

AMENDED SCHEDULE OF SUBMISSIONS
PROPOSED STRUCTURE PLAN : Part Lots 11, 74 and 9046L Banjup

NO.	NAME/ADDRESS	SUBMISSION	RECOMMENDATION
1	Dept. Of Planning, Lands & Heritage (DPLH) 140 William Street PERTH WA 6000	COMMENT: Thank you for forwarding the link to the Structure Plan. I note that there are no heritage places in the vicinity, and as such Heritage Services has no comment.	Noted.
2	Graham Jenkins and Maartje J H van Eijck 73 Prosperity Loop AUBIN GROVE 6164	<p>OBJECT: We strongly object to the planning of this new development.</p> <p>We originally chose to build in Prosperity Loop as it was one way access, which made the whole cul de sac a SAFE place for kids to play.</p> <p>While not having any through traffic has made a huge difference to my family's life, not forgetting keeping the air population down too.</p> <p>Also, we weren't advised on any further future developments in the area when we bought the land and built our house in the City of Cockburn.</p> <p>Please take this as a definite non-agreement and object to the opposed development.</p>	<p>Noted. By way of background, the subject land was identified under the 2003 WAPC endorsed District Level Structure Plan (<i>Southern Suburbs DSP Stage 2 Banjup</i>) as 'Residential' and 'Bush Forever'. This plan facilitated the development of the suburb of Aubin Grove.</p> <p>Subsequently, the area relating to this proposed structure plan was zoned to 'Development' under the Town Planning Scheme No. 3. The 'Development' zone coordinates future roads, residential and public open space. It is considered that the continuation of <i>Prosperity Loop</i> would be a logical connection to complete the 'rounding off' of development within the precinct.</p>
3	Stewart Campbell 14 Astounding Way AUBIN GROVE 6164	<p>COMMENTS:</p> <p>1. Having 3 school age children it is evident that there is a lack of children's play area in the adjacent area without crossing busy roads. Please consider the</p>	Noted, in relation to play areas, it is considered a valid consideration that the area south of Gibbs Road is lacking in useable, active open spaces for recreation. With the reduction of

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		<p>inclusion of such an amenity.</p> <ol style="list-style-type: none"> 2. Relating to the above, having a communal barbecue/gathering area would be a valued inclusion. 3. Inclusion of a pedestrian crossing area on Gibbs road. 4. Regarding the housing density, I am against high density zoning – any development should be in keeping with current housing in the associated area. 5. Access on to Gibbs road and increase in traffic – the proposed new entry on to Gibbs road, does this not increase the volume of traffic on current access on to Gibbs road to a unsafe level? 6. Access during the construction is not through the current housing area (Prosperity loop/Astounding Way) 7. All Builders are required to pick up discarded rubbish – there is still rubbish in the bush from the previous builds (+6 yrs ago). 	<p>private open space within the residential lot, there is an increasing need for recreational opportunities away from the home.</p> <p>There are existing pedestrian crossings along Gibbs Road, so an additional pedestrian crossing is not considered a priority at this time.</p> <p>The City of Cockburn refers to the <i>Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development</i>. The guidelines set out the minimum best practice requirements recommended for subdivision construction and granting clearance of engineering conditions imposed. It is expected that developers undertake works consistent with the recommendations of the Public Works Institute. Additionally, the City has its own set of Subdivision Guidelines that provide best practice guidance while undertaking development.</p>
4	Irina & Pavel Yakimenko 15 Triumph approach Aubin Grove	<p>COMMENTS: We have two suggestions in regards of future planning.</p> <ol style="list-style-type: none"> 1. We don't have safe organised place to cross Gibbs road. The numbers of residents increasing and the road became very busy and unsafe. We don't have any playgrounds on our side of the road so kids cross the Gibbs road very often (even very small kids on bikes), that even doesn't has any pedestrian zone. So please plan any road sign and crossing pedestrian 	<p>The City's traffic engineers have advised that Gibbs Road is a low traffic environment (even after inclusion of additional residential housing), and presents low peak traffic volumes. There are existing pedestrian crossings along Gibbs Road, so an additional pedestrian crossing is not considered a priority at this time.</p> <p>The location of a useable public open space is a valid consideration and must be addressed</p>

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		<p>zone.</p> <p>2. We also do not have small playground or relaxing park zone with bbq to play with kids in our neighbourhood. The closest one is only on the other side of Gibbs road that is unsafe to cross now and is a bit far. We have so many houses now here and more houses will be built.</p>	<p>as part of a comprehensive structure plan. It is considered that the officer's recommendation to modify the structure plan to relocate POS will address this submission; however the ultimate decision maker in this regard is the Western Australian Planning Commission (WAPC), as the determining authority.</p>
5	<p>Louise Byrne & Phil Quinell 19 Astounding Way Aubin Grove</p>	<p>OBJECT: I am writing this letter in reference to the structure plan proposal-Part of Lot 11 and 74 Beenyup Road and Lot 9046 Beenyup Road, Banjup. As residents who will be directly and negatively impacted by the proposed development, we would like to express our rights to object to the proposal for the below reasons:</p> <ul style="list-style-type: none"> • We purchased 19 Astounding Way in August 2018, when we enquired with Cockburn council regarding potential developments of the regional park at the back of the house we were informed that there were no plans to develop the land and if they did develop the land, nothing could be built within 100ms of our back fence. The proposed development is planning to build houses directly behind our back fence with no space in-between. • The environmental impact of this development would be devastating for the area and also the local residents. A variety of native birds, wildlife and plant species live in the regional park, they will be killed or displaced as a result of this development. The trees and vegetation directly behind our house are used for nesting, removal of these will cause habitat loss. These places provide a source of shelter and food for birds and other species and this will have a resounding 	<p>This submission captures a range of matters which are important to the community. However, not all of them can be contemplated in the planning assessment, as they are not considered 'valid planning considerations' (this includes property insurance, land values and working from home arrangements).</p> <p>City officers undertook a records search in relation to this submission. The Statutory Planning section advised the current landowners in 2018 that the property to the east could be structure planned for residential development in future. Within this written advice, it explains that whilst there is no current plan for residential development, the property is zoned for 'Development' and therefore could be 'structure planned' in future. Lot 52 has therefore never been reserved as a 'regional park' as described in this submission.</p> <p>The area to the south of Prosperity Loop is the <i>Banksia Woodland Eucalypt Park</i> and is protected as a regional conservation reserve,</p>

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		<p>effect on wildlife in the area.</p> <ul style="list-style-type: none"> • One of the main reasons that we brought the property was due to the privacy the regional park at the back of the property provides. The area is very quiet and the development at the back of the property will increase the amount of noise very significantly. • The proposed development will have a direct impact to our home. Our main family living/dining/kitchen area is at the back of the house (see photos attached). This is where we spend the majority of our time as a family. Losing the regional park and having to live in the middle of a construction site will negatively impact the way we are able to enjoy our home. The regional park creates a quiet, calm and private feel to our family home which will be ruined by the new development. • We have a young family (two children under 2 years old). We require a quiet and calm home in order for our children to be able to live comfortably and take naps during the day. The constant construction work would be very disruptive, impacting their ability to sleep. • The main appeal of our home is the fact that we enjoy listening to the birds and wind blowing through the trees. It creates a calm and tranquil living space for our family which will be destroyed if the development goes ahead. • The removal of the trees will increase the amount of road noise we hear from our property. • Our back fence is very low, almost at the same height as the land at other side of the fence. If the land is to remain at the same height, our property will be completely overlooked, taking away our privacy and significantly increasing the risk of burglary. 	<p>therefore this area cannot be developed for residential. Environmental matters are a valid consideration and it is hoped that this can be addressed via the officer modifications recommended as part of this council report.</p> <p>Lot 52 which backs onto the rear of 19 Astounding Way, is not a regional park and this advice was provided to the current landowners in 2018 prior to purchasing the property. The construction of an additional dwellings at Lot 52 may provide additional security, given the general public will not have access to the site. Construction work as a result of development needs to be undertaken in accordance with the City's Subdivision Guidelines, however it is acknowledged that some disruption during construction will inevitably occur, albeit this will be temporary only.</p> <p>In terms of addressing noise impacts from traffic, the proposed structure plan does not depict any road networks abutting 19 Astounding Way. It is likely that a rear backyard will abut the property boundaries. By removing trees to facilitate this development, it is not considered that 19 Astounding Way will be impacted by additional noise from traffic.</p> <p>When undertaking subdivision of urban zoned land, a standard requirement is to ensure that the subdivision connects seamlessly with</p>

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		<ul style="list-style-type: none"> • The level of the land at the back of our property would also mean that we would lose a significant amount of light to our property. Our back garden is North facing? Meaning the proposed properties would block out any light we would normally get on our back garden and pool during the day time, making the back garden and pool unusable. • Even if the plan is to level out the land to be on the same level as our house, we would still lose a lot of light to the back of our property (especially if someone decides to build a two-storey property on any of the land surrounding our property. • The fence at the back of our house would need to be replaced with a much higher fence (to protect our privacy) which will be a significant inconvenience and cost. • Having another street of houses at the back of the property will impact the security of the property and also increase the cost of home and contents insurance. • Losing the regional park at the back of the house will impact the value of our home. Having the regional park at the back of the house provides privacy and protection from noise that other properties in the area don't necessarily have which adds value to the property. This will be lost if the development goes ahead. • The proposed new residential area will create a significant increase in traffic which is a danger to the young children who live in the area. • Both myself and my partner work from home meaning we spend the majority of the day and night in our 	<p>existing residential areas with regards to land levels. The developer will be required to ensure a consistent fence is provided along shared property boundaries and that this fence provides appropriate screening.</p> <p>The City's traffic section have noted that the proposal does not present a significant increase to traffic volumes. The movement network is a low residential traffic environment and will complete the section of Prosperity Loop which is currently unfinished. Further, by completing this 'loop', residences will gain an exit onto Gibbs Road as originally envisioned as part of early planning for the area.</p>

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		<p>property. Our home office is based in the open plan family living area at the back of the house (see photos attached). We are both required to attend conference calls throughout the day and the disruption from the construction of the new residential area will make it impossible for us to work.</p>	
6	<p>Department of Water and Environment Regulation PO Box 332 Mandurah WA 6210</p>	<p>COMMENT: The portion of land that is subject to this proposed structure plan area is that contained within the existing urban deferred area as well as within Priority 3 (P3) area of the Jandakot Underground Water Pollution Control Area (UWPCA). Urban/residential development is acceptable in P3 areas. Two public open space areas are proposed to be located within Priority 2 (P2) area of the UWPCA. No further development is proposed within P2 area. It is understood that the proponent has lodged a request to lift 'Urban Deferment' in the western portion of the site concurrently with the structure plan. This portion is zoned 'Development' under the City of Cockburn's Local Planning Scheme No 3 (LPS No 3). It is also noted that the proponent was also attempting an MRS amendment to rezone portions of 'Rural-Water Protection' to 'Urban'. However, the Structure Plan documentation states that this amendment request has since been withdrawn. Notwithstanding, the Department understands that the aforementioned alternative configuration has been submitted to the Environmental Protection Authority and it is currently being assessed under <i>section 40(2)(a)</i> of the <i>Environmental Protection Act 1986</i>. Please see Attachment 2 <i>Notice of Decision to Assess Proposal</i>. The current 'Rural-Water Protection' zoning over the site</p>	<p>Noted the DWER does not in principle object to the proposal and is currently working with consultants to produce an amended LWMS.</p> <p>Given the City is recommending an alternative design for the structure plan, which effectively removes Lot 74 as a developable site, it is likely that the water management strategy will change. As the applicant has not agreed to these modifications, the decision rests with the WAPC as the determining authority. Should the WAPC agree to the recommended modifications, the City has required the applicant to update the LWMS accordingly to the satisfaction of the DWER.</p>

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		<p>corresponds with the P2 Jandakot UWPCA as determined within <i>State Planning Policy 2.3: Jandakot Groundwater Protection</i>. In accordance with this policy urban development is not compatible within P2 areas, as it represents unacceptable risk to the public drinking water source.</p> <p>As this site is still undergoing a formal assessment, it is recommended that planning decisions (including the structure plan) associated with these landholdings are deferred to such a time that determination has been made by the EPA.</p> <p>With consideration to the above, the Department has identified the structure plan has the potential to impact on environment and water resource values. In principle the Department does not object to the structure plan, however there are key issues associated with the proposal that should be addressed prior to the finalisation of the structure plan.</p> <p>Issue Better Urban Water Management</p> <p>Recommendation Consistent with <i>Better Urban Water Management (WAPC, 2008)</i> and policy measures outlined in <i>State Planning Policy 2.9: Water Resources</i>, the proposed structure plan is required to be supported by an endorsed Local Water Management Strategy (LWMS) to demonstrate that the proposed urban configuration can adequately manage water quality and quantity.</p> <p>The Department has assessed the LWMS that was provided in the structure plan documents. The content and the design at this point is considered inadequate. It is recommended the document is revised consistent with comments provided in Attachment 1. In accordance with the aforementioned policy the structure plan should not be finalised in the absence of</p>	

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		<p>an endorsed LWMS. In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed. Plus Attachments</p>	
7	Confidential	<p>OBJECT: We do not support another R60 section near our house, increasing traffic past our Prosperity Loop property, plus reducing the amenity of the area. We are not opposed to the R30 part of the proposal even though the majority of houses in Harvest Lakes are R20. This is a lovely, neighbourly section of Aubin Grove with a great community feel. Children play on the streets and we rarely have any issues. If you look at the state of the Niche living development very close by - it has rubbish and trolleys constantly littering the verges (no street name listed on Google but it's opposite Elemi Bend). The homes are too compact and boxed in without enough car parking space. We don't need another Niche (or similar) development on the other side of our home. Many people use the freeway for work so even with another entry on Gibbs Rd most cars would use the existing entry and drive past our house. The R60 would need a direct entry from Gibbs Rd (if not already planned) and plenty of parking if it goes ahead. The increase in traffic on Gibbs, plus increase in number of children crossing to attend Harmony Primary (this is in Harmony PS zone) could be an issue. Drivers constantly speed over 50km on Gibbs Rd near Aurora Ave, with police frequently setting up radars. I would recommend a flashing speed sign displaying driver's speeds or some consideration here if</p>	<p>Noted. The officer has recommended that the structure plan be modified to reduce residential codings where there is an interface with existing residential lots.</p> <p>This submission captures speeding and reckless driving, which is important to the community. However, these behaviours cannot be contemplated in the planning assessment, as they are not considered 'valid planning considerations'.</p> <p>The City's traffic engineers have advised that Gibbs Road is a low traffic environment (even after inclusion of additional residential housing), and presents low peak traffic volumes. It is everyone's responsibility to abide by the speed limits and this behaviour will not be influenced by further residential development.</p> <p>It is hoped to address environmental matters via the officer modifications recommended as part of this council report.</p>

