot 9001 provides opportunity for greater protection of vegetation, assisting with maintaining the rural setting. Lot 2 is not considered to have environmental assets and the rural character of the property as a wildflower farm is proposed to be maintained as indicated in the Landscape Master Plan. 5000m2 lots are still 10x the size of the average residential lot in other areas
	7. The water supply we rely on includes both rain water tanks and the use of bore water for garden use. Should this water be used and abused by 246 lots new households, this water supply will not be able to be maintained to both the quality and depth it currently is. This needs to be considered and addressed ensuring the current residents are not effected by excessive use of bore water.	The proponent has appropriate Water Licences to extract ground water for the proposed development, in addition to extract ground water for use within the future Muchea Employment Noted and surround area. Groundwater extraction is metered and monitored by the Department of Water.	The bore required to extract groundwater for potable water supply is much deeper than domestic bores. The property has an existing Water Licence to extract an allocation of water.
	In addition to this, we do not wish to be forced to use the reticulated potable water proposed for the development. We are a neighbouring property and do not wish this to be forced upon us. We are currently highly self sufficient within our household and do not wish this to be restricted.	The Development Plan does not propose reticulated water connections to existing dwellings within the Rural Residential subdivision to the east. This water will be available to the existing community but not mandated.	The application does not propose the reticulated water supply beyond the subject area.
	8. Strategic fire breaks are in place for use by emergency vehicles. The fire breaks are currently being misused by many for recreational activities such as riding of quad bikes, motor bikes and even as roads at all hours of the day and	– The management of unauthorised vehicles on the existing ‘strategic firebreaks’ in the special rural subdivision to the east of Lot 2 and Lot 9001 is beyond the control of the prononent.	This is an ongoing compliance matter, however, it is considered that this comment is too subjective to be considered as part of this proposal.

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	night (this is not just locals to the area, but also from out of area). The council has not provided a solution to date for the activities and have not even fixed damaged or removed gates. A development of 246 small lots in a rural setting will increase the abuse of the strategic fire breaks. The dust and the damage to the fire breaks will greatly increase.	<ul style="list-style-type: none">Primary access for fire appliances to the proposed development and within the proposed development of Lot 2 and Lot 9001 is based on the public road network.Three relatively short easements for fire service access routes ('strategic firebreaks') are shown on the draft development plan for Lot 2 and Lot 9001. These fire service access routes are designed to provide access for fire appliances between the proposed new road network and the existing 'strategic firebreaks', which were established for the special rural subdivision to the east of Lot 2 and Lot 9001.The three easements for fire service access routes are located on private properties.Gates will be installed where these fire access routes connect to a road or to the existing 'strategic firebreaks'.Gates can be locked, provided that fire crews have a key to these locks. This is usually achieved by installing locks which can be opened by a common key held by brigades and the Shire of Chittering.This allows owners to control unauthorised vehicles on the three fire service access routes shown on the draft development plan. Note: <ul style="list-style-type: none">The developer could, in partnership with the Shire of Chittering, repair existing gates or install new gates to restrict access on the existing 'strategic firebreaks' in the special rural subdivision along the eastern boundaries of Lot 2 and Lot 9001.	
	Issues that need to be addressed more fully prior to considering any development at this location include:		
	9. Bus stops do not appear to have been incorporated into this plan. The current Chittering Rise bus stop is not adequate for the current residents of Chittering Rise Estate. Too many children currently attempt to board buses between 8:00am and 8:12am making it unsafe. Increasing the students within the area without adequate bus stops will increase the danger of our children.	The applicant can undertake consultation with the Public Transport Authority and Shire of Chittering for the provision of bus stops as part of detailed subdivision design and staging of the development.	Noted.
	10. Buses servicing our local schools are already full. Even with an extra bus put on to take Bullsbrook College children to school, the bus is full. At last contact with the driver of the Bullsbrook bus, there were 62 enrolled students on a 56 seat bus causing younger students to be seated 3 to a seat. In addition, new students are not able to get on the bus. A development of this size will lead to extreme pressure on bus services. Students in Bindoon are already at a disadvantage trying to get on a bus to Bullsbrook College as they are classed as complimentary even though Bullsbrook may be the most appropriate school for them to attend.	The School Bus Services branch of the Public Transport Authority manages orange schools buses around the State. The PTA reviews school bus routes to maximise service delivery and efficiencies. It is understood a review was conducted in Bindoon, Gingin, Lower Chittering, Muchea and Bullsbrook in 2008 and new services commissioned in June 2009 (http://www.pta.wa.gov.au/Portals/0/annualreports/2008/school-bus-services.html). Through consultation with the PTA, the review of services commensurate with the staging of development over Lot 2 Reserve Road and Lot 9001 Rosewood Drive may result in future service reviews.	Residential development demand generally results in increased services for schools etc. Approval of developments are forwarded to state agencies like PTA for their strategic planning.
	11. Consider information provided to residents established within the area as to future development. Placement of a road next to an established house where advice was provided by Council that no developments were planning is unfair and will cause a great loss of privacy. The advise was relied upon for various things including placement of our home and future plans for sheds and gardens.	The applicant is unaware of what advice has been provided by the Shire to the landowner regarding future developments. Note that Development Plans for Lot 2 Reserve Road and Lot 9001 Rosewood Drive were approved in 2007 and 2009 respectively. This modified Development Plan sought to increase the extent of remnant vegetation to be retained within a 20ha Conservation Lot; which has resulted modifications to lot layouts, lot yields and the internal street network to achieve the objectives of the design.	Mentioned in previous comment. Lot 2 and 9001 have been subject to approved Development Plans and subdivision since 2007. The change in design and impact neighbouring properties is noted.
	12. Crime has been of concern within the area with rural items being the most targeted items. How will increased crime be effectively managed with a development of this size?	Crime can be alleviated to some extent by having more people living within an area. With additional real or perceived passive surveillance within a local community, there can be a decrease in opportunistic crime.	There are no 'design out crime' principles in rural areas or low density residential development such as what is proposed. However greater number of residences can be perceived as providing greater passive surveillance which can minimise criminal activity.
	Maintaining a Rural Residential zoning, requiring a minimum of 2 hectare properties and reducing the number of lots would have many advantages for the area including:	The proposed Development Plan redesign for Lot 9001 Rosewood Drive results in a reduction in the number of lots from the approved Development Plan, from 45 lots to 35 lots and one 20ha Conservation Lot, which is a significantly improved conservation outcome for the community. An increased yield has been proposed over Lot 2 Reserve Road where substantial clearing has already occurred due to the previous activities on the site.	The application to rezone to Residential R2 and Rural Conservation from Rural Residential is due to the availability to reticulate a potable water supply and the opportunity under the Scheme to increase the density.
	Maintaining the rural setting of the area.	Additional vegetation is able to be retained on Lot 9001 through the modified Development Plan, which proposes 35 Rural Conservation lots and the creation of a 20 ha Conservation Lot. This is considered to be an improvement on the current approved Development Plan, which was approved for 45 lots and no Conservation Lot.	The proposed Rural Conservation zoning for Lot 9001 is considered to be the appropriate zone in the Scheme for biodiversity value vegetated sites.

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	Reducing the risk to wildlife from harm.	Creation of the 20ha conservation lot in addition to the redesign of Lot 9001 which now proposes east-west landscape corridors whereby vegetation clusters would assist in facilitating the movement of fauna. These landscape corridors have been designed to minimise the number of road crossings.	Same comment as above.
	Protecting a larger portion of the habitat for the wildlife.	A 20 ha Conservation Lot will be created that will be covenanted for conservation. Refer comments to Point 4 above.	Noted. In comparison to the current Rural Residential approval on Lot 9001, the proposed zone and Development Plan provide for greater protection.
	Reducing the traffic and risk to our children enjoying the advantages of living within a rural setting.	Refer previous comments regarding designing an appropriate street network.	Appropriate road speeds would be considered at subdivision stage.
	Reducing the strain on the underground water supply.	The metering and monitoring of groundwater extraction is undertaken by the Applicant and reported to the Department of Water.	Noted. It is the Shire's understanding a Water License for a significant allocation already exists and therefore no additional unplanned strain would be required.
	Reduce the impact of established residents including those residing in Chittering Rise Estate and along Reserve Road.	The modified Development Plan aims to enhance the amenity of the locality and aims to minimise impacts upon the amenity of neighbouring lots. The Development Plan will result in a fire management plan that is consistent with the current requirements. The refinement of the design seeks to increase vegetation retention on Lot 9001. The characteristics and land capability of Lot 2 Reserve Drive can support an increase lot yield.	It is considered the access options to Reserve Road and the conservation zoning of Lot 9001 reduce the impact on Chittering Rise. The establishment of dwellings in the vicinity is identified in the Local Planning Strategy and is consistent with the residential development of the area, albeit a higher density due to availability of reticulated potable water.
Public E	1. Fire Management Plan - Current Fire Management Plan (Bushfires Act 1954) states that all properties which do not exceed 2.0 hectares are not required to have boundary firebreaks but pursue fire hazard minimization. Fire hazard controls would not be attainable for the 27 properties which abound the far western boundary of those persons currently owning property on Rosewood Drive and adjacent.	<ul style="list-style-type: none">– The Shire of Chittering Firebreak Notice for 2014-15 states that on lots which are less than 2 hectares, boundary firebreaks are not required, and that these lots should meet the requirements listed under General Fire Hazard Reduction.– The design of the proposed development addresses vegetation management to meet the requirements of the Shire of Chittering Firebreak Notice and the Australian Standard for the Construction of buildings in bushfire-prone areas AS3959.– The development design requires that a minimum of 20m separation is maintained between buildings and clusters of vegetation and between clusters of vegetation. Furthermore, clusters of vegetation should not exceed 2500m² in size.	The Applicant has proposed connecting strategic firebreaks and roads with Chittering Rise to improve fire access. It is not understood how this impacts adjoining lots. Development of Lot 2 and Lot 9001 would provide better fire management and reduce the risk to Chittering Rise.
	Each property owner on Rosewood drive would be required to maintain their required firebreak clearing with their allotted two or three neighbours on condition that there were no boundary fences installed and that Rosewood Drive property owners had proper and easy exit points from their own property in case of a fire emergency.	Refer comments above and below.	Noted. The proposed lots on Lot 2 adjacent to the western boundary of Chittering Rise are split by a Public Access Way (PAW) which is Crown land managed by the Shire of Chittering for the purposes of emergency access.
	The current fire plan outlines the requirements of the residents of Rosewood Drive but exempts their neighbours. The likelihood of fire hazard build up in the adjoining neighbours' property would increase with the implementation of property fencing and also the reduction of suitable escape paths.	<ul style="list-style-type: none">– Fencing does not change the 'likelihood of fire hazard build up ... on adjoining ... properties'.– The design of the proposed development addresses vegetation management to meet the requirements of the Shire of Chittering Firebreak Notice and the Australian Standard for the Construction of buildings in bushfire-prone areas AS3959.– The development design requires that a minimum of 20m separation is maintained between buildings and clusters of vegetation and between clusters of vegetation. Furthermore, clusters of vegetation should not exceed 2500m² in size.– It is generally not recommended that residents exit the area via firebreaks.	All landowners would require to comply with an applicable Fire Management Plan and Shire Bush Fire Notice. The proposal would be subject to AS 3959 for design of dwellings in bush fire prone areas.
	1.1 Road Safety Management Plan - A Road Safety management plan is critical for the Fire Management Plan issue when reviewing accessible and easy exit points for the proposed residents of the planned housing estate.	<ul style="list-style-type: none">– The existing subdivision to the east of the proposed development of Lot 2 and Lot 9001 currently only has one access point – Sugar Gum Drive. This does not meet the requirements for access listed in the previous and the current <i>Planning for Bush Fire Protection Guidelines</i> (FESA & WAPC 2001 & Edition 2, FESA & WAPC May 2010). Both guidelines state that two different access routes should be available to the public.– The road network in the proposed development on Lot 2 and Lot 9001 will connect the road network in the existing special rural subdivision to Reserve Road. This will provide two access points to Great Northern Highway for residents in the existing special rural subdivision as well as for residents in the proposed development. These two access points are more than 4km apart	The proposed development and BMP meet the Planning for Bush Fire Guidelines in providing multiple exits. Furthermore the development would provide Chittering Rise with a second exit.
	Currently Rosewood Drive has no exit to Great Northern Highway other than the exit point of Sugar Gum Drive. Currently the vehicular strain on Sugar Gum Drive in the event of a fire emergency as of today would require that all occupants of the Chittering Rise estate MUST exit through Sugar Gum Drive. There is currently no other alternative route to get out onto Great Northern Highway in a southerly direction to escape if there was a fire in the locality.	<ul style="list-style-type: none">– The design of the road network proposed for the development of Lot 2 and Lot 9001 meets the requirements of both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014).	As per comment above. Chittering Rise currently only has one exit which is east to Great Northern Highway. The development proposes connection to Reserve Road to the west, in turn improving emergency access/egress.

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	The proposed plan allows for the building of 246 homes which may contain 2 vehicles each. In the event of an emergency , and in its worst case scenario, an exodus of 492 vehicles from that estate, and approximately 152 vehicles from the Chittering Rise Estate attempting to exit on Great Northern Highway from only two exit points:	<ul style="list-style-type: none">– In order to reduce the risk to residents, DFES recommends that residents leave well before a bushfire impacts on an area, rather than during the time a bushfire impacts on an area. Provided that this advice is followed, the relocation of residents can be undertaken in a controlled manner.– Houses in the proposed development are required to be constructed to comply with the Australian Standard for the Construction of buildings in bushfire-prone areas AS3959. This would allow residents to shelter in their houses during the passage of a wildfire, reducing the need to evacuate the area late, when a bushfire is already impacting on the area– Reserve Road will be upgraded as part of the proposed development.	As above. The proposed development complies with the Planning for Bush Fire Guidelines in providing two access/egress points and would result in Chittering Rise complying to this requirement.
	Reserve Road, which is currently a t junction on an obstructed straight (at the bottom of a dipped road) and is also used by the current residents of Reserve Road and its spurred streets.	See comments above.	The TIS required prior to the consideration of the Development Plan will address the suitability of Reserve Road.
	Sugar Gum Drive, which is at the bottom of a steep incline hill and is regularly held up due to the current increase in road traffic on Great Northern Highway.	See comments above.	As comment above.
	This is unacceptable and dangerous.		The TIS will determine if access is not safe and measure required to improve safety.
	1.2 Use of Easements and Maintenance - The proposed plan shows a 6.0 metre reserve which divides the current Chittering Rise properties from the proposed planned subdivision. This marked reserve is CURRENTLY not 6 metres and has been unmanaged for some time. Due to the lack of appropriate gravelling and maintenance on this particular reserve it would be extremely dangerous to utilise this as an acceptable escape route for the proposed development.	<ul style="list-style-type: none">– Fire service access routes are located in the reserves along the eastern boundaries of Lot 2 and Lot 9001.– Fire service access routes are generally not designed to provide an escape route for residents.– The public roads shown on the draft development plan provide adequate access and egress to and from the proposed development.– The proposed road network meets the requirements listed in the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the draft <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014). <p>Notes:</p> <ul style="list-style-type: none">– It is acknowledged that parts of the existing fire service access route (‘strategic firebreak’) located in the 6m wide reserve along the eastern boundary of Lot 2 are not adequately maintained. This is outside the control of the proponent.– The developer could, in partnership with the Shire of Chittering, upgrade the existing fire service access route located in the 6m wide reserve located along the eastern boundary of Lot 2.	The proposed Emergency Access Ways comply with the Planning for Bush Fire Guidelines.
	Access to these easements shows a proposal that they be followed through to the new estate in three main access areas directly from Rosewood Drive properties and the far northern end Ghost Gum Ridge properties. This allows a fire easement for only five of the 246 proposed properties. This further reduces the capacity for firefighting to be carried out safely and within the fire regulation guidelines. Maintenance of the proposed extension of the easement would also rely on the lack of fencing and privacy measures by the proposed purchasers of the land.	<ul style="list-style-type: none">– The proposed development was designed to minimise the need for fire access routes. Instead, primary access for fire appliances to the proposed development and within the proposed development of Lot 2 and Lot 9001 is based on the public road network. This provides a better outcome.– Three relatively short easements for fire service access routes (‘strategic firebreaks’) are shown on the draft development plan for Lot 2 and Lot 9001. These fire service access routes are designed to provide access for fire appliances between the proposed new road network and the existing fire service access routes (‘strategic firebreaks’), which are located in a reserve along the eastern boundaries of Lot 2 and Lot 9001 and on easements on two properties located on Rosewood Drive.– The above approach meets the requirements of the Shire of Chittering Firebreak Notice, the Shire of Chittering Local Planning Policy No 21, as well as the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the draft <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014).– Fencing does not impact on the ‘maintenance of the proposed extension of the easement[s]’.– ‘Privacy measures’ will also not impact on the easements, as gates will be installed where the fire access routes connect to a road or to the existing fire service access routes (‘strategic firebreaks’) located in the reserve.– These gates can be locked, provided that fire crews have a key to these locks. This is usually achieved by installing locks which can be opened by a common key held by brigades and the Shire of Chittering. This allows owners to control unauthorised vehicles on the three fire service access routes shown on the draft development plan. <p>Note:</p>	The proposed road network allows for multiple access options in addition to the proposed Emergency Access Ways which are proposed to integrate with Chittering Rise. Emergency Access Ways should only be used for emergency access and therefore privacy is not an issue.