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		<p>this development gets the green light. Also worth noting, there are trees that black cockatoos feed from (perhaps not when the survey was completed) that are in the proposed cleared area. Why can't you leave all of the important feeding trees for these endangered animals? No reptiles were mentioned in the report that I could see. We get a type of monitor lizard here, tiger snakes and dugites, all of which have been in my garden. Plus many bandicoots.</p>	
8	<p>Rachel & Grant Wilson 89 Gibbs Road ATWELL</p>	<p>COMMENT: I write on behalf of my husband and myself, the home owners of 89 Gibbs Road, Atwell with regard to the proposed structure.</p> <p>Grant and myself are not in opposition to the proposed houses to be built in the new location. However, we do have three major concerns we would like to be addressed namely being:</p> <ol style="list-style-type: none"> 1. existing safety and traffic management now; 2. traffic management in the future and precedent; and 3. previous promises made about 'bush forever'. <p>I would like to outline our concerns below, but would be more than happy to discuss these observations and precedents in further details should you so wish.</p> <ol style="list-style-type: none"> 1. Current traffic management and safety - I have serious concerns about the current traffic arrangements on Gibbs Road which I only think will be exacerbated with the development. I have only lived in the house for four very happy years - but since this time there have been numerous traffic accidents due to speeding and loss of control in cars 	<p>This submission captures speeding and reckless driving, which is important to the community. However, these behaviours cannot be contemplated in the planning assessment, as they are not considered 'valid planning considerations'.</p> <p>The City's traffic engineers have advised that Gibbs Road is a low traffic environment (even after inclusion of additional residential housing), and presents low peak traffic volumes. It is everyone's responsibility to abide by the speed limits and this behaviour will not be influenced by further residential development.</p> <p>It is hoped to address environmental matters via the officer modifications recommended as part of this council report. The area to the south of Prosperity Loop is the Banksia Woodland Eucalypt Park (Bush Forever Site 493) and is protected as a regional conservation reserve; therefore this area cannot be developed for</p>

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		<p>namely:</p> <p>a) car losing control at the intersection of Tapper and Gibbs Road and ploughing into the wall of 85 Gibbs Road about 4 - 5 years ago</p> <p>b) car losing control at the intersection of Tapper and Gibbs Road (again) and crashing into the house at Gibbs Road (they now have a wall up);</p> <p>c) car losing control this year (during COVID-19 lockdown) at the intersection of Tapper and Gibbs Road (you notice the pattern??) into the bush land on Gibbs Road. Council fixed the fence.</p> <p>Whilst I acknowledge I am not a traffic police person, nor an expert in the traffic field, I do note that a number of cars 'open up' and increase their speed on Gibbs Road. My husband and I have been flashed a number of times when trying to back out of our driveway and have almost had cars tailgate us when trying to pull into our driveway. Not good enough in any event, but especially not so when I have my children in the car.</p> <p>You will note that the current speed limit on the road should be 50 kilometers per hour. However, there is no road signage to stipulate this when coming from Beenyup road to Gibbs Road (80 km zone to 50km zone) and the 'bush' appearance makes people think that it is not a built up area. On the other side of the road where Beenyup road meets Tapper there is 50 km signage. I have raised this previously with the council and advised that this is a Main Roads issue. Main Roads refer me to the Council. My local Member advises me to raise with the Council and Main Roads. I have no doubt the council takes this seriously when they place road counters outside of</p>	residential.

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		<p>my house (literally) to measure both speed and amounts of vehicles. If the development goes ahead this will increase traffic and may increase this prevalence of speeding.</p> <p>Police do monitor Gibbs Road - however this is mainly at Veviter Link or Aurora Drive and not noticeably on the stretch of Gibbs Road East (unless it is to monitor Tapper Road).</p> <p>Gibbs Road traffic has dramatically increased since the freeway has increased from 4 lanes - at Gibbs Road it decreases to 2 lanes and now Gibbs Road is used as a 'rat run' to avoid congestion for south east residents.</p> <p>2. Future safety and traffic management Again, I reiterate that we are not opposed to the development, but the traffic management egress is of concern, especially as we believe that the 'kink' at the Gibbs/Tapper intersection may be altered to provide a 'straight line run' along Gibbs Road. This should only increase traffic and speeds (regardless of road laws).</p> <p>I urge you to consider traffic management if this development is approved due to:</p> <ul style="list-style-type: none"> a) the current situation at Gibbs/Tapper Road (as identified above); b) future state including future numbers of vehicles. <p>I believe that the number of vehicles utilising Gibbs Road has exponentially increased in the last five years to perhaps levels not anticipated when first developed.</p> <p>Whilst I have not investigated further, I have heard concern</p>	

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		<p>from my neighbours that the figures provided to the Council by the developers are from 2009 rather than current figures.</p> <p>Regardless, I question if traffic management on Gibbs Road was contemplated in its current state where the Kwinana Freeway South now bottlenecks from four lanes to two and the development of Byford, Haynes and Hilbert has exploded. As the Freeway is now bottlenecking at Gibbs/Russell Road south (4 lanes to 2) it is easier for drivers to use Gibbs Road as a short cut rather than utilise Rowley or Thomas Road.</p> <p>In any event, I invite the City of Cockburn's comments on precedent with regards to side roads and Gibbs Road - as I cannot see any residential section of Gibbs Road or Russell Road that is zoned residential that has driveways onto Gibbs or Russell Road unless they are rural. With the new road plans I cannot think it will be an easy task to reverse caravans and trailers into my home without causing some angst. As a site that was sold with the nicety of two driveways to allow egress of boats, caravans etc, this is of concern. Your comments would be appreciated (a side road perhaps?).</p> <p>3. Bush Forever</p> <p>When we purchased this house we were advised that the bush opposite was 'bush forever'. We are aware that the neighbours saw this on the plans as well. Forever is generally longer than four years.</p> <p>In any event, Grant and I would welcome discussing further. We are not opposed to progress, but not at the expense of homeowners who have the right to quiet enjoyment.</p>	

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9	Leah Manning 91 Gibbs Road ATWELL	<p>COMMENT: I write on behalf of my husband and myself, the home owners of 91 Gibbs Road, Atwell with regard to the proposed structure.</p> <p>Tim and myself are not in opposition to the proposed houses to be built in the new location. However, we do have three major concerns we would like to be addressed namely being:</p> <ol style="list-style-type: none"> 1. existing safety and traffic management now; 2. traffic management in the future and precedent; and 3. previous promises made about 'bush forever'. <p>I would like to outline our concerns below, but would be more than happy to discuss these observations and precedents in further details should you so wish.</p> <p>1. Current traffic management and safety - I have serious concerns about the current traffic arrangements on Gibbs Road. I think this will be exacerbated with the development. I have lived in my home for nine years - In this time there have been numerous traffic accidents due to speeding and loss of control in cars namely:</p> <ol style="list-style-type: none"> a) car losing control at the intersection of Tapper and Gibbs Road and ploughing into the wall of 85 Gibbs Road about 4 - 5 years ago b) car losing control at the intersection of Tapper and Gibbs Road (again) and crashing into the house at Gibbs Road (they now have a wall up); c) car losing control this year (during COVID-19 lockdown) at the intersection of Tapper and Gibbs Road (you notice the pattern??) into the bush land on Gibbs Road. Council fixed the fence. 	<p>This submission captures speeding and reckless driving, which is important to the community. However, these behaviours cannot be contemplated in the planning assessment, as they are not considered 'valid planning considerations'.</p> <p>The City's traffic engineers have advised that Gibbs Road is a low traffic environment (even after inclusion of additional residential housing), and presents low peak traffic volumes. It is everyone's responsibility to abide by the speed limits and this behaviour will not be influenced by further residential development.</p> <p>It is hoped to address environmental matters via the officer modifications recommended as part of this council report. The area to the south of Prosperity Loop is the Banksia Woodland Eucalypt Park (Bush Forever Site 493) and is protected as a regional conservation reserve; therefore this area cannot be developed for residential.</p>

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		<p>2. Future safety and traffic management</p> <p>Again, I reiterate that we are not opposed to the development. The need for traffic management is our concern, especially as we believe that the 'kink' at the Gibbs/Tapper intersection may be altered to provide a 'straight line run' along Gibbs Road. This should only increase traffic and speeds (regardless of road laws).</p> <p>I urge you to consider traffic management if this development is approved due to:</p> <ul style="list-style-type: none"> a) the current situation at Gibbs/Tapper Road (as identified above); b) future state including future numbers of vehicles. <p>I believe that the number of vehicles utilising Gibbs Road has exponentially increased in the last five years to perhaps levels not anticipated when first developed.</p> <p>I know my neighbours share the same concerns and that the figures provided to the Council by the developers are from 2009 rather than current figures.</p> <p>I question if traffic management on Gibbs Road was contemplated in its current state where the Kwinana Freeway South now bottlenecks from four lanes to two and the development of Byford, Haynes and Hilbert has exploded. As the Freeway is now bottlenecking at Gibbs/Russell Road south (4 lanes to 2) it is easier for drivers to use Gibbs Road as a short cut rather than utilise Rowley or Thomas Road.</p> <p>I invite the City of Cockburn's comments on precedent with</p>	

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10	DFES 20 Stockton Bend Cockburn Central	<p>NOT SUPPORTED: Modification Required</p> <p>I refer to your email dated 2 September 2020 regarding the submission of a Bushfire Management Plan (BMP) (Revision 0), prepared by Strategen-JBS&G and dated 24 April 2020, for the above Local Structure Plan.</p> <p>It should be noted that this advice relates only to <i>State Planning Policy 3.7 Planning in Bushfire Prone Areas</i> (SPP 3.7) and the <i>Guidelines for Planning in Bushfire Prone Areas</i> (Guidelines). It is the responsibility of the proponent to ensure that the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or</p>	<p>Noted.</p> <p>Given the City is recommending an alternative design for the structure plan, which effectively removes Lot 74 as a developable site, it is likely that the bushfire management plan will need to change. As the applicant has not agreed to these modifications, the decision rests with the WAPC as the determining authority. Should the WAPC agree to the recommended modifications, the City has required the applicant to update the BMP accordingly to the satisfaction of the DFES.</p>

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		<p>any other approvals required by a relevant authority under other written laws.</p> <p><u>Assessment</u></p> <p>1. Policy Measure 6.3 a) (ii) Preparation of a BAL Contour Map</p> <table border="1" data-bbox="568 443 1413 1409"> <thead> <tr> <th data-bbox="568 443 792 475">Issue</th> <th data-bbox="792 443 1227 475">Assessment</th> <th data-bbox="1227 443 1413 475">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="568 475 792 927">Vegetation classification</td> <td data-bbox="792 475 1227 927">Plots 1, 2, 3 & 6 Vegetation Plots 1, 2, 3 and 6 cannot be substantiated as Class B Woodland with the limited information and photographic evidence available. The BMP should detail specifically how the classification was derived particularly where the worst-case scenario is not applied (i.e. Class B Woodland as opposed to Class A Forest).</td> <td data-bbox="1227 475 1413 927">Modification to the BMP is required.</td> </tr> <tr> <td data-bbox="568 927 792 1409">BAL Contour Map</td> <td data-bbox="792 927 1227 1409">BAL ratings – not demonstrated Lots zoned R30 south of the roundabout on the Structure Plan are incorrectly identified on the BAL Contour Map as BAL-29; Table 4 also incorrectly identifies these lots as BAL-29. The conservation zone is identified to have 15m minimum separation distance within Table 4 to achieve the BAL-29 (to lot boundary).</td> <td data-bbox="1227 927 1413 1409">Modification to the BMP is required.</td> </tr> </tbody> </table>	Issue	Assessment	Action	Vegetation classification	Plots 1, 2, 3 & 6 Vegetation Plots 1, 2, 3 and 6 cannot be substantiated as Class B Woodland with the limited information and photographic evidence available. The BMP should detail specifically how the classification was derived particularly where the worst-case scenario is not applied (i.e. Class B Woodland as opposed to Class A Forest).	Modification to the BMP is required.	BAL Contour Map	BAL ratings – not demonstrated Lots zoned R30 south of the roundabout on the Structure Plan are incorrectly identified on the BAL Contour Map as BAL-29; Table 4 also incorrectly identifies these lots as BAL-29. The conservation zone is identified to have 15m minimum separation distance within Table 4 to achieve the BAL-29 (to lot boundary).	Modification to the BMP is required.	
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			<p>However, these figures do not align with Table 2.5 of AS3959 for Class B Woodland and 0-5° Downslope.</p> <p>Should the vegetation classifications be modified to Class A Forest, the BAL Contour Map and Table 4 should be modified to align with the revised vegetation classifications.</p>		
		<p>2. Policy Measure 6.3 c) Compliance with the bushfire protection criteria</p>			
		Issue	Assessment	Action	

NO.	NAME/ADDRESS	SUBMISSION			RECOMMENDATION
		<p>Location & Siting and Design</p>	<p>A1.1 & A2.1 – not demonstrated</p> <p>The BAL ratings cannot be validated, as the modifications required as per the above table.</p> <p>The development has not been designed appropriately to ensure bushfire protection measures can be achieved and to minimise the level of bushfire impact to people, property and infrastructure.</p> <p>DFES do not support the future subdivision within Lot 74 Beenyup Road. It has not been demonstrated that the future development is in an area with the least possible risk of bushfire. The future subdivision on this lot is surrounded on three sides by an extreme hazard and the BMP has not demonstrated that the risk can be adequately managed.</p>	<p>Modification to the BMP is required.</p>	
		<p><u>Recommendation – not supported modification required</u></p> <p>The BMP does not adequately address the policy requirements of SPP 3.7 and the Guidelines.</p> <p>DFES has assessed the Structure Plan and accompanying BMP and has identified several issues that need to be addressed prior to support of the proposal (refer to the tables above).</p>			

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11	Confidential	<p>Comment: I have lived there for eight years and have lived in the City of Cockburn for 30 years. I am not against development and progress and appreciate that at some stage, land will be developed. However, I am against the proposed R60 lot sizes. This does not fit with the surrounding areas lot sizes. There is a R40 lot area on the corner of Gibbs and Elemi Bend and this looks out of place for the area. R60 would not look good.</p> <p>Further to R60, I believe that this doesn't fall under the Western Australian Planning Commission guidelines? The proposed R60 lots would be inconsistent with the Southern Metropolitan Peel Sub-regional Planning Framework.</p> <p>As the area is not serviced by high-frequency public transport nor located within a walkable catchment to a transit corridor, higher-order activity centre or employment node. It is well beyond a 200-metre walkable catchment of a local shopping centre such as Harvest Lakes.</p>	<p>Noted. The officer has recommended that the structure plan be modified to reduce residential codings where there is an interface with existing residential lots. Further, the officer considers that some R60 could be entertained as an offset in recognition of the significant public open space contribution should the proposal be modified to remove Lot 74.</p> <p>Ultimately, these modifications are at the discretion of the WAPC, as the determining authority.</p>
12	Main Roads WA	<p>No Objection: In response to your correspondence received on 2 September 2020, Main Roads has no objections to the proposed structure plan.</p> <p>Main Roads requests a copy of the City's final determination on this proposal to be sent to planninginfo@mainroads.wa.gov.au quoting the file reference above.</p>	Noted.
13	Bush Forever Team - DPLH	Indicated comments will be formally provided to WAPC not the City in accordance to due process	Noted.
14	Department of Biodiversity, Conservation and Attractions	<p>COMMENT:</p> <p>In reference to your correspondence dated 2 September 2020, the Parks and Wildlife Service at the Department of Biodiversity, Conservation and Attractions (DBCA) provides</p>	Given the City is recommending an alternative design for the structure plan, which effectively removes Lot 74 as a developable site, it is likely that the environmental considerations of this

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		<p>the following comments.</p> <p>Environmental Protection Authority (EPA) Assessment of Urban Development of Lots 11 and 74 Beenyup Road Banjup</p> <p>The EPA is assessing a proposal for the urban development of Lots 11 and 74 which was referred to the EPA under Section 38 of The Environment Protection Act (1986) EP Act. The City of Cockburn should consult the EPA regarding their assessment and any implications for the City when considering the proposed Structure Plan.</p> <p>Conservation category wetland (UFI12984) buffer</p> <p>It is noted that a 50 metre buffer will be applied to the Conservation Category Wetland (CCW) mapped in the Geomorphic Wetlands (Swan Coastal Plain) dataset to protect the wetland from the proposed residential development.</p> <p>In Section 2.4 page 26 of the Structure Plan report there is a statement that the wetland buffer will be revegetated where required with low fuel native revegetation to support, complement and protect the CCW, as well as providing adequate protection for the proposed development. The City of Cockburn should ensure that there is adequate separation for bushfire protection between future development and the wetland buffer, and that all bushfire protection requirements are provided within the development land and do not place reliance or impositions on the management of the CCW or buffer, including modifications to the wetland buffer revegetation prescriptions to achieve bush fire protection for adjoining development.</p> <p>The Environmental Protection Authority (EPA) Guidance Statement 33 Environmental Guidance for Planning and Development (2008) outlines that CCWs and their buffers</p>	<p>structure plan will change. As the applicant has not agreed to these modifications, the decision rests with the WAPC as the determining authority. Should the WAPC agree to the recommended modifications, taking into account any EPA decision, the City will require updates to the Environmental Report accordingly.</p> <p>The City contacted the EPA for advice however did not receive a response. It is noted that the EPA do not generally provide comments on structure plans, as these referrals generally occur at earlier stages of the planning process. It is expected that the DPLH will consider EPA advice as part of the lifting of 'Urban Deferred' request.</p>

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		<p>should be fully protected with rehabilitation of disturbed areas, and that wetlands that are to be protected should have a minimum 50 metre buffer.</p> <p>It is noted that the Structure Plan report outlines that the CCW buffer and proposed ecological linkage will be ceded to the City of Cockburn for management, and that a Wetland Management Plan will be required a condition of subdivision.</p> <p>Threatened and Priority Flora Species</p> <p>It is noted that a Level 2 Flora and Vegetation Survey was undertaken on 15 and 16 September 2015, with the survey report stating that the whole survey was accessed and traversed with particular focus given to areas expected to be impacted and or that may have species of conservation significance. A second targeted Flora Survey for <i>Caladenia huegelii</i> and <i>Drakaea micrantha</i> which are listed as Threatened (Critically Endangered and Endangered respectively) under the <i>Biodiversity Conservation Act 2016</i> (BC Act) and Endangered and Vulnerable under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) and other conservation significant flora was undertaken on 11 October 2017.</p> <p>No threatened species listed under the EPBC Act or the BC Act or Priority Listed species were recorded during the two surveys.</p> <p>Management of the Interface between Development and the Bush Forever Site 492 (Jandakot Regional Park) and the proposed CCW Reserve and Buffer area</p> <p>DBCA supports the placement of a periphery road between development and the Bush Forever Site and CCW buffer, as proposed in the draft Structure Plan. It is noted that conservation style fencing in accordance with the City of Cockburn's specifications is proposed to manage access.</p>	

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		<p>It is DBCA's expectation that appropriate interface treatments will be applied in consultation with the City of Cockburn and that this would include conservation fencing and signage, appropriate batter grade slopes to not impact vegetation within the Bush Forever site and proposed CCW buffer, management of storm water onsite, implementation of weed and dieback hygiene controls during construction, and appropriate separation between development and the Bush Forever site and CCW buffer for bushfire protection.</p> <p>Matters of National Environmental Significance</p> <p>A Black Cockatoo Habitat Assessment undertaken on 9 February 2017 and 11 October 2017 identified 6.01 hectares of Black Cockatoo foraging habitat and five potential breeding trees. The Structure Plan report outlines that 4.93 hectares of Black Cockatoo foraging habitat and the five potential breeding trees will be cleared. Carnaby's Black Cockatoo, and the Forest Red-tailed Black Cockatoo are listed as Threatened (Critically Endangered) under the BC Act. These species are also listed as 'Endangered' and 'Vulnerable' under the (EPBC Act).</p> <p>The Flora and Vegetation Survey identified that 5.84 hectares of the <i>Banksia woodland of the Swan Coastal Plain Community</i> is located on the site, with 3.71 hectares proposed to be cleared. The vegetation community is listed as Endangered under the EPBC Act.</p> <p>It is noted that a proposed action for the development has been referred to the Commonwealth Department Agriculture Water and Environment for assessment, and that the proposed action was deemed a "Controlled Action" and required assessment by the Commonwealth as it is likely to or may have a significant impact on the Banksia woodlands of the Swan Coastal Plain TEC, Carnaby's Cockatoo, <i>Caladenia</i></p>	

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		<p><i>huegelii</i>, and <i>Drakaea micrantha</i>.</p> <p>Ecological Linkage</p> <p>The wetland and bushland areas within Lots 11 and 74 form part of a regional ecological linkage that connects Bush Forever site 492 in the west with Bush Forever site 263 in the east.</p> <p>The structure plan proposes a 50-metre-wide ecological link within the southern portion of the site to provide a connection from Bush Forever site 492 to the proposed CCW reserve within Lot 74.</p> <p>The urban design of the southern portion of the proposed urban development (south of Prosperity Loop) does not provide a consolidated reserve boundary for the protection of the combined Bush Forever Site 492 and the proposed CCW reserve, and even with the 50 metre wide ecological linkage, the elongated urban cell would impose a barrier to the movement of fauna between the Bush Forever site and the proposed CCW reserve.</p> <p>The <i>Section 38 Referral Supporting Document</i> (360 Environmental) provided to the EPA for their assessment of the urban development of Lots 11 and 74 Beenyup Road Banjup proposes a 131- metre-wide ecological corridor. Clarification should be sought from the proponent on the inconsistency in the width of the corridor between the Referral Supporting Document and the draft Structure Plan.</p> <p>Bush Fire Protection</p> <p>It is noted that a Bush Fire Management Plan (BMP) has been prepared to meet the requirements of the State Planning Policy -Planning in Bushfire Prone Areas. While the BMP outlines measures that have been devised in accordance with the acceptable solutions. of the Planning for Bushfire Prone Areas Guidelines, the narrow elongated</p>	

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		<p>southern urban cell of the proposed structure plan dissects the bushland between the Bush Forever site and the CCW buffer is surrounded by bushland on three sides. This is not considered desirable from a strategic fire planning perspective.</p> <p>Southern Suburbs District Structure Plan – Stage 2 The proposed development of the southern urban cell of the proposed structure plan is inconsistent with the City of Cockburn approved <i>Southern Suburbs District Structure Plan – Stage 2</i> which identified that the area be included into the Bush Forever site.</p>	
15	Banjup Residents Group (Inc)	<p>1. Precedent Threatens Banjup Rural Amenity</p> <p>The Banjup Residents Group is gravely concerned about the precedent that would be set if the proposed structure plan were approved and so we do not support the proposal in its current form, particularly in relation to the proposed development on lot 74. We are also concerned that the risks of fire to people and properties have been under appreciated by the proponent. Banjup residents care deeply about our area and the rural amenity it affords. The City of Cockburn has reassured us on several occasions that it, too, wants to protect the rural ambience of Banjup. Our Group has campaigned over the years to prevent “white anting” of Banjup by developers nibbling at the edges of our protected area. We see them as playing Go! with our locality – progressively surrounding small areas until little is left but green islands in a sea of bricks and bitumen.</p> <p>2. Questionable Planning Decisions in the Past</p> <p>The Prosperity Loop and 46 Gibbs Road developments near to the subject land seem out of place with the rest of Aubin Grove. Prior to 2010 Prosperity Loop in particular was bushland similar to the subject land, whereas the rest of the Aubin Grove</p>	<p>The <i>Banjup Residents Group</i> provides the City with an important role in communicating key concerns of Banjup residents in a coordinated manner. Many of the aspects raised within this submission have been considered as part of the assessment of the proposal, namely; bush fire concerns, environmental degradation and loss of rural amenity.</p> <p>It is for this reason that the structure plan is not being recommended for approval in its current (proposed) form, and instead, Alternative Options have been presented to the applicant (these are shown as an attachment to the Council Report). It is hoped that these alternatives address this submission.</p> <p>With regards to planning decisions of the past, the City is responsible for considering all applications on their own merits, and the Council, in exercising its decision making, will take into account whether the proposal is compliant with the current planning framework.</p>

development was on degraded land (see IntraMaps aerial imagery Jan 2009). It is unclear why approval was given for these developments when it would have been more appropriate to preserve the whole area south of Gibbs Road as “bush forever”.

Such unfathomable decisions just 10 years ago give Banjup residents little confidence in the planners’ assurances of “bush forever”.

3. Banjup Welcomes Vesting 2/3 of Lots 11 and 74 for Reserve

Banjup residents understood from the proponent’s application to the EPA that if development of the western ends of lots 11 and 74 were approved, then the current owners would vest the eastern 2/3 of their lots with the City of Cockburn as a reserve. If this remains the proponent’s intention – and it is not clear from the structure plan – then Banjup residents welcome the offer.

However, the development proposed in the structure plan for the western end of lot 74 is incompatible with the long term preservation of bush land in Banjup.

4. Development of Western End of Lot 74 Inappropriate

The bush land south of Gibbs Road is of an “extreme Bushfire Hazard Level”, to quote the proponent’s Bushfire Management Plan. The area was not burned during the Banjup fire of 2014 and today has a very high fuel load. Banjup residents’ experience of the 2014 fire is that in the face of raging fire driven by strong winds the only effective property protection is distance from the fuel load.

The long finger of development proposed at lot 74 would be surrounded on 3 sides by bushland with little separation from the houses. The Canberra bush fires of 2003 demonstrated how dangerous this can be. Houses had been built on one side of roads and bushland came right up to the other sides. Flames

The *Banjup Residents Group* have rightly pointed out that the structure plan does not include privately owned land to the east. This land is zoned ‘Resource’ and is outside of the structure planning zone, so the applicant is not required to show it on the structure plan map. This land is also not zoned for ‘Development’ purposes, and therefore there is no mechanism to require the landowner to cede this land as a reserve.

Instead, the officer recommendation is to remove Lot 74 as a ‘development’ site and cede it as ‘Public Open Space’ (forming a primarily conservation function).

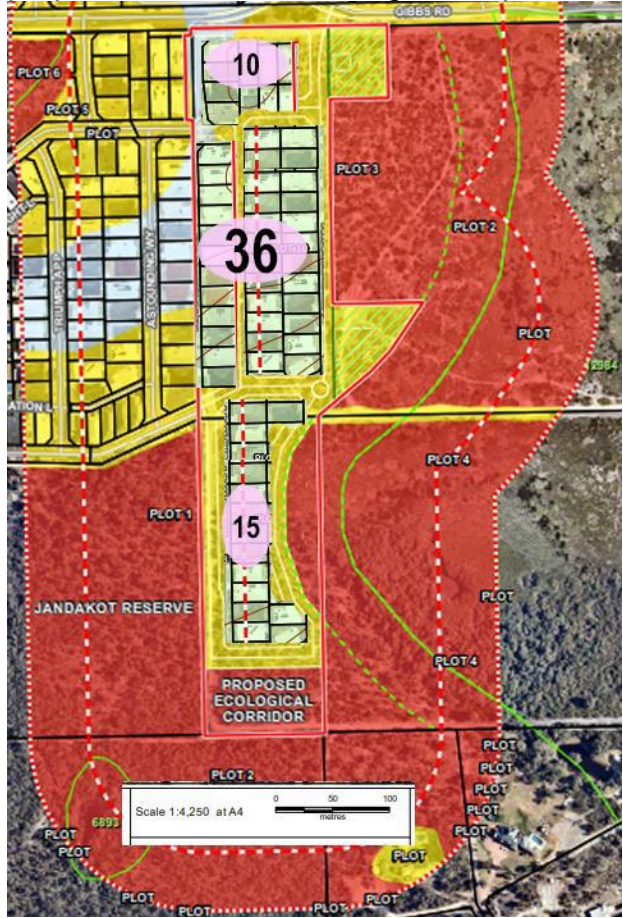
The City agrees that the ‘finger’ of development is inappropriate, and presents an unacceptable level of bush fire risk. For this reason, the officer recommendation is to remove Lot 74 as a ‘development’ site, and therefore no longer have a ‘development finger’ (as originally proposed).