Submitter	Submission comments	Applicant response comments	Officer comments
		<div>– Each property owner within the proposed development along the eastern boundary of Lot 2 and along the extension of Rosewood Drive will be required to maintain a 10m wide area of low fuel around the perimeter of the property. This low fuel area will generally be a grassed area. During the ‘bushfire season’ grass must be maintained low by slashing. This approach minimises erosion in the light sandy soils, which in turn improves access for fire appliances to the rear of properties.</div>	
	All Easements and access routes currently listed in the proposed plan impinge on the properties of Rosewood Drive and Ghost Gum Ridge. The current easements are the responsibility of the owners whose property they fall on.	<div>– The three easements for the fire service access routes shown on Lot 2 and Lot 9001 do not impinge on the properties on Rosewood Drive and Ghost Gum Ridge.</div> <div>– These easements are on private properties located within Lot 2 and Lot 9001. Owners of these three properties will be responsible for the maintenance of these fire service access routes.</div> <div>– These fire service access routes provide access for fire appliances between the proposed new road network and the existing fire service access routes (‘strategic firebreaks’), along the eastern boundaries of Lot 2 and Lot 9001.</div>	The easements and access routes don’t impinge on residents of Chittering Rise. The fire access routes connect with existing to provide through connection and improve emergency access for all landowners.
	1.3 Fire Hydrants and Firefighting Systems - The proposed plan to build 246 dwellings shows no access point for fire hydrants or firefighting systems. In the event that the water supply fails in this subdivision, there is no accessibility of any other water supply other than that currently required to be held by the owners/residents of the Chittering Rise Estate. The natural environment of the area is considered a high fire risk area due to the natural vegetation. Medium density housing in this particular area and environment is a high fire risk.	<div>– It is proposed to install below-ground fire hydrants along roads within the proposed development.</div> <div>– Fire appliances can access these fire hydrants via the road network and no special access points are required.</div> <div>– The water supply infrastructure will include a back-up system to ensure that water will be available during a power failure.</div> <div>Notes:</div> <div>– In areas where water is supplied via Water Corporation’s water mains, it is generally recommended that homeowners in bushfire-prone areas maintain a back-up water supply in case of low water pressure or when the mains water supply fails. The same advice applies to residents in the proposed development.</div> <div>– The feasibility of including access for fire appliances at the water supply infrastructure in the south-western corner of Lot 2 will be explored. Further information on this will become available as the design for the water supply infrastructure is developed further.</div>	Developments with reticulate water require hydrants in accordance with Water Corporation standards which complies with the Planning for Bush Fire Guidelines. The Shire would request landowners maintain water tanks for fire emergency purposes and this will be a recommendation in the Development Plan and BMP.
	2. Environmental Impact - As per the current Shire of Chittering website details the scope for Rural residential subdivisions will have a Development Plan which indicates specific environmental conditions pertaining to each specific subdivision. Generally, the following requirements must be adhered to within Rural Residential zoned land: Maximum clearing area on each site is 2,000m².	Indicative Building envelopes are shown for each lot on the Development Plan, which are limited in size to 2,000m². This is consistent with the Shire’s requirements.	The Town Planning Scheme limits clearing for building purposes to a maximum 2000sq m, with fire protection etc. falling outside of this limit. Any limit to this would be superseded by the Town Planning Scheme requirements.
	Maintenance of land, watercourses and natural drainage lines is the responsibility of property owners.	The subject land does not have any watercourses or drainage lines. Stormwater drainage will be managed within the Development Plan area.	Noted.
	Development(s) to be undertaken in a manner which minimises the impact on the natural environment.	As part of the proposed development a 20 ha Conservation Lot will be created that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat. The large lot sizes proposed for the development, particularly within Lot 9001, have been designed in a way to retain as much vegetation as possible and to reflect the natural landscape that the site forms part of. Revegetation of local native species will also occur within the development within the road reserves, in the Lots and in the public open space.	Noted. The Rural Conservation zone and Development Plan design improves minimising the impact on the natural environment.
	Stocking of Rural Residential properties requires Planning Approval in accordance with Council Policy.	The proposed Development Plan does not permit keeping of livestock.	Noted. The proposed Development Plan does not permit the stocking of grazing animals.
	Appropriate Effluent Disposal Systems will need to be installed subject to approval from Council’s Environmental Health Officer.	The proposed Development Plan requires the provision of Aerobic Treatment Units (ATUs) with nutrient retention capability for the disposal of waste.	Noted.
	These controls are currently being adhered to by the residents of the Chittering Rise Estate as their properties are listed as Rural Residential. The residents also enjoy an enormous range of native flora and fauna and have specific instructions outlining the maintenance of that ecosystem to protect the current environment and its biodiversity. Cats and Dogs are to be tagged and controlled. No horses or cloven hooved animals are permitted, chickens are not permitted.	The future residents of the Development Plan area will be subject to the requirements of the Development Plan, the Shire’s Local Planning Scheme, the Shire’s local laws and other applicable legislation.	The requirements imposed on Chittering Rise is consistent with the Town Planning Scheme. The proposed development of Lot 9001 would be subject to greater controls due to the Rural Conservation objectives and restrictions. Keeping of cats and dogs are controlled by the relevant Acts and Regulations. The keeping of livestock is proposed not to be permitted on the Development Plan due to conservation values and small lot sizes.
	The current proposal listed as residential has no such restrictions. The capacity for animals to be released into the current environment is high. The proposed subdivision would have a vastly negative impact on the environment currently enjoyed and maintained by the residents of the Chittering Rise Estate and its surrounding neighbours	Notation 16 on the Development Plan prevents keeping of livestock.	Included in comment above. The Development Plan sets out a number of provisions which control the use and development of the subject lots. The control of cats and dogs is managed under the relevant Acts and local laws.

Submitter	Submission comments	Applicant response comments	Officer comments
	Accessibility of the bushland by kangaroos, ring tailed wallabies, black cockatoos, blue and red wrens, blue tongue lizards, race horse lizards, geckos, frogs and an abundance of insect varieties critical to the maintenance of the current and future ecosystem of the area would be destroyed.	As part of the redesign of the Development Plan, the design includes a 20ha Conservation Lot and east-west landscape corridors through Lot 9001. This is considered to be an improvement on the current subdivision approval.	The Shire acknowledges the impact on the remnant vegetation and habitat however the current proposal greatly reduces this impact from the existing approval of Rural Residential subdivision.
	Creating a subdivision that contains the current proposed 246 lots significantly reduces the native habitat of these animals and their capacity to sustain themselves. Foraging land is reduced, natural breeding environments are reduced and whole miniature ecosystems which are currently critical for the survival of the ecosystem in the Chittering Rise Estate and surrounding areas will be lost.	As part of the proposed development a 20 ha Conservation Lot will be created that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat. The large lot sizes proposed for the development, particularly within Lot 9001, have been designed in a way to retain as much vegetation as possible and to reflect the natural landscape that the site forms part of. Revegetation of local native species will also occur within the development within the road reserves, in the Lots and in the public open space.	As per comment above. In relation to the Public Open Space, this 2.7 hectare site is proposed for community uses and not for conservation or rehabilitation purposes. The proposed POS is not 10% however the development of the POS with community infrastructure by the developer meets the requirements of DC 2.3 and principles of POS in residential areas. Furthermore the POS is consistent with Liveable Neighbourhoods.
	There is no attempt at minimization of harm or consideration of the current environment. An allotment of 2.7423 ha in the centre of a suburban subdivision is inadequate to sustain these animals and their natural environment as it is listed as a public space.		
	A further allotment of 36 houses under rural conservation in the far northern corner of the development effectively pushes the native flora and fauna into a corner and closes off their natural living areas.	As part of the redesign of the Development Plan over Lot 9001 Rosewood Drive, the yield has been reduced from 45 lots (and no Conservation lot) to 35 lots (and one 20ha Conservation Lot). It is noted that Lot 2 Reserve Road is cleared of remnant vegetation (previous use as a plant nursery).	Noted. The proposed Rural Conservation zone is considered to provide a better and appropriate design outcome for Lot 9001 in comparison to the existing Rural Residential subdivision approved on the site. Furthermore the compliance of the biodiversity targets can be met with the proposed development.
	Natural watercourses would be diverted and the water table significantly interrupted and effected by the huge volumes of water required to sustain a subdivision with a high volume of housing planned. There is no notation of where rainwater run- off will be diverted to in the event of flooding on the roads.	The subject land does not contain any watercourses. The Development Plan report elaborates that stormwater drainage will be managed within the Development Plan area. Notation 10 of the Development Plan states that the maintenance of drainage swales on private property is the responsibility of the owner/occupier of the respective lot.	There are no known watercourses over the subject site. A stormwater management plan would be required for subdivision to address these issues and the Shire has requested a Local Water Management Strategy be undertaken prior to the Development Plan being considered to ensure these issues have been noted and addressed accordingly.
	2.1 Waste Disposal Impact - Due to the high volume of housing proposed the increased waste disposal requirements would also increase. Current use of the Muchea and Bindoon tip sites are increasing with the influx of new owners in rural residential properties which exceed 2.0 hectares. Such a high volume of housing and subsequent waste would overload current disposal sites and increase the capacity for fly tipping and illegal dumping onto private property to occur.	The Shire’s landfill and recycling facilities will be utilised by residents for waste management. The Shire issues tip passes with the Shire rates notices. The Shire’s rangers can issue fines to littering offenders under the Litter Act.	The additional lots would be serviced by the Shire's rubbish collection program and access to the Shire's landfill facility provided as is currently done. Illegal dumping would be a compliance matter. It is considered road design is appropriate to allow for truck maneuverability.
	A further increase of 246 houses in one contained area creates a further strain on the tip sites, increases the chances of fly tipping and the volume of waste would be unsustainable for the shires current tip capacities.		
	3. Neighbourhood cohesion - The proposed plan is based on medium density housing in a metropolitan suburb of a city. The current estates positioned around the proposed plan are generally rural residential properties comprising of land parcels approximately 2.0 hectares an above to ensure that the estates retain a rural outlook	The R2 is a ‘low density’ code according to the Residential Design Codes. The Rural Conservation lot sizes range from 0.8871 to 1.1952ha in area, which are close to the minimum lot size of 1 ha for Rural Residential lots under the Shire’s Scheme.	The minimum lot size for Residential R2 is 5,000sq m; labelled as the lowest density in the Residential Design Codes. Medium density subdivisions range in lot size from approximately 800m2-260m2. The Applicant has provided a Landscape Master Plan with an objective to improve the landscape of Lot 2 with road verge planting and development of the POS.
	The lack of design of larger blocks to accommodate that rural outlook and subsequent parcelling of land into half acre blocks to maximise development directly impacts on the neighbourhood of the adjoining estates.		
	The opportunity to have a parcel of land in a rural setting will be directly impacted by the building of three to five houses directly behind the owners of any person on Rosewood Drive. With the inclusion of vast lines of fencing will be offensive and a fire risk to anyone who owns property on Rosewood Drive and the broader Chittering Rise Estate owners/residents.	<div><div>– The three easements for the fire service access routes shown on Lot 2 and Lot 9001 do not impinge on the properties on Rosewood Drive and Ghost Gum Ridge.</div><div>– Fencing does not create ‘a fire risk’.</div></div>	The Landscape Plan can assist in enhancing the rural character of Lot 2 which would reduce the bulk of dwelling structures. In addition to this the Development Plan can designate exclusion zones for building for relevant reasons.
	The alternative of no fencing does not encourage a safe neighbourhood environment where at any time the current owners of Rosewood Drive and further into Chittering Rise face the possibility of trespassers and noise pollution/light pollution being a regular occurrence.	<div><div>– Fencing, if required, is proposed to be to a rural standard, (i.e. post and wire). This type of fencing does not influence noise or light emissions between landholdings.</div><div>– The three easements for the fire service access routes shown on Lot 2 and Lot 9001 do not impinge on the properties on Rosewood Drive and Ghost Gum Ridge.</div><div>– These easements are on private properties located within Lot 2 and Lot 9001. Owners of these properties will be responsible for the maintenance of these fire service access routes.</div></div>	Trespassing is a police matter and not a planning consideration.
	Any suburban lighting would detract from the natural environment currently required to be maintained by the Surrounding estates.	– Street lighting, if required, would be provided to the specifications and satisfaction of the Shire of Chittering and can be determined at detailed design.	Concern noted. Street lighting will be required for safety purposes.