The officer report also acknowledges very recent bushfires within the Banksia Woodland Park, which seriously undermined the wellbeing and safety of residents. It is agreed that the more logical development pattern would be to ‘round off’ and complete Prosperity Loop, as suggested by the *Banjup Residents Group*, and omit development on Lot 74.

To this end, the officer recommendation is not to support development on Lot 74, instead presenting options for this lot to be ceded as a reserve.

leapt the roads and engulfed the houses. Four people died, over 490 were injured, and 470 homes were destroyed or severely damaged.

The bushfire management plan in the structure plan shows that the subject area is surrounded by extreme bushfire hazard level. There could be 60 houses built in the area, as shown in the diagram below, adapted from figure 4 of the proponent's bushfire management plan.



Half of all lots in the subject area would be adjacent to bush land with a Bushfire Attack Level of 29. A separation from the bush land of 15 metres is suggested by the proponent's consultants. Other authorities recommend a separation of 25

metres from BAL 29 bush land. Coincidentally, 15 metres is the 8 metre road reserve and the 7 metre set back of houses from either the front or back fences.

Council might wish to explore in some detail how the consultants derived the 15 metre separation because it is not included in their Bushfire Management Plan.

The consultants imply that with appropriate building set backs a BAL of Low can be achieved (see pdf page 74 of structure plan). Other authorities recommend a separation of 100 metres for this to be achieved. Clearly, this would not apply to lots in the subject area.

Sadly, deliberately set bush fires on the urban fringes are not uncommon, as the Banjup fire of 2014 attests. Should the high fuel load in the Banksia Reserve be ignited, residents of the subject area and in Prosperity Loop might well ask why they were not better protected from obvious risks.

5. Round Out Prosperity Loop Instead

A structure plan that could gain more support would see the development of lot 74 deleted and the development of lot 11 extended to round out the existing Prosperity Loop area. The whole area would still be surrounded by an extreme bush fire risk but that would be the result of planning decisions made 10 years ago, not today.

Planners might say that the Metropolitan Region Scheme boundaries would have to be changed. So what? The MRS is always being changed. If the trade off is that the MRS boundary of urban deferred at lot 74 is removed, then so be it. With the proponent's offer of vesting in the City of Cockburn, more bushland is preserved and the extreme risk of fire to the people in the "finger" of lot 74 is eliminated.

		<p>RESTRICTED POS UNRESTRICTED POS PARKS AND RECREATION RESERVE BUSH FOREVER - JANDAKOT REGIONAL PARK CONSERVATION CATEGORY WETLAND S1M CCW BUFFER</p> <p>ROAD GIBBS PROSPERITY LOOP EXISTING RESIDENTIAL SANGATION LANE PROSPERITY JANDAKOT RESERVE LOCAL PLANNING SCHEME ZONING: RESOURCE PROPOSED ECOLOGICAL CORRIDOR</p> <p>Extend development into here</p> <p>Remove this from Urban Deferred</p>	
16	Confidential	<p>OPPOSE: This would be so detrimental to the native flora and fauna in the area. I strongly oppose this proposal!</p>	Noted.

17	Joe Bovell 391 Beenyp rd Banjup	SUPPORT: I welcome residential development in Banjup. There is a great opportunity to develop an eco friendly suburban area that is both ecologically sensitive and market leading. The suburb itself is in danger of becoming irrelevant if development doesn't occur. If left alone it will become another Jandakot. Banjup is no longer a market garden/ horse training region and with a 4 lane Rowley Road coming it has lost its rural ambience	Noted.
18	Confidential	OPPOSE: I've just bought a rural property last year on Beenyp Road for \$1M+ - paying a lot of money for the peace and quite of rural life. This high density housing proposal right on my doorstep will devalue my property and ruin the serenity of rural life. Gibbs Road is also a single lane 50kph road - I would expect there to be upgrades of this road also to handle the extra traffic.	The officer recommendation seeks to reduce the density of the proposed structure plan from R30 to R25. It is considered that this lower density is more appropriate and in keeping with the surrounding area. Some higher density R60 is proposed adjacent to proposed Public Open Space sites, however these are limited in number with the predominant density being low (R25). Additional traffic movements onto Gibbs Road do not represent a significant increase and therefore do not trigger major upgrades to this road.
19	Stephen & Sepideh Harris 85 Gibbs Road, Atwell WA 6164	OPPOSE:	Unfortunately, the City of Cockburn cannot control how property is sold and it is recommended that all potential buyers undertake due diligence prior to purchasing property. These matters are civil, between the seller and purchaser, and cannot be resolved by the current structure plan proposal. Notwithstanding the above, the officer has recommended significant changes to the lodged proposal which may address the majority of concerns raised by this submission. Firstly, the officer recommends a wider 'ecological corridor' to connect the existing Bush

1. Relevant Background & Summary
- 1.1. We own the property at 85 Gibbs Road East, Atwell (Property).
- 1.2. We refer:
- (a) your correspondence dated 4th September 2020, ref 110/217; and
 - (b) The Proposed Structure Plan - Lots 11, 74 and 9046 Beenyup Road, Banjup and the Structure Plan (which is accessible at <https://comment.cockburn.wa.gov.au/60675/widgets/307872/documents/179648/download> (Proposed Structure Plan))
- 1.3. We have read the Proposed Structure Plan in detail and we oppose the proposal for the following reasons:
- (a) We acquired the Property as vacant land relying on the land sales information and maps which stated that the land south of Gibbs Road East was "Bush Forever". Development of the land in accordance with the Proposed Structure Plan shall:
 - (i) be in contravention of the land sales representations made to us – and relied upon by us – prior to acquiring the Property;
 - (ii) negatively impact the semi-rural lifestyle, and quality of life, that was a fundamental reason for our purchase of the Property; and
 - (iii) negatively impact the quality of the environment surrounding our home, and our enjoyment of that surrounding environment.
 - (b) Certain assertions made in the Proposed Structure Plan are misleading and dissuade legitimate concerns being considered by, or raised about it by the community;
 - (c) The data on which the Traffic Assessment report relies upon is out-dated, and to extent the Proposed Structure Plan places any reliance on the Traffic Assessment report, is flawed.
 - (d) The proposed connection road at the north of the Proposed Structure Plan on to Gibbs Road East will create hazardous road conditions, negatively affecting local residents and road users. This would be in contradiction of *Liveable Neighbourhoods* principles. We are also genuinely concerned about the risk to safety it poses specifically to our home and family; and
 - (e) Development of the land in accordance with the Proposed Structure Plan will negatively impact the value of our Property.
2. Bush Forever designation
- 2.1. We acquired our Property relying on the land sales information and maps which stated that the land south of Gibbs Road East (Relevant Area) was designated as "Bush Forever" land.
- 2.2. As is stated in the Proposed Structure Plan, the Bush Forever nomination of the Relevant Area on land sales documentation was supported by Bush Forever publications, including the City of Cockburn Southern Suburbs District Structure Plan (2002). Contrary to that stated in the Proposed Structure Plan, it was not just the southern portion of the Proposed Structure Plan that was identified as potential Bush Forever: see "Bush Forever Information Sheet published in July 2002"

Forever Site 492 to the wetland to the east. The 'Bush Forever' designation only applies to land within the regional reserve, *Banksia Eucalypt Woodland Park*. The designation of 'Bush Forever' is a State Government consideration which is not controlled by the City of Cockburn. The officer recommends Lot 74 (southern end of the structure plan) become a Local Reserve, which will retain the land as an ecological corridor for conservation purposes (notwithstanding that it is not designated by the State as 'Bush Forever').

The road network has been considered in detail to ensure that the connecting point at Gibbs Road is safe and that no further entry points are proposed onto Gibbs Road, as it is clear from submissions that this is a real concern for residents. The City's traffic engineers have advised that Gibbs Road is a low traffic environment (even after inclusion of additional residential housing), and presents low peak traffic volumes. It is everyone's responsibility to abide by the speed limits and this behaviour will not be influenced by further residential development.

The City agrees that the applicant has not sufficiently addressed the *Southern Suburbs District Structure Plan (2002)* in their proposal, instead referring to it as 'somewhat dated.' The City does not agree with this assertion and has therefore recommended modifications to the proposal prior to it being considered by the Western Australian Planning Commission (WAPC). To clarify, the *Southern Suburbs District Structure Plan* showed the southern portion of the site (Lot 74) as potential 'Bush Forever'. The Town Planning Scheme zones the both Lot 11 and Lot 74 'Development'. The

	<p>(enclosed as Attachment 1) which indicates the potential Bush Forever site as having a northern boundary of Gibbs Road / Gibbs Road East.</p> <p>2.3. Any development of land east of the termination point of Gibbs Road (where it becomes Tapper Road) before the intersection and beginning of Gibbs Road East clearly contravenes the representations made to us – and relied upon us – prior to acquiring our Property.</p> <p>2.4. Our selection and purchase of the lot at 83 Gibbs Road East, Atwell included:</p> <ul style="list-style-type: none"> (a) that the land south of Gibbs Road East opposite the lot was specified “Bush Forever”; (b) the character of the native bushland of the land south of Gibbs Road East opposite the lot; and (c) the birdlife that access the land south of Gibbs Road East opposite the lot, and consistently access our gardens at 83 Gibbs Road Atwell, with pleasant bird calls to be experienced. <p>2.5. Development of the land in accordance with the Proposed Structure Plan - especially including the connection road to Gibbs Road East immediately opposite our property - shall negatively impact the quality of the environment surrounding our home, and our enjoyment of that surrounding environment. In this respect, we note that the Relevant Area is in immediate proximity to our Property, it provided it with a semi-rural / natural bush ambience, which was particularly attractive to us in electing to purchase the Property - especially as we had previously lived in a higher-density new housing estate area with modern project homes lining the streets.</p> <p>3. Misleading statements made</p> <p>3.1. The assertion in the Proposed Structure Plan that the City of Cockburn Southern Suburbs District Structure Plan (2002) is considered to be “irrelevant” is both incorrect and misleading. We acquired our Property, when the land in our area had been released for sale as vacant lots. As the Cockburn Southern Suburbs District Structure Plan (2002) was referenced by us (and in fact relied on by us) in deciding whether to purchase our Property, it is neither lawful or accurate to assert that it “irrelevant” merely because it does not suit the Proposed Structure Plan Developer’s preferences. Local residents who placed reliance on that document will no doubt have legal recourse for any reliance they placed on that information to their detriment.</p> <p>3.2. Separately, we note the Proposed Structure Plan asserts that “... planning and development in the locality has significantly advanced ...” and that the Southern Suburbs District Structure Plan Stage 2 Banjup is “... considered to be somewhat ‘dated’.” This assertion contradicts the City of current City of Cockburn Town Planning Scheme No. 3 (District Scheme)¹ (enclosed as Attachment 2) which specifies the boundaries and limits of land for Residential development. This document illustrates that the residential land development boundary is terminates at Gibbs Road (where it becomes Tapper Road) before the intersection and beginning of Gibbs Road East - which further supports and evidences “bush forever” designation of the Relevant Area.</p> <p>3.3. We further note that correspondence was previously issued by the City of Cockburn to advise that previous applications to develop the land of the Proposed Structure Plan had been rejected, including for recognition that Harvest Lakes land sales documentation had specified the land south of Gibbs Road as “Bush Forever”. Curiously, no reference to this information and these past decisions (and the rationale for them) have been provided to local residents as part of the current Proposed Structure Plan.</p> <p>3.4. As a result the Proposed Structure Plan contains various assertions and omissions (especially in relation to the development of the land south of Gibbs Road East) that clearly misled local residents affected by the Proposed Structure Plan, and only serves to dissuade them from raising valid objections they may otherwise be minded to make (which could frustrate the objectives of the Proposed Structure Plan’s proponents) by not alerting them to important factors they need to make an informed decision.</p> <p>¹ Reference: Town Planning Scheme Map No. 17 of 23, Version No 1, dated 22 July 2019</p>	<p>‘Development’ zone provides a mechanism to assess structure plans and consider matters such as environment, bushfire, road networks etc. and it is expected that the applicant address the objectives of the District Level Structure Plan in their proposal.</p> <p>The subject proposal involves structure planning of the western portion of Lot 11 and Lot 74 Beenyup Road, Banjup and a balance of title Lot 9046 Prosperity Loop, Aubin Grove and should be considered on its merits (notwithstanding past planning decisions). It is noted that the remaining land to the east (south of Gibbs Road to the east) is located within the ‘Resource’ zone and is not permitted to be developed as a residential estate, as it is zoned for rural purposes.</p> <p>Despite property values being a natural concern for residents, this issue is not considered a valid planning consideration and therefore cannot be used as a basis for refusing development.</p>
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		<p>4. Connection road to Gibbs Road East shall create hazardous road conditions</p> <p>4.1. The intersection of Gibbs Road East, Tapper Road and Gibbs Road has been the location of numerous accidents, not otherwise common to the suburb. Major incidents have included:</p> <ul style="list-style-type: none"> (a) A vehicle running along the barrier fencing of the drainage pit, then across the intersection and halt on the road verge on the opposite side of the road. Barrier sign passed through windscreen almost decapitating both driver and passenger. (b) A vehicle destroying our Property boundary gardens and collision with (and the resulting collapse of) the boundary wall of our property. (c) Two instances of vehicles failing to corner the intersection, forcing through the barrier fencing, and landing into the drainage pit. (d) Numerous instances of vehicles pulling in front of, and colliding with Tapper Road – Gibbs Road traffic. <p>The incident above which directly affected our Property caused significant distress to our family, in addition to the cost and inconvenience of rebuilding the boundary wall and re-establishing the garden. The incident has made our family particularly concerned about the risk that increased traffic area could pose to our safety when at home.</p> <p>4.2. All the above accidents have been the result of:</p> <ul style="list-style-type: none"> (a) failing to slow sufficiently prior to turning east from Tapper Road into Gibbs Road East; or (b) failing to slow sufficiently prior to turning west from Gibbs Road East into Tapper Road (and subsequently Gibbs Road). <p>4.3. Many drivers using the roads are observed to rapidly accelerate from the intersection:</p> <ul style="list-style-type: none"> (a) west from the intersection, along Tapper Road (and subsequently Gibbs Road) in the direction of Kwinana Freeway; and (b) east from the intersection, along Gibbs Road East. <p>4.4. As we live adjacent to the intersection, we have observed the results of accidents at the intersection, the poor driving behaviours regularly and consistently demonstrated, and many near misses – especially where drivers turning east and along Gibbs Road East do not give consideration to local residents turning in to their driveways, and regularly swerve dangerously to the opposite side of the road to go around turning / slowing vehicles and/or avoid rear-ending a vehicle that they did not anticipate would slow or turn.</p> <p>4.5. The connection road to Gibbs Road East of the Proposed Structure Plan would result in vehicles regularly pausing on Gibbs Road East <u>immediately following the Gibbs Road East-Tapper Road-Gibbs Road intersection</u> to give way to oncoming traffic (on Gibbs Road East travelling west) to turn right into the connection road. There will be significant risk of road accidents if the new intersection is positioned as per the Proposed Structure Plan.</p> <p>4.6. The Traffic Assessment within the Proposed Structure Plan states that the connection to Gibbs Road is anticipated to result in increased traffic movements distribution of more than 700 vehicles per day and more than 70 vehicles per hour in peak hours. We further note that:</p> <ul style="list-style-type: none"> (a) the Traffic Assessment report was published in 2016 and incorporates (and relies upon) traffic count data from traffic counts conducted by the City of Cockburn in 2009; (b) a large portion of the locality's housing had not been constructed at the time of the traffic counts conducted by the City of Cockburn in 2009; (c) vehicular traffic has materially increased on Gibbs Road / Tapper Road and Gibbs Road East since 2009, particularly since 2016. 	
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4.7. The data on which the Traffic Assessment report relies upon is out-dated, and to extent the Proposed Structure Plan places any reliance on the Traffic Assessment report is flawed, especially as to conclusions stated regarding:

- (a) the extent of vehicular movements, and their effects on road network traffic;
- (b) the capacity of the road network;
- (c) the safety of interconnecting road design; and
- (d) the impact upon local residents and the neighbourhood.

4.8. The proposed connection road at the north of the Proposed Structure Plan on to Gibbs Road East will create hazardous road conditions, negatively affecting local residents and road users. This would be in contradiction of Liveable Neighbourhoods principles.

5. Negative impact on the valuation of our property

5.1. In the circumstances, each of the following features and/or implications of the Proposed Structure Plan separately, and certainly the combination of them together, has a direct, material negative impact on the value of our Property:

- (a) development of the bushland opposite our property;
- (b) loss of character and quality and environment surrounding our property;
- (c) location of a road intersection immediately opposite our property; and
- (d) the increased road traffic adjacent to our property.

5.2. Accordingly, should the Proposed Structure Plan be approved in its current form, we will have little choice but to seek compensation for the damages/loss of value caused to our Property.

5.3. Further should, any traffic incidents on the nature described above occur following the implementation of the Proposed Structure Plan in its current form affecting our Property, we reserve the right to adduce this letter in evidence to support and/or establish the reasonable foresee-ability of those accidents.

Yours sincerely,



Stephen Harris



Sepideh Harris

Attachment 1:

BUSH FOREVER INFORMATION SHEET

NOMINATED ADDITIONAL BUSH FOREVER AREAS

BACKGROUND

Bush Forever released in December 2000 is an all of Government initiative aimed to retain and protect regionally significant bushland on the Swan Coastal Plain within the Perth Metropolitan Region.

Bush Forever fulfils the Government's commitment to preparing a strategic plan for the conservation of bushland on the Swan Coastal Plain portion of the Perth Metropolitan Region as identified in the *Urban Bushland Strategy* (Government of Western Australia, 1995) and will contribute significantly to achieving the core objectives of the 1996 *National Strategy for the Conservation of Australia's Biological Diversity*.

Bush Forever aims to protect over 51,000 hectares of regionally significant bushland within 297 sites across the metropolitan portion of the Swan Coastal Plain.

The draft of *Bush Forever, Perth's Bushplan*, was released for public comment in November 1998. During the public consultation period, between November 1998 and April 1999, over 2,000 submissions were received from landowners, government departments, industry, community groups and interested individuals. Some of the submissions nominated additional naturally vegetated areas to be considered for inclusion in the final report while others requested the removal of naturally vegetated areas from *Bush Forever*.

THE ASSESSMENT PROCESS

Each area nominated for addition or deletion required assessment against the regionally significant bushland criteria and planning considerations that were used to select sites identified in *Perth's Bushplan*. The criteria and considerations as outlined in *Bush Forever* include:

Regionally Significant Bushland Criteria:

- **Representation of ecological communities:** representation of the range of ecological communities and the areas where these communities merge.
- **Diversity:** areas that have a high diversity of flora and/or fauna species or communities in close association.
- **Rarity:** areas containing communities or species that are rare, threatened or have a restricted distribution.
- **Maintaining ecological systems or natural processes:** maintenance of ecological processes or natural systems at a regional or national scale.
- **Scientific or evolutionary importance:** evidence of evolutionary processes either as fossilised material or as a relict species and areas containing unusual or important geomorphological or geological sites.

Areas of recognised scientific or educational interest as reference sites or as examples of important environmental processes at work.

- **General criteria for the protection of wetlands, streamlines and estuarine fringing vegetation and coastal vegetation.**
- **Criteria not relevant to determining regional significance but which may be applied when evaluating areas having similar values:** for example historic or landscape values.

Planning Considerations:

- **Planning considerations:** including assessment of existing land use zoning, existing development approvals, ownership, regional infrastructure requirements and extractive and mining industry requirements.
- **Wider social and economic values:** including financial resources of government were also taken into consideration.

While the majority of the areas proposed for deletion were assessed prior to the release of *Bush Forever*, many of the nominated additional areas still required assessment at the time *Bush Forever* was released.

The existence of the nominated additional areas is clearly outlined in the *Bush Forever* documentation that states:

Over 100 additional areas were nominated during the public submission period on draft Perth's Bushplan. Each nomination is being considered as part of an on-going process. Only those areas listed below have so far been assessed as not suitable or appropriate for inclusion in Bush Forever. Other nominated areas will require further investigation in full consultation and agreement with the landowners and in the context of bushland and planning criteria. (Bush Forever Summary of Submissions report Appendix 6 – Section 1.7, pages 71-72).

A total of 109 areas were nominated for addition to *Bush Forever*. Prior to the release of *Bush Forever*, 36 of the nominated areas were assessed against the *Bush Forever* criteria and resulted in the following:

- 22 areas did not meet the criteria and were therefore excluded. These areas are listed in *Bush Forever* (Summary of Submissions report pages 71-72);
- 3 areas were already included as existing sites in draft *Perth's Bushplan*; and
- 11 areas were agreed to be included either as additions to existing sites or new sites and were included in *Bush Forever*.

Since the release of *Bush Forever* an assessment of the remaining 73 nominated areas against the *Bush Forever* criteria outlined above has been undertaken. The *Bush Forever* agencies have agreed that 17 of the nominated additional areas are likely to meet the *Bush Forever* criteria and comply with the planning considerations. A detailed investigation of these 17 areas is now required to confirm compliance with the *Bush Forever* criteria.

Of the 17 nominated areas requiring further consideration, 13 are extensions to existing *Bush Forever* sites and four are new areas. Twelve of the nominated areas are on Government owned land with five of the nominated areas containing land in private ownership.

The other 56 nominated areas were not considered to meet the *Bush Forever* regional significance criteria, were constrained by planning commitments, or were identified as being able to be protected through other planning and environmental mechanisms and will not be considered further through *Bush Forever*. The other mechanisms identified include:

- Areas containing a conservation category wetland or listed under the *Environmental Protection (Swan Coastal Plain Lakes) Policy 1992* with little or no associated upland vegetation, will be protected by other State mechanisms through the planning and environmental approvals process.
- Areas containing a registered Aboriginal Site will be protected by the requirement of the *Aboriginal Heritage Act 1972* through the planning and environmental approvals process.
- Areas containing vegetation from the eastern side of the Swan Coastal Plain will be protected by the agreed presumption against further clearing of these vegetation complexes, as outlined in *Bush Forever* (Volume 1, page xiv), applied through the planning and environmental approvals process.

The Environmental Protection Authority and the Western Australian Planning Commission endorsed the outcomes of the assessment process for the nominated additional areas at their respective meetings in May 2002.

A complete list of the 109 additional areas that were nominated through the public submission process is provided in the table along with the decision made during the assessment process.

The 17 areas that are being further considered are highlighted on the following table with their location and additional information provided on the enclosed map.

WHERE TO FROM HERE

Further consideration of the 17 nominated areas considered likely to meet the *Bush Forever* criteria is now required. This includes a detailed investigation of each area and liaison with the landowner/s. It is important to note that the nominated areas can only be included in *Bush Forever* if they meet the regional significance criteria and landowner agreement has been reached.

The landowners within the remaining nominated areas have recently been notified and the detailed assessments are currently being undertaken. The timeframe for completing the assessment process of these 17 areas will be dependent on reaching resolution with the affected landowners. It is anticipated that resolution on the majority of these additional areas will be reached before the end of the year.

To strategically oversee the implementation of *Bush Forever* and the assessment of the remaining 17 nominated additional areas, a multi-stakeholder advisory group, the *Bush Forever* Advisory Group, is being established.

FURTHER INFORMATION

For further information regarding the nominated additional *Bush Forever* areas or any *Bush Forever* matters, please contact:

Ms Emma Bamforth
 Bush Forever Office
 Ph: (08) 9264 7772.
 e-mail: emma.bamforth@planning.wa.gov.au

NOTES TO ACCOMPANY TABLE

General

- The shaded areas are the 17 areas that are to be considered further.

Column 1: Nominated Additional Area Identification Number

- Some nominated areas were divided into two sections 'a' and 'b' with part being assessed prior to the release of *Bush Forever* and the remainder assessed post release of *Bush Forever*.

Column 2: Name of Nominated Additional Area

- The names of the nominated additional areas were selected to best describe the area and are not necessarily the name provided in the submissions.

Column 3: Summary of assessment process outcomes

- CCW: Conservation Category Wetland
- EPA: Environmental Protection Authority
- EPP: Environmental Protection Policy
- POS: Public Open Space
- P&R: Parks and Recreation
- SCP: Swan Coastal Plain
- TEC: Threatened Ecological Community
- EPBC Act: *Environment Protection and Biodiversity Conservation Act 1999*
- Protected by eastern side SCP presumption against clearing - Protected by the agreed presumption against clearing of vegetation complexes on the eastern side of the Swan Coastal Plain

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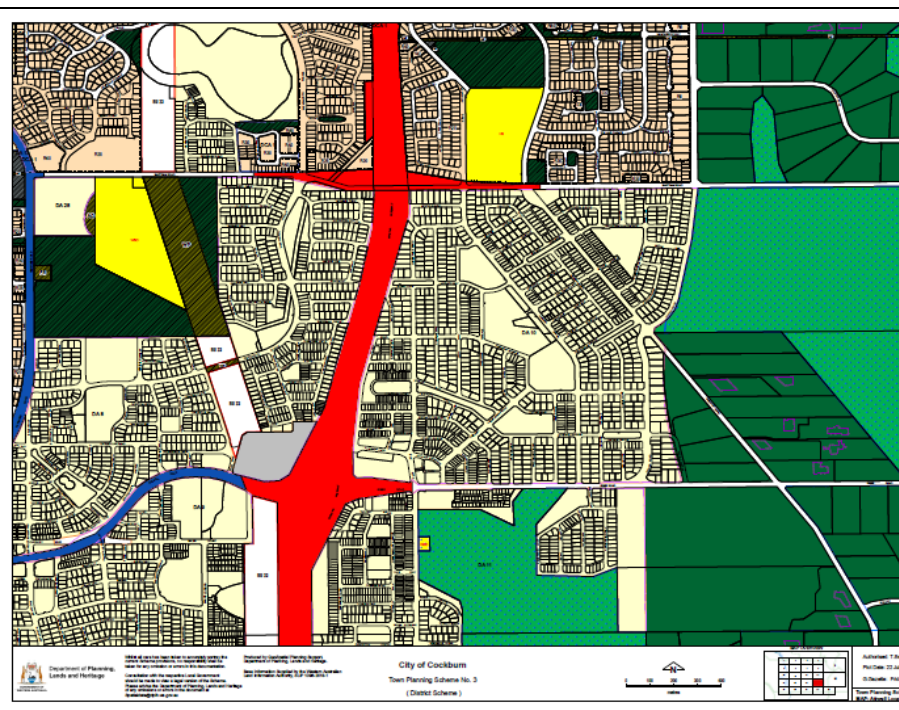
Bush Forever
Nominated Additional Bush Forever Areas

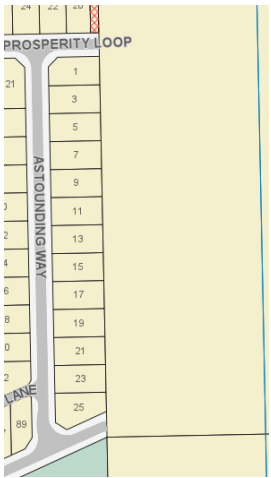
Table: Nominated Additional Bush Forever Areas