Submitter	Submission comments	Applicant response comments	Officer comments
	The capacity for the encroachment of neighbours on each other is high due to the density of the plan proposed.	<ul style="list-style-type: none">– The use of building envelopes will ensure that development on each lot is contained.	Development of lots would meet the requirement of the Town Planning Scheme, approved Development Plan, Local Planning Policies and Residential Design Codes. The Residential R2 coding is considered low density.
	There is no neighbourhood cohesion or any respect considered for the current land owners and their rights to enjoy their property as originally prescribed, as a rural residential area.	The Development Plan will not impact the current landowners’ ability to enjoy their own properties. The inclusion of public open space aims to provide amenity and can act as a social hub for the proposed Development. The design of the public open space and the infrastructure included within the open space will be agreed in consultation with the Shire and will look to serve the local community, including Chittering Rise residents.	The proposed Development Plan includes road and fire emergency linkages. The development would not impact on landowners in Chittering Rise using their land for their own enjoyment.
	4. Police, Ambulance and Doctors Services - With the current ONLY Police Service being Gingin Police Station servicing this area, as well as Volunteer Fire Fighting and Ambulance Services working hard to protect and serve our current residents of the area, it would create an enormous strain on these services.	<ul style="list-style-type: none">– The capacity of emergency services is a State government issue and not a material planning consideration.– The public roads shown on the draft development plan provide adequate access and egress to and from the proposed development.– The proposed road network meets the requirements listed in the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the draft <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014).	Provision and funding of emergency services is considered a State government matter. The Shire of Chittering is a peri urban Shire, which due to its location is receiving enormous growth pressure, properly and orderly planning through the requirement of development plans actually allow the State Government time to appropriately plan for increase in population numbers.
	5. Employment - The lack of employment in the local area suggests that the proposed planned housing would benefit only those who were employed in areas outside the shire. This creates a strain on the current road systems, which are now heaving with residents who are already leaving the shire on a daily basis to work in metropolitan areas. The huge volume of residents in the proposed plan would significantly increase the road traffic and in no way shows any other form of income or new business to the shire other than rates.	<ul style="list-style-type: none">– A limited range of land uses are available within the Residential R2 and Rural Conservation zones, which can provide for small-scale home-based employment opportunities. Telecommunications services can enable for internet-based business to be undertaken from any location.– The Shire recognises the need for additional residential population due to the establishment of the Muchea Employment Node immediately south of the subject site, which is currently remote from a workforce population.	Most residents in the residential developments in the southern half of the Shire commute to work in the metropolitan area due to close proximity. This is a common demand for residents who wish to live in a rural area but be within close driving distance to suburban facilities. The Shire cannot control this personal choice but increase in residential development would likely create demand for local employment opportunities. Intensification around the Muchea Employment Node will allow for a wider range of property options for residents wanting to move closer to areas of employment, it is considered this proposal supports this.
	6. School Bus Access and transportation issues - Current School bus services are insufficient in the Chittering Rise Estate with approximately known families unable to access the bus service system. A proposed plan of this size, with the known number of homes being calculated at 246 would require a dedicated bus service. There is no proposal for a bus service on the plan. There is no proposed dedicated child bus stop. Access to this proposed subdivision would create increased traffic in areas currently enjoyed by local traffic only.	See previous comments regarding school bus services.	Addressed earlier in Schedule.
	There is currently no public transport system available to any person in the Chittering Rise estate or in fact, any other outlying estate in the Shire of Chittering area.	Noted. The provision of a public transport system is a State government issue.	Noted. The Shire in general has very limited public transport available. Residential development provides greater demand for the possibility of implementing these services in the future.
	Although there is scope for a proposal for a new development, my concern is the size of the blocks.	Noted.	Noted.
	If the block sizes were of similar or larger size to those blocks in surrounding estates and followed the same basic protocols currently required to be followed by surrounding estates, it would be more appropriate.	Noted.	Noted. The surrounding estates are zoned Rural Residential and require a larger minimum lot size of 2 hectares than in the Residential R2 and Rural Conservation zones. Lot 2 is largely cleared from remnant vegetation and therefore smaller lots would not have an environmental impact.
	The strain on our current services in our shire, as well as the escalating traffic on Great Northern Highway only puts more pressure on the current owners/residents.	<ul style="list-style-type: none">– The applicant proposes to provide a reticulated water supply to the development, the future Muchea Employment Node and will also be available to the surrounding community. The development helps to support the landowner’s ability to provide a reticulated water supply.– On-site effluent disposal systems are proposed for each household. These systems will treat effluent water to meet the Australian Drinking Water Guidelines.– Stormwater and drainage will be managed effectively within the Development area with localised infiltration and site storage and recharge into existing aquifers.– Preliminary information from Western Power indicates there is sufficient capacity to service the development with underground power.– Preliminary information from Telstra indicates there is sufficient capacity to service the development with telecommunication services.– Gas supply is not available and is not anticipated to be provided.	Noted. The proposed development would result in an increase of services provided including an additional access option to Reserve Road, upgrades to road infrastructure, power, telecommunication etc.
	An estate comprising of a further 246 houses in the middle of a rural residential area is not acceptable and not viable.	Noted.	The viability of a proposal is not a planning consideration.
Public F	We reside at 258 Rosewood Drive, Chittering (Lot 896) and strongly oppose the above proposal.		Noted.
	Traffic:		

Submitter	Submission comments	Applicant response comments	Officer comments
	Sugar Gum Drive, Ghost Gum Ridge and Rosewood Drive would become the main access roads for the proposed 246 lots. Currently these unlit roads only service the local residents and are in a poor condition with barely any maintenance being undertaken by the Shire of Chittering.	<ul style="list-style-type: none">– Reserve Road, along the western boundary to Lot 2, is currently 20m wide. Through the Development Plan, the applicant will be ceding 10m of land from the western boundary, to result in a road reserve width of 30m for Reserve Road.– The applicant will consult with the Shire and MRWA regarding upgrade requirements for Reserve Road and the intersection to Great Northern Highway.– The road network in the proposed development on Lot 2 and Lot 9001 will connect the road network in the existing special rural subdivision to Reserve Road. This will provide two access points to Great Northern Hwy for residents in the existing special rural subdivision as well as for residents in the proposed development.– The design of the road network proposed for the development of Lot 2 and Lot 9001 meets the requirements of both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP. Draft Mav 2014).– Access to the proposed development is taken from Reserve Road, whilst providing road connectivity to Great Northern Highway to the east via Rosewood Drive. This route to Great Northern highways is somewhat circuitous and therefore less likely to be utilised over the more direct Reserve Road connection. It is anticipated, however, that Reserve Road would cater for the majority of vehicle trips.	It is considered Reserve Road would be utilised more than roads within Chittering Rise estate to access Great Northern Highway. Lot 2 abuts Reserve Road and the access to the highway, as well as majority of traffic heading south, makes Reserve Road a more suitable route.
	The community of Chittering Rise are pedestrians on these roads – many can be seen going for a daily walk, regularly taking their dogs for a walk, children riding to the bus stop etc - bear in mind these roads generally have vegetation up to the edge of the road with street lighting, no kerbs or footpaths so visibility can at times be affected. The increase in traffic could impact on the safety of all residents	The proposed internal roads will incorporate road design measures to the specifications and satisfaction of the Shire. The majority of internal roads are designed to be predominately straight, which will assist in providing sufficient sightlines for motorists to see pedestrians and cyclists, as well as to identify and avoid wildlife.	Noted. It should be noted that footpaths will be required to be developed as part of this proposal in accordance with livable neighbourhoods requirements. The remainder of the Shire has a Footpath Plan?? Which details areas which require footpaths & when they will be implemented.
	Emergency Evacuation Points – in the event of a bushfire emergency the only exit points would be Rosewood Drive or Reserve Road which is currently an unsealed road. Evacuation of another 246 households through one sealed exit could prove to be hazardous.	<ul style="list-style-type: none">– The existing special rural subdivision to the east of the proposed development of Lot 2 and Lot 9001 currently only has one access point – Sugar Gum Drive. This does not meet the requirements for access listed in the previous and the current <i>Planning for Bush Fire Protection Guidelines</i> (FESA & WAPC 2001 & Edition 2, FESA & WAPC May 2010). Both guidelines state that two different access routes should be available to the public– The road network in the proposed development on Lot 2 and Lot 9001 will connect the road network in the existing special rural subdivision to Reserve Road. This will provide two access points to Great Northern Highway for residents in the existing special rural subdivision as well as for residents in the proposed development.– The design of the road network proposed for the development of Lot 2 and Lot 9001 meets the requirements of both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP. Draft Mav 2014.) Notes: <ul style="list-style-type: none">– In order to reduce the risk to residents, DFES recommends that residents leave well before a bushfire impacts on an area, rather than during the time a bushfire impacts on an area. Provided that this advice is followed, the relocation of residents can be undertaken in a controlled manner.– Houses in the proposed development are required to be constructed to comply with the Australian Standard for the Construction of buildings in bushfire-prone areas AS3959. This would allow residents to shelter in their houses during the passage of a wildfire, reducing the need to evacuate the area late, when a bushfire is already impacting on the area– Reserve Road will be upgraded as part of the proposed development.	The proposal would require the upgrade of Reserve Road and would result in an additional emergency route for the subject development and Chittering Rise residents.
	Lot sizes and Property Values:		
	The proposed lot sizes are significantly smaller than the existing development. In general terms people looking at moving to a semi rural location are seeking lots of a similar size to the existing Chittering Rise development.	The variety of lot sizes proposed within the Development Plan has been informed by various sources and has regard to ensuring provision of a variety of lot sizes to complement the existing product available in and around the area, and also gives consideration to future demand and changes in lifestyle trends along with affordability. Consideration will be given to the construction and staged release of land within the development having regard to a variety of factors including those expressed within these submissions.	The market demand is not a planning consideration however it is considered the smaller lots with reticulated water supply provide for property not currently available in the Shire. Further to this the proposed zone permits the smaller lot sizes.

Submitter	Submission comments	Applicant response comments	Officer comments
	There is a similar development in Muchea that has numerous lots that have not been purchased and other developments in Bullsbrook & Bindoon. A local Bullsbrook real estate agent we have spoken to has expressed concern at the number of small lot developments in and around this area and the relatively small uptake of these lots. This leads to Lot prices decreasing which would ultimately affect our property value.	With regards to land values, these are not a material planning consideration. Other factors have a bearing on the land value of a property that cannot be controlled by local government and are outside of the planning system (i.e. regulatory changes to home ownership or development requirements, changes in interest rates, changes in unemployment (or job growth/cuts in the local economy), shifts in the housing market, general demand/supply for housing, etc.).	Property value and purchase of lots is not a planning consideration. The Applicant has advised market driven staging would occur to ensure take up of lots.
	The current Chittering Rise development has many undeveloped lots currently for sale that have been on the market for significant periods of time. The lots either side of us have been up for sale for at least 2 years – if these haven’t sold who is going to want to buy 246 smaller lots squeezed into a new development?	The success of land sales is not a material planning consideration. Refer also comments provided above, regarding variety of lot sizes, affordability and staged land releases.	As per comment above. The Applicant has advised appropriate staging of development would alleviate unsold lots.
	Services and Facilities:		
	If this development goes ahead there would only be 1 x Public Open Space area in the whole of Chittering Rise. We also currently have the Chittering Rise Rest Area which consists of an unmaintained unsealed road leading to an open area that has become a refuse dumping ground.	Earlier Development Plan concepts proposed the creation of the 20ha conservation lot for public open space; however this was not supported by the Shire. The area of public open space is proposed centrally within the development to optimise its proximity to surrounding ‘Residential R2’ lots. Given the vegetation to be retained on sites, and the variety of larger lot sizes, it is considered that this public open space will supplement the amenity enjoyed by residents. The public open space is proposed to be reticulated and partly landscaped, in consultation with the Shire, for the enjoyment of the local community.	The Applicant proposes to develop the POS and will provide community facilities currently not available. The proposed POS is compliant with DC 2.3 and Liveable Nighbourhoods.
	We have constantly had issues with Telstra regarding internet access and internet speed since we moved here over 5 years ago. There is 1 Telstra Junction Box located on Sugar Gum Drive - we have logged a number of complaints regarding internet problems only to receive the response that Telstra will not do any form of upgrade due to the eventual roll out of the NBN. What will happen if there is 246 new households trying to access this already overloaded exchange?	Preliminary information from Telstra indicates there is sufficient capacity to service the development with telecommunication services.	Noted Applicant's response.
	Local Wildlife and Habitat:		
	A development such as the one proposed could be devastating to the abundant wildlife that co-exists in our local area. Much of their local habitat will be destroyed and animals such as Kangaroos will become “boxed in” between Reserve Road and Great Northern Highway. This will be a danger to the animals as well as the traffic.	<p>Clearing would be undertaken in a way that will allow fauna to move towards surrounding habitat to the west and north-west.</p> <p>As part of the proposed development a 20 ha Conservation Lot will be created that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat. The large Lot sizes proposed for the development, particularly within Lot 9001, have been designed in a way to retain as much vegetation as possible and to reflect the natural landscape that the site forms part of. Revegetation of local native species will also occur within the development, for example within the road reserves, in lots and in the public open space.</p>	The proposed Rural Conservation zone for Lot 9001 is considered appropriate to respond to the biodiversity and conservation values. The current Rural Residential approval on Lot 9001 would result in greater impact.
	We have Tawny Frogmouth Owls that live in the trees on our property. Regularly we see a pair that nest and return with their chicks and take up residence until the young leave the nest when the cycle begins again.	Noted. Tawny Frogmouths are found throughout Australia. They are not listed as a ‘Priority’ species by the Department of Parks and Wildlife or as a ‘Threatened’ species under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> . Therefore the clearing of habitat for the proposed development is unlikely to impact on this species survival.	Noted Applicant's repsonse as per the Flora and Fauna study.
	There is a number of bobtail goannas that walk across our driveway and through the gardens, have a drink and make their way back to the bush and come back the next day. We see them so regularly in the summer that we recognise them from their size and markings.	Noted. Bobtail goannas are not listed as a ‘Priority’ species by the Department of Parks and Wildlife or as a ‘Threatened’ species under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> . Therefore the clearing of habitat for the proposed development is unlikely to impact on this species survival. The bobtail goannas will be able to utilise the habitat retained in individual lots as well as within the Conservation Lot.	It is acknowledged the vegetation on Lot 9001 is habitat to a number of wildlife.
	Black Carnaby Cockatoos and Red Tail Cockatoos fly over shrieking to each other and land in the Banksia trees that run through our property. We don’t approach them but they happily sit and have a look around as they feed on the foliage.	Noted. Further work has determined that based on the habitat availability and known records of Threatened fauna species, the development area is only likely to contain suitable habitat for one Threatened fauna species, the Carnaby’s Black Cockatoo. At the time of writing the Black Cockatoo Habitat Assessment was in the process of being finalised. The impacts to these species will be assessed through the EPBC referral process. This information has been provided to the Shire.	Noted. The Shire recommends an Environmental Management Plan be prepared to ensure habitat for Carnaby’s Black Cockatoo is protected. Further to this the Rural Conservation zone protects vegetation and clearing is limited through conservation covenants. This is not required/controlled in the Chittering Rise Rural Residential development and therefore is considered to provide the best opportunity for protection of habitat.
	Mobs of Kangaroos travel through our block generally at dawn and dusk and graze on the natural bush.	Noted. None of the species of kangaroos in Western Australia are listed as a ‘Priority’ species by the Department of Parks and Wildlife or as a ‘Threatened’ species under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> . Therefore the clearing of habitat for the proposed development is unlikely to impact on this species survival. Kangaroos will be able to utilise the habitat retained in individual lots as well as within the Conservation Lot.	Noted.