No.	Name of Nominated Area	Outcome of Assessment Process
1	Coffs Freshwater Bay, Neppernong Green	Already included in draft North Coastplan
2	Point Weylen, Abakade	Already included in draft North Coastplan
3	Shaded corner of Mundaring and Dugopong Rds, Baldivis	Already included in draft North Coastplan
4	Additional to Whitman Park, link between Bush Forever sites 304 & 195, Gulladarrin	Included in Bush Forever
5	Additional to Bush Forever site 452 (Lots 702 & 4051), Munster	Included in Bush Forever
6	Folly Road north, Baldivis	Included in Bush Forever
7	Lot 10 Eymen Drive, Neerabup	Included in Bush Forever
8	Link east - Lots 30, 36, 1270 Willard Rd, Lot 30 Miller Rd, Loc 1724 & Vicard Crown Lands, Wilkes	Included in Bush Forever
9a	Entire Road, Alexander Heights - Lot 600	Included in Bush Forever
9b	Entire Road, Alexander Heights	Investigate further - likely to contain regionally significant bushland
10a	South Tamworth Hill bushland and wetlands Crown Reserve and Water Corp. land	Included in Bush Forever
10b	Tamworth Hill bushland, Baldivis - Lots 300 & 306 Eighty Rd, Baldivis	Not included, wetland on Lot 300 already protected as CCW, development zoning and subdivision approvals already in place
11a	Abwell LandCorp site - Lyon/Gambler Woodland, Lot 204 Lyon Rd	Included in Bush Forever
11b	Abwell LandCorp site - Lyon/Gambler Woods Shrub	Investigate further - likely to contain regionally significant bushland
12a	Lot to north of east wing of Bush Forever site 360, Government land to east of Lot 130 Jandakot Rd	Included in Bush Forever
12b	Lot to north of east wing of Bush Forever site 360, Jandakot Rd, Shrup - Lot 130 Jandakot Rd	Not regionally significant bushland
13a	Lot 750 Ankerill Rd & lots to east - Lot 750	Included in Bush Forever
13b	Lot 750 Ankerill Rd & lots to east, Oakford - Part Area 1 - eastern lots Part Area 2 - Lot 750 Ankerill Rd	Not regionally significant bushland
14a	Blue Lister Swamp/Baldivis Swamp - Lot 505, western part	Included in Bush Forever
14b	Blue Lister Swamp/Baldivis Swamp, Baldivis	Investigate further - likely to contain regionally significant bushland
15	Lake Phipps, Phipps	Investigate further - extends Site 502 to proposed P&U boundary
16	Warwick Senior High School bushland, Warwick	Investigate further - likely to contain regionally significant bushland
17	Channel 8 bushland/Upper Ave Diarella	Investigate further - likely to contain regionally significant bushland
18	East Shenton bushland, Lenthox St, Shenton Park	Investigate further - likely to contain regionally significant bushland
19	Murdock superblock - Murdock/Learning	Investigate further - likely to contain regionally significant bushland
20	Lots 311 and 312 Income St, Formbydale	Investigate further - likely to contain regionally significant bushland, extension to Bush Forever site 345
21	Link between Bush Forever sites 252/464/246,	Investigate further - likely to contain regionally significant bushland Gonville/Southern River and zoned P&U
22	Lot 12 Rowley Rd, Formbydale	Investigate further - likely to contain regionally significant bushland, extension to Bush Forever site 345
23	Conservation Category Wetland, north-west of Bush Forever site 125, Warton Road Southern River	Investigate further - extension to SF Site 125, already wet sites as P&U
24	Shaded east of Dalwood Drive, north Port Kennedy Drive, Port Kennedy	Investigate further - likely to contain internationally significant wetlands
25	Murdock University bushland/wetlands Farmington Murdock	Investigate further - likely to contain regionally significant bushland
26	West Thomas's Lake, Henderson Rd, Munster	Investigate further - likely to contain regionally significant bushland
27	Frankland Reservoir, Rowley Rd Woorup	Investigate further - potential land swap between the reserve and adjacent rural blocks
28	Rowley/Frankland/Fairfield Rds, Daringup	Investigate further - potential land swap with Frankland Reservoir
29	Formbydale Manufacturing Yard wetland	Not included, already protected as CCW
30	Lighton wetland/bushland adjoining south from Bush Forever site 22, Eberbrook	Not included, already protected as CCW
31	Twin Marshes Swamp, south-west of corner of Daringup Rd & Siddons Rd, Mundaring	Not included, protected by eastern side SC/P presumption against clearing and already protected as CCW
32	Twin Hartham Swamps, Hartham Rd, Gussies	Not included, already protected as EPP/Lake
33	Crompton/Dry Rd wetlands, East Rockingham	Not included, protected as TEC under EPBC Act 1999 and already protected as CCW
34	Daringup Swamp, Woodward Close, Baldivis	Not included, protected by eastern side SC/P presumption against clearing and already protected as EPP/Lake
35	Lander Swamp, Southern River	Not included, already protected as EPP/Lake
36	Outridge Swamp, Outridge Rd, Baldivis	Not included, already protected as EPP/Lake
37	Wetlands south-east of Karama Freeway/Rowley Road intersection, Wand	Not included, already protected as CCW
38	Dalton/Elmhurst Swamp, Wilkes	Not included, already protected as EPP/Lake
39	Shaded south of Eymen Rd, Gussies	Not included, protected by eastern side SC/P presumption against clearing
40	Yakine Swamp, Lake Yakine, corner Gungahra Road and Swan Road, Eberbrook	Not included, protected by eastern side SC/P presumption against clearing
41	All Lot 4 Mundaring Rd, Daringup	Not included, development zoning already in place
42	Spanwood Ridge, between Gicklemore Rd & Johnson Rd, Parmelia	Not included, development zoning already in place
43	Shaded bounded by Gaskler Rd, Barfield Rd, Russell Rd and Frankland Ave, Daringup (adjacent to and east of Bush Forever site 302)	Not included, development zoning already in place
44	All Lot 4/1 Colony Road, Formbydale	Not included, development zoning already in place
45	Shaded around Vines and Glendbrook	Not included, development zoning already in place
46	Victoria Hill bushland (corner of Victoria Rd & Baringers Ave), Malaga	Not included, wetland already protected as CCW, currently being assessed by the EPA
47	Lots 70 & 85 Darnley Rd, Gunning Vale	Not included, development zoning already in place
48	Learning Road - bridge east from Kara Ave/Upper Rd intersection through to Kun Mutual Park, Learning	Not included, regional road reserve
49	Shaded corner of Midland Rd & Sadler Dr (part of Shadwell bushland), Helena Valley	Not included, protected by eastern side SC/P presumption against clearing, core bushland areas already included in Bush Forever
50	South-east section of intersection between Black & Forest Rds, Gibra Lake	Not included, regional road reserve
51	North-east, north-west and south-west sections of intersection between Black & Forest Roads, Hamilton Hill Coolbellup via Stock/Forest Rd, Coolbellup	Not included, regional road reserve

02	Bushland/wetlands to the northeast of Bush Forever site 300, Manilla Rd, Dalhousie	Not included, although large area of bushland, is privately owned land with land owner support for small portion only
03	Long Swamp linked by an east-west fence through to Bush Forever site 286, Jopka Valley Rd, Jopka Valley	Not included, Long Swamp already protected as LPP Lake & by a Planning Control Area, Area land heavily constrained by previous planning constraints
04	Bushland within & adjacent to the Hise and Torok Hay Interchange, Formosa Rd	Not included, wetlands already protected as LPP, Wet, HCC & DPC likely to be present, regional road reserve
05	Bachelder Creek from Bush Forever site 306 extending to the Swan River, Whawhai Midland Media Saver/Structs	Not included, protected by eastern side SCP presumption against clearing, vegetated only in parts, some sections already protected under P&I zoning
06	Lower Kadina Brook floodplain, from Halsea Valley Rd extending to the Halsea River, Dalhousie	Not included, protected by eastern side SCP presumption against clearing, vegetated only in parts
07	Halsea River from Bush Forever site 215 extending to the Swan River, Halsea Valley/Bushtress	Not included, protected by eastern side SCP presumption against clearing, vegetated only in parts, some sections already protected under P&I zoning
08	Kadina Brook, from Bush Forever site 217 to Bush Forever site 213, Goodwin Rd	Not included, protected by eastern side SCP presumption against clearing, vegetated only in parts
09	Wilbert Road Wetlands/Wangong Brook northwest of Rowley Rd, Duckadoo	Not included, protected by eastern side SCP presumption against clearing, vegetated only in parts, some sections already protected under P&I zoning
10	Crumped Creek Reserve, bushland along Crumped Creek, between Josephine Crescent and Bush Forever site 493, Formosa Rd	Not included, protected by eastern side SCP presumption against clearing, vegetated only in parts, some sections already protected under P&I zoning
11	Second Harbour Reserve, S of Second Harbour, to Mandurah Rd, Second Harbour	Not included, wetlands protected as TIC under EPBC Act 1999, development zoning & approvals already in place
12	Bushland bounded by Suddow, Phoenix & North Lake Rd, west of South Lake, Elton Lake	Not included, currently being assessed by the EPA
13	Bushland corner of Northwood Drive & Road Hwy (Cherrywood Av), Dianella	Not included, development approvals already in place
14	2 separate areas adjacent to Bush Forever site 586, Area 1 - bushland south of Brook Rd, within Park Airport (just west of Torok Hwy), Area 2 - bushland between Torok Hwy and Town St, Cleveland	Not included, planning constraints - part Commonwealth land & part road reserve
15	Lot 801 Stage 151, Kalamunda	Not SCP vegetation
16	Marsh Rd Bushland, Armadale	Not SCP vegetation
17	Mtys Nature Reserve, South Park	Extrinsic, not bushland, already protected as a nature reserve
18	Unmade section of Road Hwy between Bush Forever sites 263 & 204, Cedra	Not regionally significant bushland
19	Bushland on corner of Mitchell Rd & Cairns Ave, Jerram Hill	Not regionally significant bushland
20	Duckadoo Lagoon, Lot 87 Duckadoo Rd, Mt Cleverland	Not regionally significant bushland
21	Parts of Garinger River korahone not already identified in draft Perth's Bushplan	Not regionally significant bushland
22	Lot 3011 & 37 Scotland Road, Wallis Grove (parts not already identified in draft Perth's Bushplan)	Not regionally significant bushland
23	West Manning Lake, between Cockburn Rd & Bush Forever site 247, Spearwood	Not regionally significant bushland
24	Gooswile Golf Course, Westford only Rd bushland, Carrara Vale	Not regionally significant bushland
25	Wetland on Lots 112 & 113 Nicholson Road, Carrara Vale	Not regionally significant bushland
26	West Lake Coppice, between Cockburn Rd & Bush Forever site 261, Munster	Not regionally significant bushland
27	Branch Circus wetlands, Success (western part of Hammond/Branch Circus wetland)	Not regionally significant bushland
28	Not included Reserve, Bonnie Rd, Harpup	Not regionally significant bushland
29	Marri Park Golf Course, Casselton	Not regionally significant bushland
30	Gooswile Bush Forever sites 472552/254/13445/1943464, Hardingbair Southern Drive	Not regionally significant bushland
31	Tramway from Cockburn to Mandurah - good sections of bushland already included in Bush Forever	Not regionally significant bushland
32	Lots 2 & 3 on Bedford Rd & Wright St, Formosa Rd	Not regionally significant bushland
33	Thorn Rd, Mandurah	Not regionally significant bushland
34	Gooswile bushland reserves - Deeny, Dawson, Goblebush & Sherlock	Not regionally significant bushland
35	City of Gooswile bushland reserves, Part Area 1 - Home Rd reserve, bushland corner of Home Rd & Cassidy Rd, Thornlie, Part Area 2 - Empire Way reserve, bushland on Walton Rd near corner with Spencer Rd, Thornlie, Part Area 3 - Deeny, Part Area 4 - Dawson, Part Area 5 - Goblebush, Part Area 6 - Sherlock	Not regionally significant bushland
36	Floody Day, Harvest To to Lake St, North Fremantle	Not regionally significant bushland
37	Hosahoyne/Drainy korahone	Not regionally significant bushland
38	Kiana Rd - bushland, off Hollibrook Tr and Morley Dr East, Kiana	Not regionally significant bushland
39	Lot 61 Binningup Rd, Abert	Not regionally significant bushland
40	Wetland on Sheffield Rd, Walepool (Black Swamp) and wetland on unmade section of Torok Road, Walepool, both just west of railway line	Not regionally significant bushland
41	Gooswile Swamp & Droopeth Caves, Carnarvon	Not regionally significant bushland
42	Milind & Jack Moore's Religious Grounds, Carnarvon	Not regionally significant bushland
43	Bushland between Parkway Rd & Swains Hwy, Elton Lake (Switching Station)	Not regionally significant bushland
44	Wetland corner of Albion Rd & Backworth Ave, Kiana	Not regionally significant bushland
45	Bushland adjacent to Glen Rd, High Wycombe (Glen Rd Reserve - Poison Gully)	Not regionally significant bushland
46	Bushland within Bush Forever sites 307555/556, Mandagup	Not regionally significant bushland
47	Lot 439 Coppie Rd, Chidrup	Not regionally significant bushland
48	Foston Drive north to Rowley Rd, Oakland	Not regionally significant bushland
49	Dalbenby Rd wetland, north-east of Bush Forever site 235, Ankefeld	Not regionally significant bushland
50	Mandagup Swamp mid-south & adjacent, COW to south, between Kairana Freeway & Lyon Rd, Warril	Not regionally significant bushland
100	Wooler Rd wetland, Harpup	Not regionally significant bushland
101	Bushland between Glen Iris Country Club and Bush Forever site 383, Jandakot	Not regionally significant bushland
102	Eric Singleton Bird Sanctuary, King William St, Spearwood	Not regionally significant bushland
103	11st Road Wetland, Success (eastern part of Hammond/Branch Circus Wetland)	Not regionally significant bushland
104	Winnona Rd Wetland, Carrara Vale	Not regionally significant bushland
105	Bushland near proposed extension to Torok Highway, Alban Rd, Gooswile	Not included, protected by eastern side SCP presumption against clearing
106	Lake Conopus, Success	Not included, already protected as LPP lake
107	Wendoo Heights, Range Road, Road Hill	SCP vegetation outside Bush Forever study area
108	Bushland Road, 13th Block, Marri	SCP vegetation outside Bush Forever study area
109	Serpentine-Jericho Rd Club, Linton St North, Kalamup	SCP vegetation outside Bush Forever study area