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	Echidnas have also been seen on our driveway near the road.	Noted. The Short-beaked Echidna is not listed as a ‘Priority’ species by the Department of Parks and Wildlife or as a ‘Threatened’ species under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> . They are distributed throughout most of Australia in a variety of habitats. Therefore the clearing of habitat for the proposed development is unlikely to impact on this species survival	Noted.
	We also hear Moaning Frogs, Motorbike Frogs, Pink & Grey Galahs, Ringneck Parrots, Red Breasted and Blue Breasted Wagtails, Kookaburras and many more.	Noted. As none of these species are listed as a ‘Priority’ species by the Department of Parks and Wildlife or as a ‘Threatened’ species under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> it is unlikely that clearing of habitat for the proposed development will impact on the survival on these species. These species will be able to utilise the habitat retained in individual lots as well as within the Conservation Lot.	Noted.
	There are many other things that will impact on the Chittering Rise area if this development proceeds such as schooling, school buses, day care facilities, water sources (especially for the Emergency Services), waste services to name just a few. We urge the Shire of Chittering to refuse this development application.	<ul style="list-style-type: none">– Given the existing approval supports the creation of 155 lots, this proposal seeks only to introduce a further 89 lots. The impact of an additional 89 lots is manageable and unlikely to negatively impact the existing communities use of these services all of which can accommodate the increased demand generated by a further 89 lots.– Education facilities within a 20km radius include Gingin District High School (Primary-Yr10), Bindoon Primary School and Immaculate Heart College (Private, Kindergarten-Yr6). Toodyay District High School (Primary-Yr10) is located 45km east of the subject site.– School bus services are monitored and provided by the PTA.– Health facilities located within a 20km radius at Gingin Medical Centre, Bindoon Medical Centre and Bullsbrook Family Medical Centre.– Local conveniences are provided at the Muchea IGA X-Press (within 10km from the site), Bullsbrook IGA, Bindoon IGA and Gingin IGA X-Press.– The applicant proposes to provide a reticulated water supply to the development, the future Muchea Employment Node and surrounding existing community.– The Shire’s waste facilities will be available to residents for landfill and recycling.	It is considered residential development would assist in improving the services in that location. The proposed development would provide availability of reticulated potable water supply, improve emergency access, reduce the fire risk to Chittering Rise residents adjoining Lot 9001 and put pressure on the demand for educational services in the area.
Public G	<div>We oppose the proposed rezoning of Lot 2 Reserve Road Chittering from ‘Rural Residential’ to ‘Residential R2’.</div> <div>We also oppose the Development Plan proposing a total of 246 lots ranging from 5,000m2 with the provision of reticulated potable water supply.</div> <div>Reasons for our opposition are:</div> <div>1. We purchased within Chittering Rise for the rural setting and wildlife. We reside at Lot 888 Rosewood Drive. Surrounded by other 2 hectare or larger properties and strategic fire breaks on one side and to the rear. After contact with the council (verbally) we were told there were no planned subdivisions to either the side, or back of the lot. After purchasing and building our house we found there was a proposed plan in place with 5 lots to be at the side of our property. However, the rears of these lots were to be towards our side fence and would not significantly effect our property. Now, under this proposal we are to have a 2 road frontage and 5 houses facing towards our property. This will destroy the rural setting we purchased merely 5 years ago.</div> <div>Our house is located to the side of the property and we will not have any privacy as a result of the second road proposed up the side of our property and 5 houses facing into our property. We have already moved the location of our building envelope to allow for our future plans to build another shed. This location of the road will not allow us to build another shed as planned.</div> <div>We strongly oppose the location of a new road to the side of our property.</div>	Comments as per responses to ‘Public D’ submission. Both submissions are duplicates submitted by two landowners.	As per Applicant response.

Submitter	Submission comments	Applicant response comments	Officer comments
	<p>2. The increase in traffic will place our children and those walking/running within Chittering Rise Estate at risk. Children currently living within Chittering Rise regularly ride on the roads – in particular along Ghostgum Ridge and Sugar Gum Drive. They correctly ride on the road, however, due to bends on the roads it is difficult to see a child who is not riding right on the edge. Increased traffic will increase the risk significantly of one of our children being seriously hurt. Similarly, those walking and running must do so on the road. There are no established footpaths throughout the area with the road being the only safe place to walk. Increased traffic will increase the risk of injury to those walking or the dogs they may be walking.</p> <p>3. The roads within the area (including the Great Northern Highway) are not sufficient to support the increased traffic of approximately 500 extra cars a day. Entering Great Northern Highway from Reserve Road is currently difficult with limited vision of oncoming traffic. Increasing the vehicles using this intersection will increase the risk of serious accidents. The roads throughout Chittering Rise Estate itself contain many crests and blind corners.</p> <p>4. A development of this size will clear a large amount of the habitat for the wildlife in this area. Loss of the habitat will put strain on those areas still maintained as native bush including our own Lot. Loss of wildlife will not only occur within the areas cleared but also in surrounding areas (such as our property already established within Chittering Rise). We have been careful to maintain the majority of our property as native bush allowing the birds, kangaroos, bobtails, echidnas, snakes etc a safe and undisturbed area together with neighbouring properties (including the proposed development site). Allowing 246 lots of a much smaller size will inevitably destroy the native habitat to a much greater extent than larger properties (ie 2 hectare or greater) as required under the rural residential zoning.</p> <p>For example, we regularly have a mob of 10 to 15 kangaroos on our property. A road next to our property and smaller properties will destroy the habitat for these kangaroos as well as place them at risk of being hit.</p> <p>Increased traffic will also place the wildlife at risk. Most residents currently travel at a speed and with alertness sufficient to prevent wildlife and animals being hit. Additional traffic will increase the number of injured wildlife within the area.</p> <p>5. Chittering Rise currently has an issue with dogs roaming the area. 246 additional lots will increase the severity of this issue. I have lost count of the number of times dogs having been roaming the road and our property.</p> <p>6. Small lots of merely 5,000m2 and a total of 246 lots do not fit within the rural setting of the area.</p> <p>7. The water supply we rely on includes both rain water tanks and the use of bore water for garden use. Should this water be used and abused by 246 new households, this water supply will not be able to be maintained to both the quality and depth it currently is. This needs to be considered and addressed ensuring current residents are not effected by excessive use of bore water.</p> <p>In addition to this, we do not wish to be forced to use the reticulated potable water proposed for the development. We are a neighbouring property and do not wish this to be forced upon us. We are currently highly self sufficient within our household and do not wish this to be restricted.</p> <p>Issues that need to be addressed more fully prior to considering any development at this location include:</p> <p>8. Bus stops do not appear to have been incorporated into the plan. The current Chittering Rise bus stop is not adequate for the current residents of Chittering Rise Estate. Too many children currently attempt to board buses between 8:00am and 8:12am making it unsafe. Increasing the students within the area without adequate bus stops will increase the danger for our children.</p>		

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	<p>9. Buses servicing our local schools are already full. Even with an extra bus put on to take Bullsbrook College children to school, the bus is full. At last contact with the driver of the Bullsbrook bus, there were 62 enrolled students on a 56 seat bus causing younger students to be seated 3 to a seat. In addition, new students are not able to get on the bus. A development of this size will lead to extreme pressure on bus services. Students in Bindoon are already at a disadvantage trying to get on a bus to Bullsbrook College as they are classed as complimentary even though Bullsbrook may be the most appropriate school for them to attend.</p> <p>10. Consider information provided to residents established within the area as to future developments. Placement of a road next to an established house where advice was provided by Council that no developments were planning is unfair and will cause a great loss of privacy. The advise was relied upon for various things including placement of our home and future plans for sheds and gardens.</p> <p>11. Crime has been of concern within the area with rural items being the most targeted items. How will increased crime be effectively managed with a <u>development of this size?</u></p> <p>Maintaining a Rural Residential zoning, requiring a minimum of 2 hectare properties and reducing the number of lots would have many advantages for the area including:</p> <ul style="list-style-type: none">- Maintaining the rural setting of the area;- Reducing the risk to wildlife from harm;- Protecting a larger portion of the habitat for the wildlife;- Reducing the traffic and risk to our children enjoying the advantages of <u>living within a rural setting</u>; <p>Reducing the strain on the underground water supply;</p> <ul style="list-style-type: none">- Reduce the impact of established residents including those residing in Chittering Rise Estate and along Reserve Road.		
Public H	<p>My reason for making a submission regarding the proposed development is <u>due to being a concerned local resident</u>.</p>		Noted.
	<p>Please see my attached resume (Appendix 1) for details of my expertise and specialist knowledge in the area of habitat conservation and education including substantial experience working with native fauna.</p>	Appendix 1 is not provided to the applicant to view.	Resume noted.
	<p>The Local Biodiversity Strategy mentions that ‘In 2050 the Shire of Chittering will have retained at least 20,000 hectares of its remaining 22,421 of Local Natural Areas (NLS’a) and formally protected at least 6,328 hectares within these areas. In 2010 only 30% of the original (pre-European) extent of native vegetation remained within the Shire of Chittering.’</p>	<p>As part of the proposed development a 20 ha Conservation Lot will be created that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat. The large lot sizes proposed for the development, particularly within Lot 9001, have been designed in a way to retain as much vegetation as possible and to reflect the natural landscape that the site forms part of. Revegetation of local native species will also occur within the development, for example within the road reserves, in the lots and in the public open space.</p>	Application of Local Biodiversity Strategy is acknowledged and detailed in the agenda report.
	<p>Noting that only 30% of (pre-European) NLA’s were remaining within the Shire in 2010 I would like to know the current percentage of retention within the Shire 5 years later. With other developments such as Chittering Springs in bush land areas, one would assume that percentage is lower now.</p>	<p>The latest statistics show that in 2013 the Shepherd <i>et al.</i> 2001 Vegetation Association known to occur within the development area (1027) had 59.01% of its pre-European extent remaining in the Swan Coastal Plain IBRA region and 58.98% of its pre-European extent remaining in the Dandaragan Plateau IBRA Sub-Region (Government of Western Australia 2013). 17.63% of the pre-European extent of the Dandaragan Plateau IBRA Sub-Region is protected for conservation (Government of Western Australia 2013).</p> <p>The project area falls part of the Heddle (1980) vegetation complex ‘Mogumber Complex-South’ that has 40.20% of its pre-European extent remaining.</p> <p>The <i>National Objectives and Targets for Biodiversity Conservation 2001-2005</i> recognise that the retention of 30% or more of their pre-clearing extent of each ecological community is necessary is for Australia’s biological diversity to be protected. As the project area has over 50% of its pre-European extent remaining in its IBRA region and IBRA Sub-Region, and 40.20% of its pre-European extent remaining in the Heddle (1980) vegetation complex it is not considered to be significant as a remnant of native vegetation requiring protection.</p>	<p>The Local Biodiveristy Strategy (LBS) identifies the vegetation on Lot 9001 to be protected less than 10% locally and the Strategy aims to protect 30% of each vegetation complex. The Development Plan is expected to demonstrate a minimum of 30% protection.</p>

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	‘Lot 9001 Rosewood Drive is identified within the ‘Mogumber Complex – South’ vegetation complex, which has regional significance due to being under-protected. Lot 9001 is within the Indicative High Conservation Value Area 5.10 within the Lower Chittering Precinct, as per Figure 7 of the Local Biodiversity Strategy (Figure 4 below). Lot 9001 is identified as a Local Natural Area ‘High Constraint Level’, presumably due to existing planning decisions such as the currently valid subdivision approval and Development Plan.’ (Shire of Chittering Town Planning Scheme No. 6 Amendment No. 55 p. 17)	The 20 ha Conservation Lot is intended to be covenanted for conservation as part of the development due to Lot 9001 falling within the Indicative High Conservation Value Area 5.10 in the <i>Local Biodiversity Strategy</i> . The Conservation Lot will result in approximately 33% of the vegetation in Lot 9001 being retained for conservation in perpetuity post-development. Vegetation will be also retained as much as practicable within individual lots in order to reduce impacts to native fauna, with building envelopes being a maximum of 2,000m ² .	Noted and acknowledged. The proposed Rural Conservation zoning would provide greater protection for the IHCVA than what is currently approved.
	The Chittering Shire’s Local Biodiversity Strategy was adopted at the ordinary council meeting on 21 April 2010 and the above are quotes taken from it regarding biodiversity highlighting the fact that it is vital that existing bushland be protected to maintain the biodiversity of the Chittering area.	Refer to comments above.	Noted.
	The strategy steps out key goals and recommendations to help preserve the remaining native vegetation in the Shire and states that there is a high number of properties in the Shire registered in the ‘Land for Wildlife’ program administered by the Department of Parks and Wildlife (DPaW) demonstrating the high level of interest and commitment by local residents to manage natural areas on private properties.	The applicant has liaised with the Department of Parks and Wildlife in relation to the inclusion of the proposed Conservation Lot within DPaW’s Nature Conservation Covenant Program. Previously, two Conservation Lots of 10ha each were proposed, but this was not considered acceptable by DPaW, resulting in the creation of one 20ha Conservation Lot. This has support from DPaW.	Noted and agreed. DPaW were notified of the proposal.
	I have seen this interest in conservation from neighbours and friends in the Chittering area. I bought my bush-land block after many years searching for property with a high conservation value. The intent was to purchase to protect habitat and wildlife after spending many years witnessing huge amounts of native vegetation clearing on the Coastal Plain. A neighbour’s property entitled ‘Slice of Heaven’ sums up the general sentiment of myself and others living in Chittering Rise, that it truly is amazing to live amongst nature.	The modified Development Plan aims to provide a revised lot layout to enhance the existing approvals over the site and guarantee the provision of a 20ha Conservation lot; to control building envelope locations, vegetation retention areas and address implications for fire management; and to addressing requirements of the Shire and state government agencies.	The protection of the conservation value vegetation is part of the Shire’s consideration and an environmental implication considered for the proposed development. The Applicant proposes Lot 9001 to be rezoned from Rural Residential to Rural Conservation in response to the conservation values.
	The Local Biodiversity Strategy mentions that ‘In 2050 the Shire of Chittering will have retained at least 20,000 hectares of its remaining 22,421 of Local Natural Areas (NLS’a) and formally protected at least 6,328 hectares within these areas. In 2010 only 30% of the original (pre-European) extent of native vegetation remained within the Shire of Chittering.’	As part of the proposed development a 20 ha Conservation Lot will be created that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat. The large Lot sizes proposed for the development, particularly within Lot 9001, have been designed in a way to retain as much vegetation as possible and to reflect the natural landscape that the site forms part of. Revegetation of local native species will also occur within the development within the road reserves, in the Lots and in the public open space.	Noted.
	Noting that only 30% of (pre-European) NLA’s were remaining within the Shire in 2010 I would like to know the current percentage of retention within the Shire 5 years later. With other developments such as Chittering Springs in bush land areas, one would assume that percentage is lower now.	The proponent does not have access to the current percentage of retention of Local Natural Areas. Refer to previous comments regarding the extent of vegetation being protected for conservation.	The LBS has not been reviewed since initial adoption. However as mentioned above the proposal to rezone Lot 9001 to Rural Conservation provides the opportunity for compliance with the LBS.
	‘Lot 9001 Rosewood Drive is identified within the ‘Mogumber Complex – South’ vegetation complex, which has regional significance due to being under-protected. Lot 9001 is within the Indicative High Conservation Value Area 5.10 within the Lower Chittering Precinct, as per Figure 7 of the Local Biodiversity Strategy (Figure 4 below). Lot 9001 is identified as a Local Natural Area ‘High Constraint Level’, presumably due to existing planning decisions such as the currently valid subdivision approval and Development Plan.’ (Shire of Chittering Town Planning Scheme No. 6 Amendment No. 55 p. 17)	The 20 ha Conservation Lot is intended to be covenanted for conservation as part of the development due to Lot 9001 falling within the Indicative High Conservation Value Area 5.10 in the <i>Local Biodiversity Strategy</i> . The Conservation Lot will result in approximately 33% of the vegetation in Lot 9001 being retained for conservation in perpetuity post-development. Vegetation will be also retained as much as practicable within individual lots.	Noted and agreed Lot 9001 is within an Indicative High Conservation Value Area identified by the Local Biodiversity Strategy.
	Lot 9001 has been identified as a High Conservation Value Area under threat from this development proposal. This area provides foraging areas for threatened species such as Caranaby’s Cockatoos and should be considered for complete protection as part of the Shire’s vision to “Keep the Balance”.	<div>Lot 9001 is known to contain foraging species utilised by Carnaby’s Black Cockatoos, however no feeding evidence in the form of chewed nuts or cones was recorded during the habitat assessment. A 20 ha Conservation Lot will be created as part of the development that will be covenanted for conservation. This will retain habitat to be utilised by fauna, and will retain a linkage to surrounding habitat.</div> <div>The Rural Conservation Lots within Lot 9001 will retain as much vegetation as possible, with each lot having a maximum building envelope of 2,000m². It must be noted that clearing for the purposes of bushfire management (including fire service access routes, firebreaks and separation of vegetation from houses) is to achieve a balance between bushfire management requirements and environmental protection. This was considered in the design for the Development Plan.</div>	Noted. The Shire considers the Rural Conservation zoning is more appropriate for Lot 9001.

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	'Locally significant natural areas are also important for the following reasons:	The Development Plan recognises this in the form of one 20 ha Conservation Lot. The Conservation Lot is proposed to be covenanted for conservation, with the remainder of Lot 9001 for a mix of lot sizes.	Noted.
	To maintain the basic level of natural diversity in an area	The Conservation Lot will retain natural diversity of flora and fauna through retention of vegetation.	Noted.
	To buffer and provide connectivity between protected areas	The Conservation Lot acts as an east-west landscape corridor.	Noted. The proposed Development Plan indicates a large 20ha Conservation lot to improve connectivity of biodiversity areas.
	To benefit local communities, providing places of passive recreation, local environmental services, sense of place and amenity.	The proposed area of public open space aims to benefit the local community, providing recreation, sense of place and amenity. This will be supplemented by a landscape masterplan approach for the Development Plan area.	The Applicant proposes the provision and development of POS consistent with DC 2.3 and Liveable Neighbourhoods.
	Maintain water quality in groundwater resource areas	<div><div>– The applicant proposes to provide a reticulated water supply to the development, and the future Muchea Employment Node.</div><div>– On-site effluent disposal systems are proposed for each household. These systems will treat effluent water to meet the Australian Drinking Water Guidelines.</div><div>– Stormwater and drainage will be managed effectively within the Development area with localised infiltration and site storage and recharge into existing aquifers.</div></div>	Noted.
	Moderate local climates	The preparation of the Fire Management Plan has influenced the lot layout on Lot 9001 Rosewood Drive to optimise vegetation retention whilst accommodating the fire management requirements.	Retention of remnant vegetation assists with this.
	Support beneficial species that act as natural pest control		Noted. The Shire would encourage the Landscape Plan to use local and beneficial species.
	Maintain rural lifestyle and a 'sense of place' – many people including myself and my partner moved from the city to enjoy a rural lifestyle. We commute 4 hours a day just for this reason. I believe with the amount of development proposed behind Chittering Rise that rural lifestyle and sense of place would be destroyed	Noted. This is not a material planning consideration.	Impact on lifestyle is noted as a valid concern.
	Positive effects on human health, both physical and mental	Lot 2 Reserve Road should address noise attenuation measures associated with aircraft noise sourced from the RAAF Air Base Pearce and its flight paths. Lot 9001 Rosewood Drive is beyond the extent of the Military Consideration Special Control Area. No other buffers apply.	Noted. Rural Conservation development is considered to provide a healthy lifestyle arrangement.
	Buffers from roads, railway and industry		
	Improved aesthetics of an area.	A landscape masterplan and the retention of vegetation work provide amenity to the development.	The Applicant has submitted a Landscape Master Plan, including development of the POS, which is believed would improve the aesthetics.
	Many areas identified through the local biodiversity planning process are of regional significance.' (Local Biodiversity Strategy p 13)	Lot 9001 is identified within an Indicative High Conservation Value Area within the Local Planning Strategy. The Development Plan recognises this in the form of one 20 ha Conservation Lot. The Lot is proposed to be covenanted for conservation, with the remainder of Lot 9001 for a mix of lot sizes.	Noted.
	Aside from their environmental importance, LNA's such as Lot 9001 provide a sanctuary and a sense of place for existing local residents, many of whom have travelled great distances to reside in the area due to its natural beauty, lack of infrastructure and small numbers of people. Many people have experienced real estate agents promising them that the surrounding bush land areas would remain untouched.	Noted, however this is not a material planning consideration. The proponent is not aware of what information has been provided by real estate agents to prospective purchasers.	Noted importance of LNA's. It is considered the Rural Conservation zone provides for that.
	A major focus of the Local Planning Strategy is natural resource management. This means the protection and enhancement of the natural environment necessary for the retention of the rural atmosphere.	Refer above comments regarding Lot 9001 being identified within an Indicative High Conservation Value Area within the Local Planning Strategy.	Noted. As per comment above, the Rural Conservation zone addresses the issue and responds to the environmental assets.
	The Shire's mission is to work with and for the community to:	The compliance with the Shire's mission is not a material planning consideration. However, the Shire has sought to negotiate with the applicant to ensure an improved conservation outcome to that facilitated by the existing planning approvals over the site. The result being the creation of a 20ha conservation lot, and significant additional vegetation retention through the balance of Lot 9001.	It is acknowledged all these matters are taken into consideration.
	Protect our natural environment		
	Enhance our rural lifestyle		
	Develop quality services and facilities		
	Facilitate suitable development and employment opportunities.		
	If this development is to go ahead the Shire would be reneging on its mission it two ways:		
	1. Allowing a rare piece of High Conservation Value Area to be impacted by building and development (even in part) to create a densely populated area (in a rural sense) in a once small populated area would limit the Shire's ability to protect the natural environment.	The Shire has sought to negotiate with the applicant to ensure an improved conservation outcome to that facilitated by the existing planning approvals over the site. The result being the creation of a 20ha conservation lot, and significant additional vegetation retention through the balance of Lot 9001. The Conservation Lot in Lot 9001 will preserve habitat to be utilised by native fauna and will provide an ecological linkage to surrounding habitat. This Lot will contribute to the Shire of Chittering's formerly protected Local Natural Area target.	The current Rural Residential approval would result in a greater impact on the site and less protection measures. The proposed Rural Conservation zone is the appropriate zone for the site.

Submitter	Submission comments	Applicant response comments	Officer comments
	2. Rural lifestyle would be severely compromised with the amount of development (particularly the 5000m2 lots)	Through discussions with Shire Officers and the Department of Planning, there was an expressed desire for development density to be increased given: <ul style="list-style-type: none">its close proximity to Muchea Employment Node and need to deliver living options for workers nearbythe need to deliver a potable water supply scheme capable of supplying the Muchea employment Node and the district in generalthe desire to deliver 20ha of land for conservation purposes consistent with the <i>Shire's Local Biodiversity Strategy</i>	Noted.
	Flora and Fauna: Several flora and fauna species and ecological communities recorded within the Shire are protected by the Commonwealth <i>Environmental Protection and Biodiversity Conservation Act 1999</i> .	None of the flora species identified are currently considered to be of conservation significance. Further work has determined that based on the habitat availability and known records of Threatened fauna species, the development area is only likely to contain suitable habitat for one Threatened fauna species the Carnaby's Black Cockatoos. At the time of writing the Black Cockatoo Habitat Assessment was in the process of being finalised. The impacts to these species will be assessed through the EPBC referral process. This information has been provided to the Shire.	Noted. The Applicant has submitted Flora and Fauna surveys of Lot 9001 as well as a basic ecological assessment. The Shire envisages prior to subdivision (if supported), referral to the EPBC would occur.
	In the 8 years I have been residing in Chittering I have been compiling an observational list of fauna present in the area, see (Appendix 2). This list is continually growing as I identify more species. Local residents in Chittering Rise have started to send me photos of wildlife they are seeing on their blocks and we are starting to generate a community survey of the area. This is fostering a sense of place amongst a previously disconnected community and many people have expressed their concerns about the future development affecting the flora and fauna of the area.	Appendix 2 is not provided to the applicant to view.	Noted. As previously mentioned Lot 9001 is currently approved for Rural Residential development, with lots across the entire site. It is believed the proposed Rural Conservation zone is the appropriate zone to address the environmental concerns.
	Currently the list only deals with fauna however I have been approached by a nature group to visit my property to formally identify all the flora species present. Members of the group had seen images of the flora on my property and were astounded at the biodiversity of a small area.	Appendix 2 is not provided to the applicant to view. The applicant has commissioned an environment consultant to undertake necessary studies for the Development Plan area.	Noted as per comment above. Development of Rural Conservation would provide greater protection than Rural Residential.
	As you will note there are several threatened species on the list which will all be affected by any development in the area. There have been a number of fauna fatalities in the local area including threatened species due to car strike. These include two Western Brush-tailed wallabies which have been hit and left on Sugar Gum Road. These mammals are locally present but are pushed out of areas when they become over populated. See Appendix 4.	Appendix 4 is not provided to the applicant to view. Brush-tailed wallabies are not a species that is listed as a 'Priority' species by the Department of Parks and Wildlife or as a 'Threatened' species under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> it is unlikely that clearing of habitat for the proposed development will impact on the survival on this species. Habitat retained in the Conservation Lot and within individual Lots will continue to provide habitat for the species.	Noted.
	The Western Brush Wallaby is listed by DPaW as Priority Four: Rare, Near Threatened and other species in need of monitoring (a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection, but could be if present circumstances change. These species are usually represented on conservation lands. (b) Near Threatened. Species that are considered to have been adequately surveyed and that do not qualify for Conservation Dependent, but that are close to qualifying for Vulnerable. (c) Species that have been removed from the list of threatened species during the past five years for reasons other than <u>taxonomy</u> . See Appendix 3	Noted. The Western Brush Wallaby is known to occur within the local area; however this species is not currently formally listed as 'Threatened' under the <i>Wildlife Conservation Act 1950</i> . It is not considered that the clearing proposed for the development area will impact on this species survival. Habitat retained in the Conservation Lot and within individual Lots will continue to provide habitat for the species.	Noted.
	I have been documenting those deaths and can provide further information at the Shire's requests. More population density will no doubt result in more fauna fatalities.	Noted.	Impact on wildlife noted.
	Land Use Planning: The EPA considers that land use planning has an important role in protecting and maintaining naturally vegetated areas in urban and peri-urban environments. It recommends greater emphasis on appropriately protecting these areas at all stages of the planning process.	Noted. Amendment No. 55 was referred to the EPA with a decision of Scheme Not Assessed – advice given relating to Terrestrial Fauna, dated 16 March 2015. This matter is being addressed by the applicant to ensure compliance with the requirements of the EPBC Act. DPAW were also consulted during the formulation process of the Development Plan and subsequent to lodgement of the Development Plan. We understand that DPAW will be supporting the proposal on the basis of the improved Conservation outcome and have agreed to enter into a Conservation Covenant for the 20ha lot also.	The EPA commented supporting the proposed conservation development.

Submitter	Submission comments	Applicant response comments	Officer comments
	Currently, many of the proposed structure plans and scheme amendments referred to the EPA do not adequately consider the protection of naturally vegetated areas and, if implemented, would result in significant loss of these areas and the biodiversity and amenity value they support. “Flora and vegetation” and “Terrestrial fauna” are the main environmental factors related to natural areas. The EPA’s objectives for these factors are:	Noted. Refer comments above regarding EPA decision of Scheme Not Assessed.	The Shire forwarded the proposal to the EPA as required by the Town Planning Regulations. The EPA decision was to not assess the proposal and supported the conservation development. The Shire referred the proposed rezoning and Development Plan to the Department of Environment and Conservation and the Ellen Brockman Integrated Catchment Group for comments.
	Flora and vegetation: to maintain representation, diversity, viability and ecological functions at the species, population and community level.	See above comment.	As above.
	Terrestrial fauna: to maintain representation, diversity, viability and ecological function at the species, population and assemblage level. (EPA, 2013)	See above comment.	As above.
	Regardless of whether or not the EPA assesses or provides advice on a referral, planning authorities should also take account of and seek to protect the values of naturally vegetated areas through the planning process. (EPB No 20 Protection of natural areas through planning and development p. 2)	See above comment.	Noted. Environmental implications are assessed in accordance with legislation and policy and considered in the agenda report.
	I refer to Appendix 5 of my submission where the EPA has provided advise to the Shire regarding this development. They state that the clearing of the proposed development could cause loss of habitat for threatened black cockatoo species including Baudin’s, Carnaby’s and Forest Red-tailed black cockatoos, all protected by the Wildlife Conservation Act 1950 and the Environment Protection and Biodiversity Conservation Act 1999. The EPA goes on to say that the proponent should consider responsibilities regarding matters on National Environmental Significance if the scheme fails and impact is shown to affect protected fauna.	Since the development plan was submitted the proponent has performed a site specific assessment of the habitat value of the site in accordance with a commitment made in previous correspondence to the Shire. At the time of writing the Black Cockatoo Habitat Assessment was in the process of being finalised. Some trees on Lot 9001 have been identified to be potential breeding trees (as defined by federal guidelines) due to their size however none of these trees were found to contain suitable breeding hollows for Carnaby’s Black Cockatoo. Breeding for Carnaby’s Black Cockatoos primarily occurs in the Wheatbelt (Johnstone & Storr 1998). Due to the lack of hollow bearing trees within the site and the fact that Carnaby’s Black Cockatoos primarily breed in the Wheatbelt, it is concluded that Lot 9001 is not currently a breeding site for Carnaby’s Black Cockatoos. Lot 9001 is known to contain foraging species utilised by Carnaby’s Black Cockatoos, however no feeding evidence in the form of chewed nuts or cones was recorded during the habitat assessment. A 20 ha Conservation Lot will be created as part of the development that will be covenanted for conservation. This will retain habitat to be utilised by fauna and will retain a linkage to surrounding habitat. The Rural Conservation Lots will retain as much vegetation as possible, with each lot having a maximum building envelope of 2,000m ² . It must be noted that clearing for the purposes of bushfire management (including fire service access routes, firebreaks and separation of vegetation from houses) is to achieve a balance between bushfire management requirements and environmental protection. This was considered in the design for the Development Plan.	The Applicant has prepared an ecological assessment and flora and fauna survey with the Development Plan application.
	Myself and other residents are currently monitoring the Black cockatoos and have installed artificial nesting hollows for these birds. I also take part in the annual Cocky Count to document the population dynamics of this threatened species. It is heartening to see the community concern for these birds as they continue to decline and it encouraging that the Shire’s vision and mission encapsaltes the protection of remaining vegagation which directly affects these priority species.	Noted. Refer comments above	Noted.
	‘Decisions and actions made by local authorities affect the status of biodiversity of the region. It is imperative that the Shire of Chittering analyze biodiversity conservation needs in the area. Biodiversity is best conserved by protecting existing communities rather than attempting to recreate natural space through revegetation which can never capture the full complex of a vegetation community previously untouched. ‘It is important to note that before final decisions are made regarding which parts of remaining vegetation are to be retained and protected, on ground assessment and confirmation of vegetation complexes and their condition needs to be conducted.’ (Local Biodiversity Strategy p.18)	Noted.	The Local Biodiversity Strategy is considered by the Shire in the agenda report.
	The Local Biodiversity Strategy provides ecological criteria for prioritising local biodiversity assets and recommends adopting three goals on which to base the Shire’s local biodiversity conservation efforts and form its land use planning policy:	Noted.	Noted and agreed.
Goal 1: Retention of natural areas –			