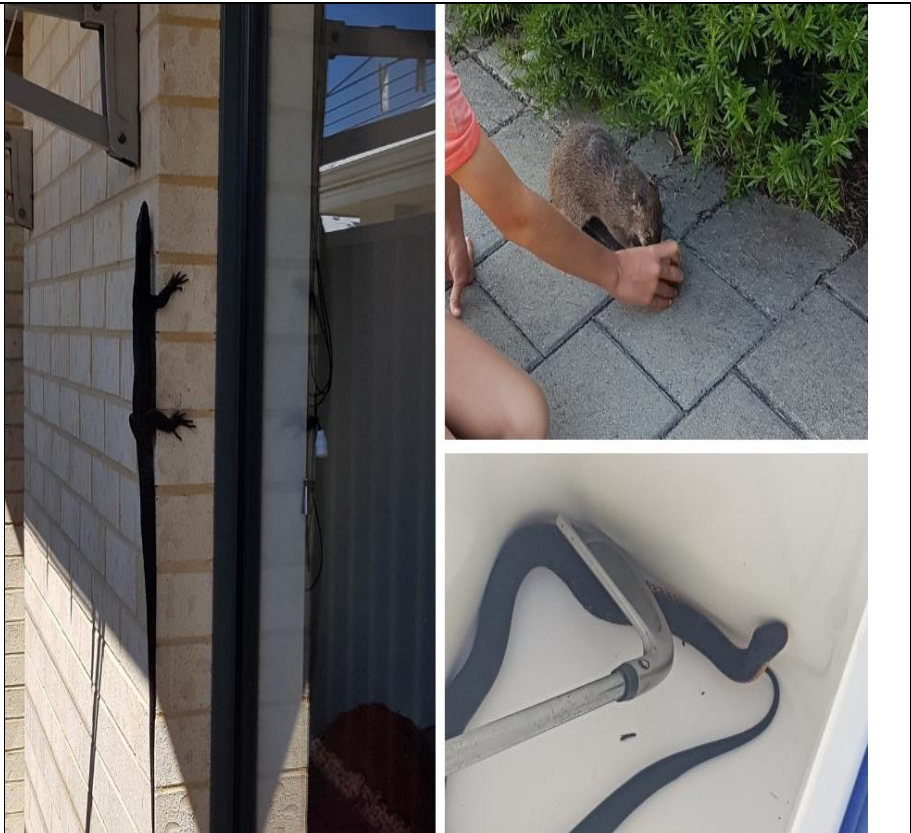
Attachment 2:

			
20	Confidential	<p>OPPOSE: The area zoned R60 is too far from Public Transport, would be better to have a fuel service station in the area. The R30 zoned area blocks are too small for families, should be at least R20. If it does go ahead, playground equipment would be a bonus on one of the Public Open Space areas, and a fenced, off leash dog park on the other. How long will the Jandakot Reserve remain Bushland forever? Is it next to be Developed? The area has lost too much bush land already.</p>	<p>The officer recommendation seeks to reduce the density of the proposed structure plan from R30 to R25. It is considered that this lower density is more appropriate and in keeping with the surrounding area. Some higher density R60 is proposed adjacent to proposed Public Open Space sites, however these are limited in number with the predominant density being low (R25).</p> <p>The Jandakot Reserve (<i>Banksia Eucalypt Woodland Park</i>) is a regional reservation and is not designated for future development. The Reserve is also registered as Bush Forever Site 492, and will remain as such in perpetuity.</p>

21	Confidential	<p>OPPOSE: Could the council please consider having a licensed alcohol drinking venue in Aubin Grove somewhere, a small family type bistro on the edge of the suburb similar to the may displayed would be ideal. I think this would be a suitable area to have a licence'd venue similar to the Quarie bistro.</p>	<p>The structure plan does not propose any commercial land and is not designated to provide such land under the District Level Structure Plan. An existing Local Centre is located at the western end of Gibbs Road and may provide future opportunities for private businesses to open bistro facilities.</p>
22	<p>Claire Kitlar 71 Prosperity loop, Aubin Grove</p>	<p>OPPOSE: We have lived on Prosperity Loop for 7 years. We enjoy the bush surrounds, along with our neighbours who walk through the bush walks and allow their kids play in the sand. We are surrounded by unique flora and fauna, including orchids, parrots and cockatoos. Further disturbance of this unique bushland should not be permitted. There is an establish row of trees in the proposed development area that cannot simply be bull dozed and replaced with saplings. Other rural blocks in the area do not have bushland, so this last remaining pocket should be preserved. We are an established pocket of housing and any construction would disrupt our lives to an unacceptable level. Due to the pandemic, a vast majority of resident's work from home thus land clearing, construction noise, heavy vehicle movements etc will impose greatly on the level of noise during working hours. There are plenty of vacant blocks of land on Lyon road that are available for purchase and, with the massive estate at Honeywood further down Lyon road, there is no real need for this proposal. There is also a large block, zoned commercial, adjacent to the roundabout on Gaebler / Lyon that was recently rejected as a proposed petrol station.....why not propose to rezone that area to residential as that block has been an eyesore for years? I therefore request this proposal to be scrapped.</p>	<p>When the suburb of Aubin Grove was first established, a District Level Structure Plan was prepared to guide future development, conservation and broad road networks. The proposed structure plan for consideration provides, for the most part, the completion of Aubin Grove as originally envisioned. The below image shows that Prosperity Loop is currently incomplete, with the expectation of connecting it through to Lot 11 to the east.</p>  <p>However, the applicant has proposed a</p>

			<p>'development finger' that is not supported by the City. Therefore, the officer recommendation is to reserve Lot 74 (the southern 'finger' of development) for 'Public Open Space'. This lot will form an ecological corridor and provide a conservation function, retaining a significant area of high quality bushland.</p> <p>Construction noise is an inevitable, albeit temporary, component to developing new suburbs. Proposals for residential development cannot be refused on this basis.</p>
23	Confidential	<p>OPPOSE: The proposed plan will cut off the wetlands from the bush forever site, further fragmenting and exposing them to edge effects</p>	<p>Noted. The officer recommends a wider 'ecological corridor' to connect the existing Bush Forever Site 492 to the wetland to the east.</p>
24	Confidential	<p>OPPOSE: We do not support another R60 section near our house, increasing traffic past our Prosperity Loop property, plus reducing the amenity of the area. We are not opposed to the R30 part of the proposal even though the majority of houses in Harvest Lakes are R20. This is a lovely, neighbourly section of Aubin Grove with a great community feel. Children play on the streets and we rarely have any issues. If you look at the state of the Niche living development very close by - with rubbish and trolleys constantly littering the verges (no street name listed on Google but it's opposite Elemei Bend). The homes are too compact and boxed in without enough car parking space. We don't need another Niche (or similar) development on the other side of our home. Many people use the freeway for work so even with another entry on Gibbs Rd most cars would use the</p>	<p>The officer recommendation seeks to reduce the density of the proposed structure plan from R30 to R25. It is considered that this lower density is more appropriate and in keeping with the surrounding area. Some higher density R60 is proposed adjacent to proposed Public Open Space sites, however these are limited in number with the predominant density being low (R25).</p> <p>The environmental considerations raised by this submission are noted and agreed. The officer recommends a wider 'ecological corridor' to connect the existing Bush Forever Site 492 to the wetland to the east.</p>

	<p>existing entry and drive past our house. The R60 would need a direct entry from Gibbs Rd (if not already planned) and plenty of parking if it goes ahead. The increase in traffic on Gibbs, plus increase in number of children crossing to attend Harmony Primary (this is in Harmony PS zone) could be an issue. Drivers constantly speed over 50km on Gibbs Rd near Aurora Ave, with police frequently setting up radars. I would recommend a flashing speed sign displaying driver's speeds or some consideration here if this development gets the green light. Also worth noting, there are trees that black cockatoos feed from (perhaps not when the survey was completed) that are in the proposed cleared area. Why can't you leave all of the important feeding trees for these endangered animals? No reptiles were mentioned in the report that I could see. We get a type of monitor lizard here, tiger snakes and dugites, all of which have been in my garden. Plus many bandicoots.</p>	
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25	Confidential	<p>OPPOSE: We need to keep as much as our bush land as possible. It's being over run with housing. Lots of animals live in the bush area and soon won't have anywhere to go.</p>	<p>Noted. The officer recommends a wider 'ecological corridor' to connect the existing Bush Forever Site 492 to the wetland to the east.</p>

26	Confidential	<p>OPPOSE: I walk around the bush regularly and would like to see it kept that way. Maintain the animal and plant habitat. Too many green area's are being destroyed.</p>	<p>Noted. The officer recommends a wider 'ecological corridor' to connect the existing Bush Forever Site 492 to the wetland to the east.</p>
27	Confidential	<p>OPPOSE: No R60</p>	<p>Noted. The officer recommendation seeks to reduce the density of the proposed structure plan from R30 to R25. It is considered that this lower density is more appropriate and in keeping with the surrounding area. Some higher density R60 is proposed adjacent to proposed Public Open Space sites, however these are limited in number with the predominant density being low (R25).</p>
28	Confidential	<p>OPPOSE: There is no provision for a "park". As it is our children have to cross the very busy Russel/Gibbs road to access a "park". The high density R60 together with at least another 100 dwellings is going to increase traffic flow considerably- I do not feel that current roads will sustain this traffic safely- (people will most certainly not exit the freeway and enter at the newly proposed street, Sanctity link will become overloaded.)</p>	<p>Noted. The officer recommends that the developer provide a Public Open Space area for recreational purposes. An attachment to this council report shows two options for additional recreational spaces. The City's Traffic Section do not consider that the increase in traffic along Gibbs Road would be significant enough to warrant upgrades.</p>

29	Confidential	<p>OPPOSE: Imposing severe impact to native wildlife who are losing their habitat and being killed by the effects of roads and infrastructures</p>	<p>Noted. The officer recommends a wider 'ecological corridor' to connect the existing Bush Forever Site 492 to the wetland to the east.</p>
30	Confidential	<p>OPPOSE: This submission has been redacted to protect the identity of the submitter, who requested confidentiality.</p> <p>1. Relevant Background & Summary</p> <p>1.1. I own the property at [REDACTED] (Property).</p> <p>1.2. I refer:</p> <p>(a) your correspondence dated 4 September 2020, ref 110/217; and</p> <p>(b) The Proposed Structure Plan - Lots 11, 74 and 9046 Beenyup Road, Banjup and the Structure Plan (which is accessible at https://comment.cockburn.wa.gov.au/60875/widgets/307872/documents/179648/download (Proposed Structure Plan))</p> <p>1.3. I have read the Proposed Structure Plan in detail and I oppose the proposal for the following reasons:</p> <p>(a) My family first acquired the Property as vacant land to be the forever home of my parents to live out the remainder of their lives, the vacant land was purchased in the name of my father [REDACTED]. I purchased the property from my father and my brother in November 2015 and reside at the property with my parents and my two children to allow me to care for my parents during their old age and declining health. The decision to purchase the land relied on the land sales information and maps which stated that the land south of Gibbs Road East was "Bush Forever". Development of the land in accordance with the Proposed Structure Plan shall:</p> <p>(i) be in contravention of the land sales representations made to my family – and relied upon by us – prior to acquiring the Property;</p> <p>(ii) negatively impact the semi-rural lifestyle, and quality of life, that was a fundamental reason for the purchase of the Property; and</p> <p>(iii) negatively impact the quality of the environment surrounding my home, and my family's enjoyment of that surrounding environment.</p> <p>(b) Certain assertions made in the Proposed Structure Plan are misleading and dissuade legitimate concerns being considered by, or raised about it by the community;</p> <p>(c) The data on which the Traffic Assessment report relies upon is out-dated, and to extent the Proposed Structure Plan places any reliance on the Traffic Assessment report, is flawed.</p> <p>(d) The proposed connection road at the north of the Proposed Structure Plan on to Gibbs Road East will create hazardous road conditions, negatively affecting local residents and road users. This would be in contradiction of <i>Liveable Neighbourhoods</i> principles. I am gravely concerned about the risk to safety it poses specifically to my home and my family; and</p> <p>(e) Development of the land in accordance with the Proposed Structure Plan will negatively impact the value of my Property.</p> <p>2. Bush Forever designation</p> <p>2.1. The Property was acquired relying on the land sales information and maps which stated that the land south of Gibbs Road East (Relevant Area) was designated as "Bush Forever" land.</p>	<p>Unfortunately, the City of Cockburn cannot control how property is sold and it is recommended that all potential buyers undertake due diligence prior to purchasing property. These matters are civil, between the seller and purchaser, and cannot be resolved by the current structure plan proposal.</p> <p>Notwithstanding the above, the officer has recommended significant changes to the lodged proposal which may address the majority of concerns raised by this submission.</p> <p>Firstly, the officer recommends a wider 'ecological corridor' to connect the existing Bush Forever Site 492 to the wetland to the east. The 'Bush Forever' designation only applies to land within the regional reserve, <i>Banksia Eucalypt Woodland Park</i>. The designation of 'Bush Forever' is a State Government consideration which is not controlled by the City of Cockburn. The officer recommends Lot 74 (southern end of the structure plan) become a Local Reserve, which will retain the land as an ecological corridor for conservation purposes (notwithstanding that it is not designated by the State as 'Bush Forever'). The road network has been considered in detail</p>