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	<i>Goal 2: Protection of natural areas</i> - Considering the growing pressure for development in the Shire, Goal 2 is of highest priority. The Shire should seek opportunities to protect natural areas of highest ecological value. These exist within ‘Indicative High Conservation Value Areas’ (IHCVAs) identified in this document.	The Development Plan recognises this in the form of one 20 ha Conservation Lot. The Lot is proposed to be covenanted for conservation, with the remainder of Lot 9001 for a mix of lot sizes. The Department of Parks and Wildlife has been consulted with in regards to the Conservation lot and have agreed to enter into a Conservation Covenant for the 20 ha conservation lot.	It is considered the proposed rezoning provides the opportunity to protect the IHCVA.
	The Shire of Chittering is truly a special place to live because of its rural lifestyle but especially because it retains some sense of pre European settlement reflected in the surviving bush land. This is something to be cherished and celebrated and certainly could generate income in the form of eco tourism. As an environmental education specialist, I can see the value of boosting existing education and tourism opportunities within the Shire to ensure that natural areas are recognized for their importance but also utilized in a sustainable way for tourism opportunities.	Noted. Indicative vegetation retention areas are identified on the Development Plan.	Noted.
	Planning Issues recognised for proposed Scheme Amendment and Development Plan - Proposed Development Plan requirements I would like to address and ask questions of are as follows:		
	2. Vegetation management - Vegetation management is permitted outside of the designated building envelope specified for each lot on the Development Plan, where those trees are diseased, present danger to life or property, or require removal/maintenance as specified within the approved Fire Management Plan.	This reference is to clause 5.8.8 of the Shire’s Scheme, which prevents clearing of vegetation unless in five circumstances, including “(a) the vegetation is dead, diseased or poses a danger to humans or stock”.	Noted as being consistent with the Shire's Town Planning Scheme.
	Vegetation management - how is this managed? Is it at the owner’s discretion?	Vegetation management is undertaken in accordance with the requirements of the Development Plan and the Fire Management Plan.	Vegetation on private property is to be managed by the landowners in accordance with the provisions of the Scheme and applicable Development Plan (and Environmental Management Plan).
	Living and dead trees provide essential habitat for wildlife including Carnaby’s cockatoos and other bird species, microbats, insect communities as well as supporting other plants. Many people view old or dead trees as dangerous if they are dead. Trees are also targeted as potential wood sources for open fires. It is often the case that old and dead trees will be removed without any professional advice, whether they are causing a danger to life or property is often not 100% apparent. Fallen timber is also vital to many species found in the Chittering area and is often harvested for fire or burnt as part of fire management.	Vegetation can be removed in five circumstances pursuant to clause 5.8.8 of the Shire’s Scheme.	Habitat vegetation is acknowledged and can be protected by way of conservation covenant however landowners are permitted to remove dead trees as per the Town Planning Scheme. An Environmental Management Plan would assist in protecting known and likely habitat and is recommended to be required as a provision of the Development Plan.
	Is there an approved fire management plan for this proposed development?	<ul style="list-style-type: none">– A draft fire management plan for the proposed development has been prepared by ICS Group.– The draft fire management plan will be submitted to the Shire of Chittering, DFES and WAPC for approval in accordance with their requirements.	The Applicant has submitted a Fire Management Plan which will be subject to a number of approvals and the outcomes being incorporated into the design of this development.
	Other threats listed in the Local Biodiversity Strategy document is the pathogen <i>Phytophthora cinnamomi</i> causing dieback. It is seen as the next greatest threat to biodiversity but can be managed by strict control on the movement of vehicles and people from areas of known infestation and by careful selection of road making basic raw materials from disease free deposits. By creating more hundreds of blocks in the immediate area, the likelihood of dieback being transferred through the remaining vegetation would be increased greatly due to excess traffic and more roads being made. Currently there is banksia die off on the ridge at the back of my Lot 221 and Lot 220. It is not known whether this is due to <i>Phytophthora</i> and further investigation is needed. If <i>Phytophthora</i> is present it will be in close proximity to Lot 9001. This will present challenges in managing any future development and certainly management of a conservation lot.	<i>Phytophthora cinnamomi</i> (dieback) was not identified in environmental studies performed within the development area. However, if dieback is seen as a threat to the natural environment by the DPaW or Shire, strict controls will be put in place for the development, particularly at construction stage. The Department of Conservation and Land Management ((CALM) now the DPaW) ‘ <i>Best Practice for the Management of Phytophthora cinnamomi</i> ’ will be adhered to should dieback be seen as a risk in the development area.	Applicant's response noted. A Dieback Management Plan would be a condition of subdivision to ensure dieback is managed accordingly.
	3. Indicative Building Envelopes - All development including buildings, water tanks and waste disposal systems, are to be contained within a cleared building envelope, which shall not exceed 2,000m2. The position of the building envelopes are indicative as shown, and a final building envelope plan will need to be approved by the Shire prior to subdivision clearance and comply with the provisions of the Scheme, the requirements of the Development Plan and the approved Fire Management Plan. Buildings, water tanks etc. That are to be located outside the nominated.....	Noted. Building envelopes are indicatively shown on the Development Plan and will be determined at detailed subdivision stage in consultation with the Shire.	Noted as being consistent with the Shire's Town Planning Scheme.

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	The proposed blocks to be developed behind Rosewood Drive are only 5000m2 in size. Once the building envelope has been cleared (2000m2) an area of only 3000m2 will be left. This will severely reduce the biodiversity of the area as existing bushland will become fragmented. It will also impede movement of local fauna, particularly those that require significant understorey for protection from predators.	Lot 2 Reserve Road is predominately cleared of vegetation (previous use as a plant nursery). A landscape Master plan proposes vegetation replanting within Lot 2 (as long as it complies with the Fire Management requirements. Road reserves within the development will be landscaped with rows of native wildflowers using specimens transplanted from the site and road side swales will be planted with endemic species.	Noted. The 5,000sq m lots have been designed to be clustered to reduce fragmentation.
	The scale and design of the proposed development including the conservation lots is inconsistent with the adjoining development Chittering Rise which range in size from 5 – 20acres.	Refer comment above.	The proposed zones allow for smaller lot sizes.
	How does the development fit with any objective of the planning scheme to protect and enhance the natural environment?	The Development Plan is prepared in accordance with the Scheme provisions. The Development Plan considers the extent of vegetation types and Indicative High Conservation Value Areas, the impact of implementing Bushfire requirements, the interface between development and vegetation, the recommendations of the Local Biodiversity Strategy, the addition of a conservation covenant on the Conservation Lot, and the impacts on immediately adjoining land.	The Rural Conservation is the appropriate zone for areas identified in the Local Biodiversity Strategy. The proposed zone would give greater protection of the natural environment than what is currently approved.
	Several flora and fauna species and ecological communities recorded within the Shire are protected by the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 and it is highly likely that they will be affected by the fragmentation of existing foraging areas through development. 'In a highly fragmented landscape the distribution of the remaining natural areas is critical to the maintenance of biodiversity in that landscape. When looking outside the administrative boundaries of the Shire of Chittering, extensive areas of native vegetation remain along the East - South East boundary and also to the North West. However, the remnant vegetation in between is critical to maintain the connection between these natural areas, enable movement and exchange of animals, seeds and pollen.' Patches of native vegetation scattered across a landscape have a capacity to remain functional natural systems if they are of adequate size and connected to other patches through a good quality network of linkages. This connectivity is important to assist with natural system recovery after events such as fires and will be critical to climate change adaption.	A 20 hectare (ha) Conservation Lot will be created as part of the development that will be covenanted for conservation. This will retain habitat to be utilised by fauna, and will retain a linkage to surrounding habitat. The Rural Conservation Lots within Lot 9001 will retain as much vegetation as possible, with each lot having a maximum building envelope of 2,000m ² . It must be noted that clearing for the purposes of bushfire management (including fire service access routes, firebreaks and separation of vegetation from houses) is to achieve a balance between bushfire management requirements and environmental protection. This was considered in the design for the Development Plan.	Noted. The proposed Development Plan reduces fragmentation of Lot 9001 from what is approved.
	Further Concerns:		
	Potential traffic and parking issues associated with the development – two access roads in and out of two adjoined developments with hundreds of properties in the area – fire risk	<ul style="list-style-type: none">– The existing special rural subdivision to the east of the proposed development of Lot 2 and Lot 9001 currently only has one access point – Sugar Gum Drive. This does not meet the requirements for access listed in the previous and the current <i>Planning for Bush Fire Protection Guidelines</i> (FESA & WAPC 2001 & Edition 2, FESA & WAPC May 2010). Both guidelines state that two different access routes should be available to the public.– The road network in the proposed development on Lot 2 and Lot 9001 will connect the road network in the existing special rural subdivision to Reserve Road. This will provide two access points to Great Northern Highway for residents in the existing special rural subdivision as well as for residents in the proposed development.– The design of the road network proposed for the development of Lot 2 and Lot 9001 meets the requirements of both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP Draft May 2014).	Noted. The proposed development complies with the Planning for Bush Fire Protection Guidelines by providing two access/egress points. Currently Chittering Rise has one entry/exit. The development would result in improved fire emergency access.
	More traffic in the area will pose threats to existing and new residents with lack of safe walking areas (pathways etc)	The proposed internal roads will incorporate road design measures to the specifications and satisfaction of the Shire. The majority of internal roads will be designed to be predominately straight, which will assist in providing sufficient sightlines for motorists to see pedestrians and cyclists, as well as to identify and avoid wildlife.	Noted.
	Chittering Rise has an existing problem with domestic dogs roaming off properties on the streets and onto other properties. I have had personal experience of being rushed at many times by off lead and off property dogs and am now to uncomfortable to walk through the area. I have raised this with the Shire Ranger as have other residents. Dogs have been seen chasing wildlife also. I have concerns that a more densely populated area would increase this existing problem for people and wildlife.	The Shire’s rangers are responsible where appropriate to impound dogs, issue warning and infringement notices on offending dog owners, investigate dog attacks and any other matters under the <i>Dog Act 1976</i> .	Keeping and control of dogs are dealt with by the Dog Act 1976 and relevant local law.
	The following recommendations are listed in order of priority:		

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	The proposed retention of 20 hectares and lots ranging between 5,250m2 and 1.0845ha be discarded and amended to retaining the whole of Lot 9001 as Indicative High Conservation Value Area providing critical corridors for wildlife and the vegetation complex found in the area. Lot 9001 would help the Shire realise part of their overall vision to ‘retain at least 20,000 hectares of its remaining 22,421 of Local Natural Areas and formally protected at least 6,328 hectares within these areas.	<p>Lot 9001 is subject to an approved Development Plan and subdivision approval for creating 45 lots with an average size of 1 ha, with no Conservation Lot. Lot 2 Reserve Road is not identified in the <i>Local Biodiversity Strategy</i> .</p> <p>Lot 9001 Rosewood Drive is identified within the ‘Mogumber Complex – South’ vegetation complex, which has regional significance due to being under-protected. Lot 9001 is within the Indicative High Conservation Value Area 5.10 within the Lower Chittering Precinct, as per Figure 7 of the Local Biodiversity Strategy. Lot 9001 is identified as a Local Natural Area ‘High Constraint Level’, presumably due to existing planning decisions such as the currently valid subdivision approval and Development Plan.</p> <p>The modified Development Plan aims to retain a significant portion of Lot 9001, through the creation of a 20ha Conservation Lot and 35 Rural Conservation lots. The proposed lot sizes are guided by minimum lot sizes of 5,000m² for clustering development whilst proposing one 20ha Conservation Lot for contributing towards protection of land identified within the Indicative High Conservation Value Area.</p>	The Shire considers the proposed Rural Conservation zone and Development Plan to provide greater protection of the vegetation on Lot 9001 than the current approved Rural Residential development.
	For any blocks that do get approved, please amend the scale to be consistent with block sizes in the adjoining Chittering Rise development (5-20 acres minimum).	Not supported. With the withdrawal of Water Corporation as a water service provider, the landowners and their associates have committed to now applying for a Water Service Provider Licence and constructing a water treatment plant. This involves considerable investment and risk, and changes the financial risk and cost per lot significantly for the landowners. More recent discussions with the officers of the Department of Planning have indicated an opportunity to investigate increasing the density due to the establishment of the Muchea Employment Node immediately south of the subject site, which is currently remote from a workforce population. This proposal seeks to address the requirements to supply water to the Employment Node, increase the potential residential population in close proximity to the Employment Node, protect the conservation area on Lot 9001, and deliver a viable development within an approved planning framework.	Chittering Rise is a Rural Residential estate. Lots 2 and 9001 are currently Rural Residential with 1ha lots. There is no planning grounds to increase lot sizes given what is currently approved and what is proposed.
	That the Public Open Space if it goes ahead, be made from retained bushland and linked through to the conservation lot to the north to create a habitat corridor.	The central park area is to make use of the existing mature stand of Eucalypts as a backdrop to nestle in resident park amenity. The central park will be organised spatially through the use of desire lines that cross the park providing not only cross access however a circuitous route within the park itself. The larger area is to be endemically rehabilitated to encourage local planting as a strong suggestion of the sites original landscape type.	There is no identified biodiversity linkage through Lot 2 or Lot 9001 to justify a habitat corridor. The Rural Conservation development of Lot 9001 provides protection for an existing link between IHCVA vegetation. The Landscape Plan outlines the POS will be rehabilitated with native species and is subject to a separate approval from the Shire.
	Thank you for the opportunity to comment on this proposed development. I understand the need for development however I do not think it should be at the expense of natural areas. Density in disturbed land such as old farm land previously cleared should be the option for future developments as there is a large amount of farmland in the Shire and limited natural areas left.	The Development Plan aims to balance increased lot yield on Lot 2 Reserve Road (which is cleared of remnant vegetation, previously used as a plant nursery) and reduced lot yield on Lot 9001 Rosewood Drive to address biodiversity and environmental objectives and ensure the delivery of a 20 ha conservation lot.	Noted.
	I cannot stress enough the importance of habitat protection and I would like to offer my services to help look after Lot 9001 if it were to be retained as a whole for conservation purposes only.	The proponent intends to have the Conservation Lot included under a conservation covenant with the Department of Parks and Wildlife’s Nature Conservation Covenant Program (NCCP). The future landowner of the Conservation Lot will be responsible for the maintenance of biodiversity values which will be subject to the Conservation Covenant.	Noted.
	*Attached Appendices, EPA S48A advice and Qualifications.	Appendices not provided to applicant to view.	Noted.
	Public I		
	We strongly object to this proposal and asked the Shire to reject it.		Objection noted.
	There is nothing positive for our rural community if this proposal gets it's approval.	This opinion is not accepted. In particular provision of reticulated water system, which contributes to water supply to Muchea Employment Node, which opens up opportunities for local employment, creates a positive outcome for the community. Locally, the plan proposes the provision of public open space, provision of mix of lot sizes and additional vegetation retention which are all positive outcomes from this development.	The Rural Conservation zone and development would provide greater protection of Lot 9001. The viability of sale of smaller lots is not a consideration of the planning proposal. The lot sizes are consistent with the proposed zone.
	Where one read the description, it reads like a fairytale come true, but obviously they have no idea to live here, here in a rural community, which was the choice of all the residents. Its not done to buy a large land site as a speculator, which no intention to live here and then get as many as possible little squares on a map, to gain the most profit out of it and after this comes the next amendment and it will be halved again.		
	they have not mentioned these real facts:		
	no public transport at all	School bus services are monitored and provided by the PTA.	Public Transport is a PTA matter. If approved this proposal will be referred to the PTA for consideration of population intensification. In a wider context the PTA had no objections to the Shire's Local Planning Strategy and population forecasts due to identified development.

Submitter	Submission comments	Applicant response comments	Officer comments
	no work here and not for the next years, even decades to come	Through discussions with Shire Officers and the Department of Planning, there was an expressed desire for development density to be increased given the proximity to established townsites such as Muchea, and the future Muchea Employment Node.	Many residents maintain work outside of the Shire. Residential development would provide demand and opportunity for local business. The Muchea Employment Node will provide additional employment opportunities in the near future.
	work, if you get one, at least 50km+ away		
	big shopping complexes also 50km+ away	Local conveniences are provided at the Muchea IGA X-Press (within 10km from the site), Bullsbrook IGA, Bindoon IGA and Gingin IGA X-Press.	Noted. Distance to shopping complexes would be a personal choice by a landowner whether to locate to the Shire or not. As development intensifies services and additional amenities such as shopping centres are developed, however, as this area is of low density it is unlikely to see these facilities in the near future.
	daily driving around 100km - 150km for work if petrol prices rise again, one weekly wage per month only for petrol.	The commuting patterns of residents are not a material planning consideration.	Many Shire residents choose to commute. Should a person purchase in the Shire it would be expected they acknowledge these constraints.
	All rural shires, remain their rural character and identity with 5 acres/plus for subdividing large land sites. Chittering Shire should do the same, as this is what the people here want and that is why they have chosen this shire to live here.	The 'Residential R2' is a zone within the Shire's Scheme and at an R2 density, a minimum lot size of 5,000m ² is acceptable.	Rural character can be maintained for lots less than 5 acres. The Residential R2 zone is considered low density. Further to this the Landscape Plan and rezoning of Lot 9001 to Rural Conservation provides opportunity for retention and enhancement fo the rural character.
	This dense subdivision will bring only problems to the shire and also to the people who live here, not to mention unemployment, crimes and neighbourly problems.	Refer previous comments regarding crime prevention.	Dismissed. Crime is not a direct relation to residential development.
	so we urge the shire to reject this proposal of rezoning and keen our rural identity with 5 acres plus restrictions.		Noted.
Public J	Thank you for the opportunity to forward our concerns as boundaring residents that will be directly affected by the proposed development plan.		Noted.
	We purchased our block in the Chittering Rise estate direct from the developer in October of 2003, whilst still living in Sydney with the intention of moving our life across to WA, which we did in July of 2004. We are the original owners of the property. When we purchased the block we were under the understanding that the estate was to be kept as is (pristine Banksia woodland), which would allow the wildlife to have a corridor for us to co exist with them.	Lot 9001 Rosewood Drive is freehold land. A Development Plan was approved in June 2009. A current subdivision approval is in place for 45 lots with an average lot size of 1ha. The proposed Development Plan aims to reduce the yield to 35 lots and to propose one 20ha Conservation Lot. The areas of vegetation retention aim to provide three east-west landscape corridors.	The proposal does not impact the development of lots in Chittering Rise.
	Please below our objections and concerns regarding the above proposed development plan. Whilst we support progress it needs to be realistic and sustainable.		Noted.
	Our concerns are as follows:		
	Questions for the Development 'NOTES'.		
	2. Vegetation Management		
	Who decides if a tree is diseased? The unqualified land owner or a botanist?	It is standard practice that trees would be assessed by an arboriculturalist, commissioned on behalf of a landowner, to determine if a tree is diseased. Biological surveys performed by the proponent's environmental consultants, VDM and 360 Environmental, did not identify the presence of dieback within the development area.	Landowners would be recommended to obtain epxert advice.
	Where is the Dieback Management plan in the 'Notes' of the Draft Development Plan.	Dieback was not identified in environmental studies performed within the development area. A Dieback Management has not been prepared, however if dieback is identified as an issue by the DPaW or the Shire a Dieback Management Plan will be prepared in accordance with the Department of Conservation and Land Management ((CALM) now the DPaW) 'Best Practice for the Management of <i>Dryopteris cinnamomea</i> '	The Applicant has outlined a dieback assessment was undertaken. The Shire would impose a condition of a Dieback Management Plan prior to subdivision works commencing.
	Considering they bounder us and we have it is a condition of our land why should they not		
	How will my bush be protected from their neglect of unclean machinery transferring dieback to my bush .	<ul style="list-style-type: none">– The three easements for the fire service access routes shown on Lot 2 and Lot 9001 do not impinge on the properties on Rosewood Drive and Ghost Gum Ridge.– These easements are on private properties located within Lot 2 and Lot 9001. Owners of these three properties will be responsible for the maintenance of these fire service access routes.	As above. A Dieback Management Plan would mitigate the spread of dieback.
	7. Potable Water		
	Where is the potable water supply coming from?	The applicant is applying for a Water Service Provider Licence and constructing a water treatment plant for provision of water.	Applicant's repsonse noted.
	It states that potable water is available for fire fighting purposes. How will this work? We are constantly reminded by FESA that you should not rely on 'mains water pressure' in a bush fire. Why would this water supply be different to normal mains?	<ul style="list-style-type: none">– It is proposed to install below-ground fire hydrants along roads within the proposed development.– The water supply infrastructure will include a back-up system to ensure that water will be available during a power failure. Notes:	Water Corporation regulations require fire hydrants every 200m for reticulated residential developments. This would comply with the Planning for Bush Fire Protection Guidelines. The Shire would also require landowners to maintain rainwater storage on site for fire fighting purposes.

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		<ul style="list-style-type: none">– In areas where water is supplied via Water Corporation’s water mains, it is generally recommended that homeowners in bushfire-prone areas maintain a back-up water supply in case of low water pressure or when the mains water supply fails. The same advice applies to residents in the proposed development.	
	As we boulder this development are we going to be expected to tap into this water supply at a later date?	The Development Plan does not propose reticulated water connections to existing dwellings within the Rural Residential subdivision to the east; however the option will be available to <u>surrounding residents</u> .	This is not proposed.
	9. Bores, Dams and Water Courses		
	What effect on the water table will the possible sinking of 246 more bores have?	The applicant is applying for a Water Service Provider Licence and a reticulated water supply is proposed for the development. The Water Service Providers Licence has strict Management and monitoring requirements to address implications on the water table.	There is a bore proposed which will be utilised to reticulate all of the lots within the proposed subdivision.
	10. Fire Control		
	Where is this 'Fire Management Plan' that the development plan mentions? Considering this development backs on to me, for our family's safety, I believe we should be made aware of it.	<ul style="list-style-type: none">– A draft fire management plan for the proposed development has been prepared by ICS Group.– The draft fire management plan will be submitted to the Shire of Chittering, DFES and WAPC for approval.– The fire management plan for the proposed development will become a public document.	A draft Bush Fire Management Plan has been submitted with the application. It should be noted that bushfire planning is only improving with time, therefore, it is likely that your property will be positively impacted from a bushfire fighting perspective should this proposal go ahead.
	This is already an issue for the residents of Chittering Rise. If a fire comes towards us from the Great Northern Highway, where do potentially 632 vehicles go to get to safety? WE CURRENTLY HAVE 1 ROAD ENTRY/EXIT IN & OUT OF OUR ESTATE .	<ul style="list-style-type: none">– The existing subdivision to the east of the proposed development of Lot 2 and Lot 9001 currently only has one access point – Sugar Gum Drive. This does not meet the requirements for access listed in the previous and the current <i>Planning for Bush Fire Protection Guidelines</i> (FESA & WAPC 2001 & Edition 2, FESA & WAPC May 2010). Both guidelines state that two different access routes should be available to the public.– The road network in the proposed development on Lot 2 and Lot 9001 will connect the road network in the existing special rural subdivision to Reserve Road. This will provide two access points to Great Northern Highway for residents in the existing special rural subdivision as well as for residents in the proposed development. These two access points are more than 4km apart– The design of the road network proposed for the development of Lot 2 and Lot 9001 meets the requirements of both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014). Notes: <ul style="list-style-type: none">– In order to reduce the risk to residents, DFES recommends that residents leave well before a bushfire impacts on an area, rather than during the time a bushfire impacts on an area. Provided that this advice is followed, the relocation of residents can be undertaken in a controlled manner.– Houses in the proposed development are required to be constructed to comply with the Australian Standard for the Construction of buildings in bushfire-prone areas AS3959. This would allow residents to shelter in their houses during the passage of a wildfire, reducing the need to evacuate the area late, when a bushfire is already impacting on the area	The proposed development provides road and fire emergency access linkages with Chittering Rise which results in 2 road access/egress points.
	Reserve Rd could not cope with the excess vehicles.	Reserve Road will be upgraded as part of the proposed development.	Reserve Road would be subject to upgrade in accordance with subdivision guidelines.
	Questions for the Development 'LEGEND'		
	Public Open Space - The Shires TPS 6 -LPP no 28 -Public Open Space dedication on Rezoning.	The proposed Conservation Lot comprises approximately 20ha, and through application of a Conservation covenant this would result in approximately 33 percent of the previous 58ha of potential lost vegetation being retained. The initial proposal was to provide the Conservation Lot to the Shire as public open space however this was not supported by the Shire; instead the lot will remain freehold with a Conservation Covenant proposed.	LPP 28 is not relevant to the development as the Residential R2 zone is captured by DC 2.3 (provision of POS in residential development). The Applicant is to cede and develop the POS proposed.
	5.1. states that 10% of the development is to be set aside as a reserve for parks & recreation. The current proposed reserve is less than 4% of the development area.	The proposed Development Plan instead includes an area of public open space in addition to the provision of Community Infrastructure such as play equipment, BBQ and ablution facilities that addresses the Shire’s requirements. For 208 lots on Lot 2 Reserve Road, it is considered the area of public open space and associated infrastructure is sufficient for the <u>intended residential population</u> .	DC 2.3 allows for less than 10% to be dedicated if POS is to be developed or cash in lieu is accepted.
	Fire Breaks	<ul style="list-style-type: none">– The dataset provided by Landgate shows that a 5m wide reserve abuts the eastern boundary of Lot 9001.– A fire service access route (‘strategic firebreak’) is located in this reserve.	Firebreaks are detailed in the draft Bush Fire Management Plan.

Submitter	Submission comments	Applicant response comments	Officer comments
		<ul style="list-style-type: none">As part of the proposed development, the fire service access route located in the 5m wide reserve along the eastern boundary of Lot 9001 will be widened by 1m, so that it complies with the requirements contained in both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the draft <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014).	
	The Shires TPS 6 -LPP no 21 -Fire Management Plans		
	3.2.c.iv. states that the access route must be 6 metres wide and trafficable	Notes:	Noted and agreed.
	Fire Service Access Route as per the development plan 'legend'	<ul style="list-style-type: none">It is acknowledged that parts of the existing fire service access route ('strategic firebreak') located in the 5m wide reserve along the eastern boundary of Lot 9001 is not adequately maintained. This is outside the control of the proponent.	Noted.
	States Existing 6 metre reserve. This is untrue, for the fire break that separates the properties on Ghost Gum Ridge and Lot 9001 there is a strategic fire break approx 3 wide (existing strategic fire break for the Chittering Rise estate), then depending on what area your standing in, up to approx 3 metres of remnant vegetation, then approx 3 metres of cleared vegetation (on Lot 9001 side), <u>please see attached pictures</u>	<ul style="list-style-type: none">The developer could, in partnership with the Shire of Chittering, upgrade the existing fire service access routes located in the reserves located along the eastern boundaries of Lot 2 and Lot 9001.	Existing firebreaks outside of the proposed site is not part of this consideration.
	States Existing 6 metre easement. This is untrue. It is approx 3 metres wide.	<ul style="list-style-type: none">The dataset provided by Landgate shows that 6m wide easements exist on two properties adjacent to the eastern boundary of Lot 2.Fire service access routes ('strategic firebreaks') are located on these easements. <p>Notes:</p> <ul style="list-style-type: none">It is acknowledged that parts of the existing fire service access routes ('strategic firebreak') located on the 6m wide easements on two properties adjacent to the eastern boundary of Lot 2 may not be adequately maintained. This is outside the control of the proponent.	As above.
	3.2.c.v. states that they must provide turn around areas -there is no provision for this in the development plan.	<ul style="list-style-type: none">For fire service access routes, both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the draft <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014) require that turn around areas suitable for 3.4 fire appliances are available every 500m.The three fire service access routes shown on the draft development plan for Lot 2 and Lot 9001 are less than 165m in length and therefore do not require turn around areas.These three fire service access routes provide turn around areas for fire appliances where they intersect with the existing fire service access routes located in the reserves along the eastern boundaries of Lot 2 and Lot 9001.	The draft Bush Fire Management Plan complies with the Planning for Bush Fire Guidelines for turn around areas.
	3.4. Water Supply -there is no provision for a water tank for fire fighting purposes	<ul style="list-style-type: none">It is proposed to install below-ground fire hydrants along roads within the proposed development. A provision for a water tank has therefore not been made.	Fire hydrants are proposed as required by the Planning for Bush Fire Protection Guidelines.
	General Questions / Concerns		
	Fauna & Flora	Environmental Surveys that have been undertaken within the development area that were used in determining the likelihood of Threatened species occurring within the project area include:	Flora and Fauna surveys have been undertaken and submitted with the application.
	A survey needs to be completed at the developer's expense, at the appropriate time of year, to ascertain the fact of what is part of our land and not just assumptions.	<ul style="list-style-type: none">Basic Ecological Assessment for Lot 2 Reserve Road (VDM 2005)	
		<ul style="list-style-type: none">Vegetation Survey for Lot 9001 (Formerly Lot 7) Rosewood Drive (VDM 2008)Black Cockatoo Habitat Assessment (360 Environmental <i>in prep</i> 2015)	
	The Shires TPS no 6 LPP No 32 -specifically mentions that a development plan should include natural features worthy of preservation 'in particular WA Christmas Trees' -we have plenty, but you won't see them in May. See attached aerial view of 159 Ghost Gum Ridge.	Noted. The Western Australian Christmas Tree (<i>Nuytsia floribunda</i>) was identified within the development area; however it is not listed as a 'Priority' species by the Department of Parks and Wildlife or as a 'Threatened' species under the <i>Wildlife Conservation Act 1950</i> or <i>EPBC Act</i> .	Vegetation Protection Areas have been identified on the Development Plan.
	Block size		
	Lot 9001 -. Lots 220,221 & 220 Ghost Gum Ridge directly bounder this block. This bush is exactly the same as ours (Banksia woodland which has been classified as a threatened ecological community).	<p>Lot 9001 Rosewood Drive is identified within the 'Mogumber Complex – South' vegetation complex, which has regional significance due to being under-protected.</p> <p>The modified Development Plan aims to retain a significant portion of Lot 9001, through the creation of a 20ha Conservation Lot and 35 Rural Conservation lots. The 20ha Conservation Lot contributes towards protection of land identified within the Indicative High Conservation Value Area.</p>	Noted. Lot 9001 is proposed to be rezoned to Rural Conservation, which makes provision to protect vegetation.