- 2.2. As is stated in the Proposed Structure Plan, the Bush Forever nomination of the Relevant Area on land sales documentation was supported by Bush Forever publications, including the City of Cockburn Southern Suburbs District Structure Plan (2002). Contrary to that stated in the Proposed Structure Plan, it was not just the southern portion of the Proposed Structure Plan that was identified as potential Bush Forever as per the "Bush Forever Information Sheet published in July 2002" which indicates the potential Bush Forever site as having a northern boundary of Gibbs Road / Gibbs Road East.
- 2.3. Any development of land east of the termination point of Gibbs Road (where it becomes Tapper Road) before the intersection and beginning of Gibbs Road East clearly contravenes the representations made to my family which was relied upon prior to acquiring the Property.
- 2.4. The selection and purchase of the lot at [REDACTED] included:
- (a) that the land south of Gibbs Road East opposite the lot was specified "Bush Forever";
 - (b) the character of the native bushland of the land south of Gibbs Road East opposite the lot;
 - (c) the construction of our bespoke luxury two storey home with a front facing second story balcony overlooking the bushland, which was purposefully designed by my father, who is an avid bird watcher;
 - (d) the birdlife that access the land south of Gibbs Road East opposite the lot, and consistently access our gardens at [REDACTED]
- 2.5. Development of the land in accordance with the Proposed Structure Plan - especially including the connection road to Gibbs Road East immediately opposite my property - shall negatively impact the quality of the environment surrounding my home and my family's enjoyment of that surrounding environment. In this respect, I note that the Relevant Area is in immediate proximity to my Property, it provided it with a semi-rural / natural bush ambience, which is particularly important to me and more particularly my parents, who have resided in the property since construction, and have created and spend many hours maintaining a wonderfully bright and colourful front garden to encourage visits from the local bushland birdlife, which brings them much joy.
- 3. Misleading statements made**
- 3.1. The assertion in the Proposed Structure Plan that the City of Cockburn Southern Suburbs District Structure Plan (2002) is considered to be "irrelevant" is both incorrect and misleading. My family acquired the Property, when the land in the area had been released for sale as vacant lots. As the Cockburn Southern Suburbs District Structure Plan (2002) was referenced by my family (and in fact relied upon) in deciding whether to purchase the Property, it is neither lawful or accurate to assert that it's "irrelevant" merely because it does not suit the Proposed Structure Plan Developer's preferences. Local residents who placed reliance on that document will no doubt have legal recourse for any reliance they placed on that information to their detriment.
- 3.2. Separately, I note the Proposed Structure Plan asserts that "... planning and development in the locality has significantly advanced ..." and that the Southern Suburbs District Structure Plan Stage 2 Banjup is "... considered to be somewhat 'dated'." This assertion contradicts the current City of Cockburn Town Planning Scheme No. 3 (District Scheme)² which specifies the boundaries and limits of land for Residential development. This document illustrates that the residential land development boundary terminates at Gibbs Road (where it becomes Tapper Road) before the intersection and beginning of Gibbs Road East - which further supports and evidences "bush forever" designation of the Relevant Area.
- 3.3. I further note that correspondence was previously issued by the City of Cockburn to advise that previous applications to develop the land of the Proposed Structure Plan had been rejected, including for recognition that Harvest Lakes land sales documentation had specified the land south o

² Reference: Town Planning Scheme Map No. 17 of 23, Version No 1, dated 22 July 2019

to ensure that the connecting point at Gibbs Road is safe and that no further entry points are proposed onto Gibbs Road, as it is clear from submissions that this is a real concern for residents. The City's traffic engineers have advised that Gibbs Road is a low traffic environment (even after inclusion of additional residential housing), and presents low peak traffic volumes. It is everyone's responsibility to abide by the speed limits and this behaviour will not be influenced by further residential development.

The City agrees that the applicant has not sufficiently addressed the *Southern Suburbs District Structure Plan (2002)* in their proposal, instead referring to it as 'somewhat dated.' The City does not agree with this assertion and has therefore recommended modifications to the proposal prior to it being considered by the Western Australian Planning Commission (WAPC). To clarify, the *Southern Suburbs District Structure Plan* showed the southern portion of the site (Lot 74) as potential 'Bush Forever'. The Town Planning Scheme zones the both Lot 11 and Lot 74 'Development'. The 'Development' zone provides a mechanism to assess structure plans and consider matters such as environment, bushfire, road networks etc. and it is expected that the applicant address the objectives of the District Level Structure Plan in their proposal.

The subject proposal involves structure planning of the western portion of Lot 11 and Lot 74 Beenyup Road, Banjup and a balance of title Lot 9046 Prosperity Loop, Aubin Grove and should be considered on its merits (notwithstanding past planning decisions). It is noted that the remaining

		<p>Gibbs Road as "Bush Forever". Curiously, no reference to this information and these past decisions (and the rationale for them) have been provided to local residents as part of the current Proposed Structure Plan.</p> <p>3.4. As a result the Proposed Structure Plan contains various assertions and omissions (especially in relation to the development of the land south of Gibbs Road East) that clearly mislead local residents affected by the Proposed Structure Plan, and only serves to dissuade them from raising valid objections they may otherwise be minded to make (which could frustrate the objectives of the Proposed Structure Plan's proponents) by not alerting them to important factors they need to make an informed decision.</p> <p>4. Connection road to Gibbs Road East shall create hazardous road conditions</p> <p>4.1. The intersection of Gibbs Road East, Tapper Road and Gibbs Road has been the location of numerous accidents, not otherwise common to the suburb. Major incidents have included:</p> <ul style="list-style-type: none"> (a) A vehicle running along the barrier fencing of the drainage pit, then across the intersection and halted on the road verge on the opposite side of the road. The barrier sign passed through the windscreen almost decapitating both driver and passenger. (b) A vehicle destroying [REDACTED] boundary gardens and collision with (and the resulting collapse of) the boundary wall of their property. (c) Two instances of vehicles failing to corner the intersection, forcing through the barrier fencing, and landing into the drainage pit. (d) Numerous instances of vehicles pulling in front of, and colliding with Tapper Road – Gibbs Road traffic. <p>4.2. All the above accidents have been the result of:</p> <ul style="list-style-type: none"> (a) failing to slow sufficiently prior to turning east from Tapper Road into Gibbs Road East; or (b) failing to slow sufficiently prior to turning west from Gibbs Road East into Tapper Road (and subsequently Gibbs Road). <p>4.3. Many drivers using the roads are observed to rapidly accelerate from the intersection:</p> <ul style="list-style-type: none"> (a) west from the intersection, along Tapper Road (and subsequently Gibbs Road) in the direction of Kwinana Freeway; and (b) east from the intersection, along Gibbs Road East. <p>4.4. As my house is one house away from the intersection, have observed the results of accidents at the intersection, the poor driving behaviours regularly and consistently demonstrated, and many near misses – especially where drivers turning east and along Gibbs Road East do not give consideration to local residents turning in to their driveways, and regularly swerve dangerously to the opposite side of the road to go around turning / slowing vehicles and/or avoid rear-ending a vehicle that they did not anticipate would slow or turn.</p> <p>4.5. The connection road to Gibbs Road East of the Proposed Structure Plan would result in vehicles regularly pausing on Gibbs Road East immediately following the Gibbs Road East-Tapper Road-Gibbs Road intersection to give way to oncoming traffic (on Gibbs Road East travelling west) to turn right into the connection road. There will be significant risk of road accidents if the new intersection is positioned as per the Proposed Structure Plan.</p> <p>4.6. The Traffic Assessment within the Proposed Structure Plan states that the connection to Gibbs Road is anticipated to result in increased traffic movements distribution of more than 700 vehicles per day and more than 70 vehicles per hour in peak hours. We further note that:</p> <ul style="list-style-type: none"> (a) the Traffic Assessment report was published in 2016 and incorporates (and relies upon) traffic count data from traffic counts conducted by the City of Cockburn in 2009; (b) a large portion of the locality's housing had not been constructed at the time of the traffic counts conducted by the City of Cockburn in 2009; 	<p>land to the east (south of Gibbs Road to the east) is located within the 'Resource' zone and is not permitted to be developed as a residential estate, as it is zoned for rural purposes.</p> <p>Despite property values being a natural concern for residents, this issue is not considered a valid planning consideration and therefore cannot be used as a basis for refusing development.</p>
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		<p>(c) vehicular traffic has materially increased on Gibbs Road / Tapper Road and Gibbs Road East since 2009, particularly since 2016.</p> <p>4.7. The data on which the Traffic Assessment report relies upon is out-dated, and to extent the Proposed Structure Plan places any reliance on the Traffic Assessment report is flawed, especially as to conclusions stated regarding:</p> <ul style="list-style-type: none"> (a) the extent of vehicular movements, and their effects on road network traffic; (b) the capacity of the road network; (c) the safety of interconnecting road design; and (d) the impact upon local residents and the neighbourhood. <p>4.8. The proposed connection road at the north of the Proposed Structure Plan on to Gibbs Road East will create hazardous road conditions, negatively affecting local residents and road users. This would be in contradiction of Liveable Neighbourhoods principles.</p> <p>5. Negative impact on the valuation of my property</p> <p>5.1. In the circumstances, each of the following features and/or implications of the Proposed Structure Plan separately, and certainly the combination of them together, has a direct, material negative impact on the value of my Property:</p> <ul style="list-style-type: none"> (a) development of the bushland opposite my property; (b) loss of character and quality and environment surrounding property; (c) location of a road intersection immediately opposite my property; and (d) the increased road traffic adjacent to my property. <p>5.2. Accordingly, should the Proposed Structure Plan be approved in its current form, I will have little choice but to seek compensation for the damages/loss of value caused to my Property.</p> <p>5.3. Further should, any traffic incidents on the nature described above occur following the implementation of the Proposed Structure Plan in its current form affecting my Property, I reserve the right to adduce this letter in evidence to support and/or establish the reasonable foresee-ability of those accidents.</p>	
31	Confidential	<p>SUPPORT: I (as a private individual) fully support the proposed development and increased housing density around infrastructure hubs such as the Kwinana Fwy and Aubin Grove Train Station, which are just 1km away thus within easy walking distance.</p> <p>Similarly, the location is a short drive from shopping centres, schools and even the Fiona Stanley Hospital. For a growing city, developments such as these (whilst admittedly having some impact, i.e. the clearing of trees) enhance the efficiency of transport and day to day living and thus minimise the city-wide impact to the natural environment. I believe that this development will have negligible impact on my rural amenity as a Banjup resident. A significant buffer of undeveloped land/bush will remain between it and most rural lots on Beenyp/Gibbs Rd. The one exception is #41 Hausen Court</p>	<p>Noted.</p> <p>The proposed structure plan is being advertised to receive public comment on the proposal. Other Council matters (such as rural bulk waste collection) cannot be resolved as part of the consideration of this proposal.</p>

		<p>and I suggest you recommend measures to reduce the visual impact to them, such as the installation of a wall or significant screening vegetation. Committing over 2/3 of the development area to a reserve, potentially open for public access is an excellent initiative, I look forward to Council providing paths and being able to walk through the area in future. Providing a linking footpath along the northern side of Gibbs Rd to the Shirley Balla Swamp reserve would make increasing sense, encouraging urban dwellers to go for walks and enjoy the natural bush. Also for your consideration is the vegetation management of bushland on rural lots adjacent to higher density housing, i.e. rural landowners often used bonfires when cutting down dead trees and reducing fuel load. It is not practical to phone an entire street to warn them when you're going to light a fire in the unrestricted burning period. E.g. rural properties at the end of Hausen Ct are about 100-150m away from the development. I can see this causing future conflict, washing on line, children with asthma etc. Perhaps council need to consider a rural bulk green waste collection service for those living on the buffer of rural and urban?</p>	
32	Confidential	OPPOSE: I Oppose the proposal	Noted.

33	Stephen Prince and Juliet Stratton 11 Astounding Way, Aubin Grove	<p>OPPOSE: The reason we oppose the proposal is as follows:</p> <ul style="list-style-type: none"> • Due to the lot width being narrower than the lots in Astounding Way (as they are R30 vs R20, we would have 2 houses that will overlook our backyard and home, especially if they are two storey. As the land is sloped and is also higher than our property, there is increased likelihood of being overlooked. We already face this with the entertaining area at 13 Astounding Way being higher than our property, and this issue is likely to be tripled. This issue with raised land next door has already had a detrimental effect on our health and wellbeing with the increased noise levels, as can be ascertained with the calls to CoSafe, and noise monitoring equipment being installed by Environmental Health Officers from the City of Cockburn. Multiple phone calls were also made to WA Police. • Many birds use the bushland as a habitat. We feel that any new development will adversely affect the flora and fauna of the area. • The bushland acts as a noise buffer from Beenyup Road, reducing the bushland will increase the noise level. This in conjunction with new roads being built for the development will be additionally detrimental to our wellbeing and the overall family environment of our neighbourhood. <p>Overall, we feel this level of development is too great for this area. We would be more open to considering a development if this were more in line with the block sizes that currently exist on Beenyup Road (Banjup end).</p>	<p>Noted. The officer recommends a reduced density from R30 to R25, with some R60 to be located away from existing residential development. The land level differences on this block are significant and will be required to be addressed at the subdivision stage to ensure the newly developed block 'ties in' with existing residential land as much as possible. Noise disputes between neighbouring properties cannot be resolved by this proposed structure plan, and it is no guarantee that similar issues would occur with new neighbours.</p> <p>The environmental considerations raised by this submission are noted and agreed. The officer recommends a wider 'ecological corridor' to connect the existing Bush Forever Site 492 to the wetland to the east.</p>
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34	<p>Luke Johnson 25 Astounding Way, Aubin Grove</p>	<p>OPPOSE: The zoning classification of R60 should be reduced to r30 as per the rest of the development for the following reasons.</p> <ol style="list-style-type: none"> 1) This area is not near transport hubs or shops where you would usually see the R60 zoning. 2) The area is surrounded by extreme bushfire risk area and having high density zoning will increase the threat to lifes (both residents and fire emergency service personnel) and property if a fire was to occur. 3) Gibbs road is already struggling with traffic adding high density living to the area would increase this problem. 4) R60 zoning has not been considered in the surrounding 750m. 5) high density zoning in areas of stand alone housing decrease property value. 	<p>Noted. The officer recommends a reduced density from R30 to R25, with some R60 to be located away from existing residential development. The officer also recommends reserving Lot 74 (southern development 'finger') as an ecological corridor, as this area is not recommended for additional residential housing.</p>
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