Submitter	Submission comments	Applicant response comments	Officer comments
	It would be sensible if the proposed block size mirror imaged the existing block sizes. Consideration needs to be given to the current residents that purchased large acreage blocks -we did this for a reason.	The lot sizes proposed to abut Lots 220, 221 and 222 are all above 1ha, and includes the 20ha Conservation Lot.	Larger lot sizes are considered to create more fragmentation and widespread clearing.
	The smaller the block the less bush -environmentally ridiculous.	The 20ha Conservation Lot results in more significant vegetation retention than the current subdivision approval for 45 lots with an average lot size of 1ha. The proposed Development Plan results in greater environmental benefit.	Rural Conservation development encourages cluster development of small lots.
	Lot 2 -is bounded by 9 blocks on Rosewood Drive. Although this bush may not be as pristine as Lot 9001 the size of the proposed blocks is ridiculous. It would be sensible if the proposed block size mirror imaged the existing blocks. Consideration needs to be given to the current residents that purchased large acreage blocks -we did this for a reason .	Lot 2 Reserve Drive is predominately cleared of remnant vegetation; its previous use is a Plant Nursery. Through discussions with Shire Officers and the Department of Planning, there was an expressed desire for development density to be increased given the cleared nature of Lot 2.	The Applicant is proposing Residential R2 which permits 5,000sq m lot sizes. Lot 2 is cleared of remnant vegetation and so differs to Chittering Rise which is densely vegetated and zoned Rural Residential.
	Where do the animals go?	Landscape corridors are identified within Lot 9001 which would permit movement of fauna.	The Rural Conservation zone allows for greater protection and retention of vegetation which would assist in maintaining habitat for wildlife.
	The proposal of 246 lots is crazy and pure greed.	The increased lot yield supports the landowner’s ability to provide reticulated water supply to the development, as well as the future Muchea Employment Node and surrounding community.	The proposed lots meet the minimum lot size permissible and also help improve the existing services available in the Muchea area.
	The proposed development would be more suited to a suburban development not rural.	The R2 is a ‘low density’ code according to the Residential Design Codes. The Rural Conservation lot sizes range from 0.8871 to 1.1952ha in area, which are close to the minimum lot size of 1 ha for Rural Residential lots under the Shire’s Scheme.	Noted. Residential R2 is the lowest density for residential development and is commonly seen in semi rural areas.
	Black Cockatoos - A declared threatened species that feed and nest in our Banksia woodland.	The applicant is addressing their requirements under the EPBC Act in relation to Black Cockatoos.	Noted.
	School Bus Services	The School Bus Services branch of the Public Transport Authority manages orange schools buses around the State. The PTA reviews school bus routes to maximise service delivery and efficiencies. It is understood a review was conducted in Bindoon, Gingin, Lower Chittering, Muchea and Bullsbrook in 2008 and new services commissioned in June 2009 (http://www.pta.wa.gov.au/Portals/0/annualreports/2008/school-bus-services.html).	The PTA are responsible for the school bus services. PTA are supported of the Shire's strategic plans for development.
	Chittering Rise currently has 1 bus stop that services approx . 40 children on any given day.		
	With the planned 246 lots, on average families have 2 children. That being said we would then have another 492 children needing the school bus services .		
	The development would need at least 10 bus stops of its own to SAFELY service our children.		
	This is an expense that the developers need to absorb and not the Shire and its rate payers at a later date .	Through consultation with the PTA, the review of services commensurate with the staging of development over Lot 2 Reserve Road and Lot 9001 Rosewood Drive may result in future service reviews.	
	Any proposed development within our shire should be made to provide safe bus stops for our kids as we live in a School Bus Serviceable area.		
	Water - Part of our condition was a water tank, this should be a mandatory condition of any future development whether rural or suburban for water management/sustainability purposes.	Should landowners propose water tanks, these would need to be contained within the building envelope of each lot.	Noted. The Shire agrees water tanks be recommended for sustainability and for fire fighting purposes.
	Traffic Management	<ul style="list-style-type: none">– The existing subdivision to the east of the proposed development of Lot 2 and Lot 9001 currently only has one access point – Sugar Gum Drive. This does not meet the requirements for access listed in the previous and the current <i>Planning for Bush Fire Protection Guidelines</i> (FESA & WAPC 2001 & Edition 2, FESA & WAPC May 2010). Both guidelines state that two different access routes should be available to the public.– The road network in the proposed development on Lot 2 and Lot 9001 will connect the road network in the existing special rural subdivision to Reserve Road. This will provide two access points to Great Northern Highway for residents in the existing special rural subdivision as well as for residents in the proposed development. These two access points are more than 4km apart– The design of the road network proposed for the development of Lot 2 and Lot 9001 meets the requirements of both the existing <i>Planning for Bush Fire Protection Guidelines</i> (Edition 2, FESA & WAPC May 2010) and the <i>Planning for Bushfire Risk Management Guidelines</i> (WAPC & DoP, Draft May 2014).	The proposal would increase road linkages than what is currently in place.
	Chittering rise currently has 1 road entry/exit to accommodate 70 properties, which comes out onto the Great Northern Highway.		
	On average every house hold has 2 cars, which means a minimum of 140 vehicles already using 1 entry/exit road.		
	Reserve Road currently has 1 road to service its current residents, which comes out onto the Great Northern Highway.		
	Using the above example the proposed development would see a further 492 vehicles using 2 roads.	The proposed internal roads will incorporate road design measures to the specifications and satisfaction of the Shire. The proposed design includes interconnected road networks with 20m wide road reserves, and roads are proposed to be sealed. Appropriate road reserve widths and sealed roads will be important to maintain a safe street network, as well as to allow for shared use by pedestrians, cyclists and motorists.	Noted. Upgrade to Reserve Road would be required to ensure capacity is met.
	Just thinking about that is a logistical night mare!		
	Where would our children ride & learn to ride their push bikes, we have no footpaths.	Through detailed road design, the applicant will work with the Shire to ensure traffic calming is incorporated into the road network, where appropriate, to limit vehicle speeds.	Note.

Submitter	Submission comments	Applicant response comments	Officer comments
	Please don't set us up for disaster!		
	Road Width - If the proposed development is to be attached to us and use our roads, then the roads of that development need to be of the same width , so that vehicles can easily and safely pass each other.	The proposed road reserves within the Development Plan are 20 metres, which are consistent with the road reserve widths of Rosewood Drive, Sugar Gum Drive and Ghost Gum Ridge. Roads will be designed to seamlessly connect to Reserve Road and Rosewood Drive.	Road reserves meet the subdivision guidelines and allow for two way traffic.
	Trespassers	This is not a material planning consideration, criminal activity is a police matter.	Tresspassing is a police matter.
	How do we police the problems associated with trespassers.		
	Our blocks are not fenced. This was an intentional thing as to let the wildlife travel freely. They lived here 15t !!	If fencing is required it is proposed to be to a rural standard, i.e. post and wire, which would permit the movement of fauna.	As above. Tresspassing is a police matter.
	To ensure a visible boundary is seen and can help to stop people entering our properties, the developers should have to fence our properties at their cost with plain wire. This will then allow wildlife to still move freely and stop people cutting down our trees for fire wood.		
	The Shire's Local Planning Strategy -Revised March 2014		
	Mission Statement -this development contradicts all 4 points		
	7.1 Environmental Issues -This development will contribute to the environmental issues; loss of remnant vegetation, weed invasion, the spread of dieback.	<i>Phytophthora cinnamomi</i> (dieback) was not identified in environmental studies performed within the development area.	The Shire considers the proposed development improves the protection of the environmental assets to what is currently approved. Additional environmental management plans would be required should this proposal progress to subdivision.
		The Conservation Lot will be managed in a way to prevent weed invasion, by restricting access. The 20 ha Conservation Lot has been proposed to be covenanted for conservation. The Conservation Lot will result in approximately 33% of the vegetation in Lot 9001 being retained for conservation in perpetuity post-development.	
		Vegetation will be also retained as much as practicable within individual lots in order to reduce impacts to native fauna, with building envelopes being a maximum of 2,000m ² .	
	7.1 .1 . AIMS -As the block sizes are smaller than the adjoining estate the aims will be unattainable. Protection of remnant vegetation , land degradation , threatened ecological communities and watercourses will be near impossible.	The Development Plan addresses the relevant aims of the Local Planning Strategy, and approaches the development of the land for a mix of lot sizes that are reflective of the land capabilities as well as the feasibility and viability for the provision of necessary infrastructure such as reticulated water supply.	The proposed scheme amendment along with associated development plan were submitted with detailed documentation justifying the reduction in lot sizes based on land capability, bushfire fighting ability, retention of important vegetation in accordance with the Biodiversity strategy, provision of additional services to ensure that this development is suitable.
	The Shire's Draft Local Planning Strategy -24th July 2014	Scheme Amendment 55 proposes to rezone Lot 9001 to Rural Conservation and Lot 2 Reserve Road to Residential R2.	Noted. As per applicants response.
	Indicates the Chittering Rise Estate as Rural Residential.		
	Indicates Lot 9001 Rosewood Drive as Indicative High Conservation Value Area, yet the letter we received from Shire re this development classifies Lot 9001 as Rural Residential-so now I'm left wondering which document is correct.		
	Indicates Lot 2 Reserve Road as Rural Residential.		
	The above parcels of land link together the recently acquired DPAW land on loppolo Rd. This vegetation provides nests and food sources for the Carnabys Black Cockatoo as well as a corridor for loads of over native species. Please see attached some pics of some of our native residents.	A 20 ha Conservation Lot will be created as part of the development that will be covenanted for conservation. This will retain habitat to be utilised by fauna, and will retain a linkage to surrounding habitat. The Rural Conservation Lots within Lot 9001 will retain as much vegetation as possible, with each lot having a maximum building envelope of 2,000m ² . It must be noted that clearing for the purposes of bushfire management (including fire service access routes, firebreaks and separation of vegetation from houses) is to achieve a balance between bushfire management requirements and environmental protection. This was considered in the design for the Development Plan.	Further to the applicants response, further environmental management plans including a plan focusing on the protection of the Carnaby cockatoo would be required if this progresses to the subdivision stage. The current documentation is considered to sufficiently address any possible environmental impact at this stage of the proposal.
	The Shires Town Planning Scheme No 6 - LPP no 32 -Development Plans		
	5.3.a. Drainage -states that storm water drainage is to be designed there is no mention of this in the development plan	The Development Plan report discusses stormwater drainage. Stormwater is to be managed effectively within road reserves.	A Local Water Management Startegy will be required to be submitted prior to the Development Plan being considered by Council.
	5.3.c. Lots -does not state the required lot size for R2 or Rural Conservation.	The Development Plan complies with the lot size requirements under the Shire's Scheme for the Residential R2 and Rural Conservation zones. A minimum lot size of 5,000m ² is applicable to lots coded 'R2'. The objectives of the 'Rural Conservation' zone include: <ul style="list-style-type: none">• To create lot/s that are of sufficient size to sustain the long-term protection and managemement of these values.• Encourage innovative subdivision design, such as consolidated cluster style development, that maximises the long-term protection and management of these values	As per consultants comments. In addition to this, the supporting scheme amendment and development plan documentation justify the reduction in lot size from 2ha.

Page 114



Environmental Protection Authority

Chief Executive Officer
Shire of Chittering
PO Box 70
BINDOON WA 6502

Your Ref:
Our Ref: CMS15054
Enquiries: Liesl Rohl, 6145 0800
Email: Liesl.Rohl@epa.wa.gov.au

**SHIRE OF CHITTERING
RECEIVED**

19 MAR 2015

Dear Sir/Madam

Officer: EMDS
File: 18/03/53
Ref: I1557814

DECISION UNDER SECTION 48A(1)(a) Environmental Protection Act 1986

SCHEME: Shire of Chittering - Town Planning Scheme 6 - Amendment 55
RESPONSIBLE AUTHORITY: Shire of Chittering
DECISION: Scheme Not Assessed: Advice Given (no appeals)

Thank you for referring the above proposed scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bridget Hyder', written in a cursive style.

Bridget Hyder
A/Director
Strategic Policy and Planning Division

For the Chairman of the Environmental Protection Authority
Under Notice of Delegation No. 33 dated 6 December 2013

16 March 2015

Encl. Scheme Advice and Recommendations

**ADVICE UNDER SECTION 48A(1)(a)
ENVIRONMENTAL PROTECTION ACT 1986**

Shire of Chittering Town Planning Scheme 6 Amendment 55

Determination: Scheme Not Assessed – Advice Given (no appeals)

Determination Published: 16 March 2015

Summary

The Shire of Chittering proposes to rezone Lot 2 Reserve Road, Chittering from 'Rural Residential' to 'Rural Residential R2' and to rezone Lot 9001 Rosewood Drive, Chittering from 'Rural Residential' to 'Rural Conservation'.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). In making its decision on whether to assess the scheme amendment, the EPA has applied its 'Significance Framework' which relates to the extent to which the scheme amendment meets the EPA's environmental objectives for the environmental factors.

The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The potential impacts from the scheme amendment can be adequately managed to meet the EPA's objectives through the implementation of the responsible authority's scheme provisions, management plans, EPA advice and regulated through other statutory processes.

1. Environmental Factors

The EPA has identified the following environmental factor relevant to this scheme amendment:

Terrestrial Fauna

2. Advice and Recommendations regarding Environmental Factors

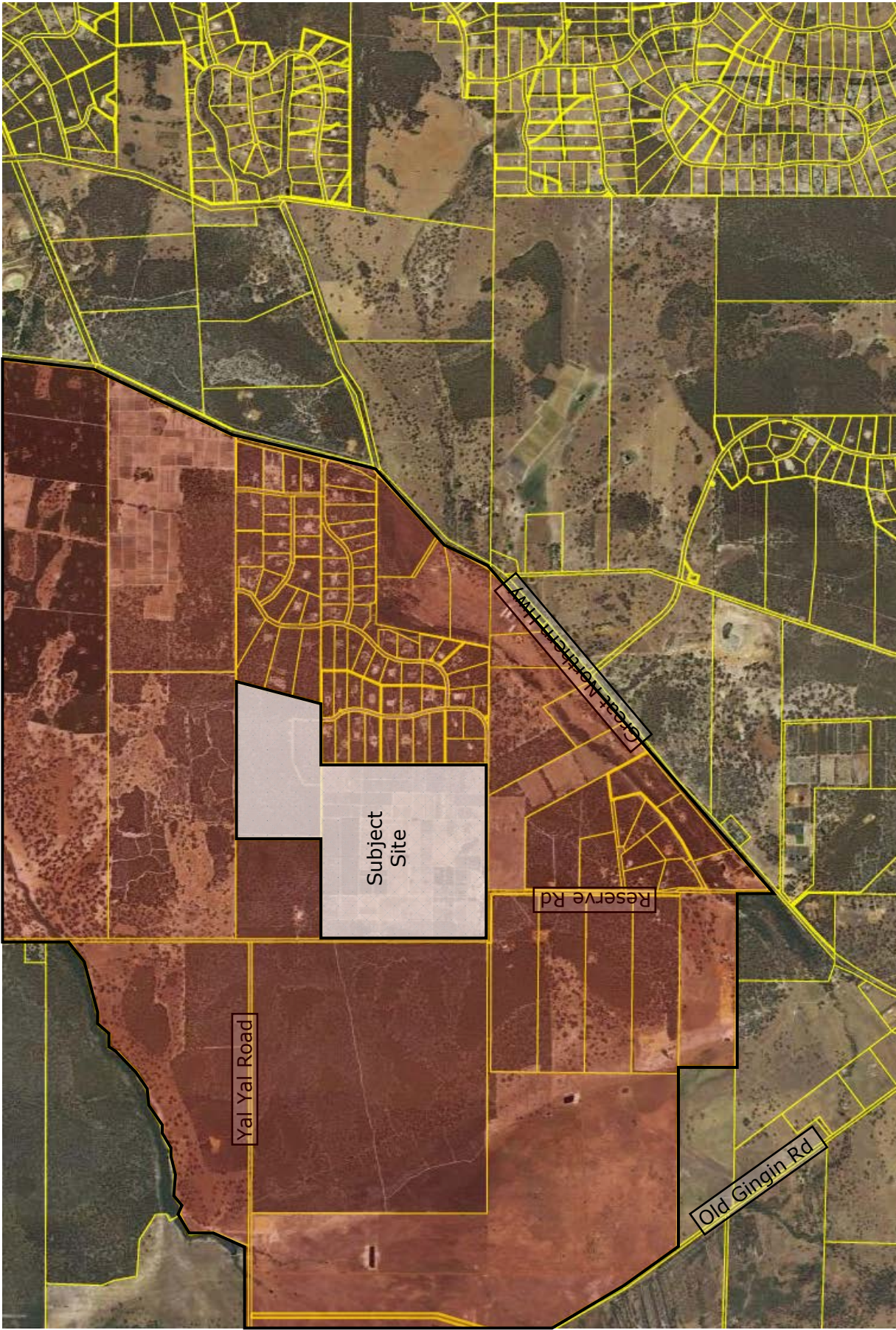
The EPA has based its decision on the scheme amendment documentation provided by the Shire of Chittering. The EPA expects that further detailed management plans and scheme provisions to address the environmental factor Terrestrial Fauna will be completed prior to the finalisation of the Development Plan.

Terrestrial Fauna

The clearing of remnant native vegetation on Lot 9001 Rosewood Drive, Chittering may cause a loss of habitat for Black Cockatoos. Baudin's Cockatoo, Carnaby's Cockatoo and Forest Red-tailed Black Cockatoo are protected under both the *Wildlife Conservation Act 1950* and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The proponent should consider its notification responsibilities regarding matters of National

Environmental Significance under the EPBC Act should implementation of the scheme fail to avoid impacts to protected fauna.

The EPA supports the Shire's preference for a larger single Conservation Lot on Lot 9001 as it will contribute towards protection of land identified within the Local Biodiversity Strategy. Further information regarding the design of urban and peri-urban development proposals in order to protect naturally vegetated areas can be sought from the *Environmental Protection Bulletin No.20 – Protection of naturally vegetated areas through planning and development*.



Properties consulted

