

NOTICE OF MEETING

PLANNING AND COMMUNITY CONSULTATION COMMITTEE

Members of the Planning and Community Consultation Committee are advised that a meeting of the Committee will be held in the Council Chambers, 83 Mandurah Terrace, Mandurah on:

**Tuesday 20 August 2024
at 5.30pm**

CASEY MIHOVLOVICH
Chief Executive Officer
15 August 2024

Committee Members

Councillor R Burns
Councillor A Kearns
Councillor B Pond
Councillor J Smith
Mayor R Williams
Councillor A Zilani

Councillor J Cumberworth
Councillor C Knight
Councillor D Schumacher
Councillor D Wilkins
Councillor S Wright

AGENDA

1. OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2. APOLOGIES

3. IMPORTANT NOTE:

Members of the public are advised that the decisions of this Committee are referred to Council Meetings for consideration and cannot be implemented until approval by Council. Therefore, members of the public should not rely on any decisions of this Committee until Council has formally considered the resolutions agreed at this meeting.

4. RESPONSES TO QUESTIONS TAKEN ON NOTICE

Nil

5. AMENDMENT TO STANDING ORDERS

Modification to *Standing Orders Local Law 2016* - electronic attendance at meeting.

6. PUBLIC QUESTION TIME

Public Question Time provides an opportunity for members of the public to ask a question of Council. For more information regarding Public Question Time please visit the City's website mandurah.wa.gov.au or telephone 9550 3787.

7. PRESENTATIONS

8. DEPUTATIONS

Any person or group wishing to make a Deputation to the Committee meeting regarding a matter listed on this agenda for consideration must complete an application form. For more information regarding making a deputation please visit the City's website mandurah.wa.gov.au or telephone 9550 3787.

NB: Persons making a deputation to this Committee meeting will not be permitted to make a further deputation on the same matter at the successive Council meeting, unless it is demonstrated there is new, relevant material which may impact upon the Council's understanding of the facts of the matter.

9. CONFIRMATION OF MINUTES: 20 November 2023

Minutes available on the City's website via mandurah.wa.gov.au/council/council-meetings/agendas-and-minutes

10. DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS**11. QUESTIONS FROM COMMITTEE MEMBERS WITHOUT DISCUSSION**

11.1 Questions of which due notice has been given

11.2 Questions of which notice has not been given

12. BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil

13. REPORTS:

<i>No.</i>	<i>Item</i>	<i>Page No</i>	<i>Note</i>
1	Local Planning Scheme 12 Amendment No 4, Lot 801 Pleasant Grove Circle	3 - 93	
2	Local Planning Scheme 12 Amendment No 5, 4 Waardong Court	94 -103	

14. LATE AND URGENT BUSINESS ITEMS**15. CONFIDENTIAL ITEMS****16. CLOSE OF MEETING**

1	SUBJECT:	Amendment 4 to Local Planning Scheme No 12 Lot 801 Pleasant Grove Circle Scheme Amendment
	DIRECTOR:	Business Services
	MEETING:	Planning and Community Consultation Committee
	MEETING DATE:	20 August 2024

Summary

Council is requested to consider submissions following the conclusion of the public consultation period on Amendment No 4 to Local Planning Scheme 12.

The amendment was proposed by the applicant and adopted (initiated) for advertising by Council on 22 November 2022 and includes the following:

- (a) Modifying R-Code density from R5 to R10 for Lots 124 and Lot 801 Pleasant Grove Circle.
- (b) Adding specific site requirements which apply to the development and/or subdivision of the site.

The amendment was advertised to 450 surrounding landowners from 19 April 2024 to 21 June 2024 via direct notification, sign on-site and publishing on the City's website. Seventy-two (72) submissions were received within the public consultation period.

City officers recommend Council support the amendment with modifications and forward the amendment to the Western Australian Planning Commission seeking final approval by the Minister for Planning.

Disclosure of Interest

Nil

Location



Property Details

Applicant:	Element
Owner:	Pleasant Grove Pty Ltd
Directors:	Ian, Malcolm and William Bassett-Scarfe
Scheme No 12 Zoning:	Residential (R5)
Peel Region Scheme Zoning:	Urban
Lot Size:	11.13ha
Topography:	Low-lying
Land Use:	Vacant

Previous Relevant Documentation

- G.4/11/22 22 Nov 2022 Council adopted Amendment 4 to Local Planning Scheme 12 for advertising purposes, seeking to rezone the site from R5 to R10.
- G.24/10/14 28 Oct 2014 Council adopted Amendment 128 to Town Planning Scheme No. 3 for advertising purposes, seeking to rezone the site from R5 to R10.

Background

The subject site forms part of the Pleasant Grove Estate, a residential estate characterised by low-density residential development (R2.5 – R5) with lots abutting the site to the west and north ranging in size from 5032m² to 2001m². Immediately east and south of the site is Peel Region Scheme “Regional Open Space”, providing separation to the Peel-Harvey Estuary.

As historical context, in December 2010, the Western Australian Planning Commission (WAPC) granted conditional subdivision approval (WAPC 142801) for the creation of 48 lots at the existing zoning of Residential with an R-Code density of R5. The subdivision did not proceed, however detailed engineering design was undertaken at the time.

The R5 subdivision was approved under the provisions of the zoning in Town Planning Scheme 3 which has been retained in Local Planning Scheme 12 (‘Scheme 12’).

This subdivision approval has now lapsed. A new subdivision application would be required if the landowner was seeking to subdivide the subject site with its current zoning and R-Code density. Therefore, any recommended approval, refusal or approval with conditions would need to be assessed based on any new proposal which is the responsibility of the Western Australian Planning Commission (WAPC) with the local and relevant state agencies advice and recommendations.

In October 2014, Amendment 128 (seeking R10 density) was adopted by Council for advertising purposes but did not progress past the Environmental Protection Authority (EPA) due to the presence of Ministerial Statement 266 restricting lot sizes to 1,500m².

Subsequently, the applicant approached the EPA to review the implementation conditions of Ministerial Statement 266. In addition to restricting lot size, the Ministerial Statement also focused on a number of key areas including land use, vegetation retention, stormwater and water management.

In August 2019, the Minister for the Environment determined to remove the implementation conditions that applied to the site through Ministerial Statement 266. Significantly, the applicant was seeking to remove/replace conditions restricting lot sizes to 1,500m². It was determined that the Ministerial Statement 266 conditions have either been met or exceeded by:

- Implementation of previous subdivision applications;
- Gazettal of the City's Town Planning Scheme No. 3; and,
- Existing development controls under State Government policies.

Following a request by the applicant, Council adopted (initiated) Amendment No 4 to Scheme 12 on 22 November 2022. Subsequently, as a complex amendment, the WAPC examined the amendment and provided consent to advertise, noting the following:

- *The WAPC will not generally support an amendment in the absence of adequate coastal hazard risk management and adaptation planning being undertaken. Following advertising the amendment is expected to be supported by sufficient technical analysis of the coastal processes. The relationship between potential sea level rise mitigation measures, tree retention and development interfaces associated with habitable floor level requirements also requires further consideration.*

The proponent has prepared technical analysis in consultation with the Department of Planning, Lands and Heritage – Coastal Division, the recommendations are discussed within this report.

- *It is the WAPC's expectation that the City and proponent liaise with the Department of Health, Department of Water and Environmental Regulation, Department of Biodiversity, Conservation and Attractions, and the Water Corporation with respect to future reticulated sewerage infrastructure and servicing arrangements.*

As is the case with all but basic Scheme Amendments the endorsement of the EPA was required prior to advertising. City officers have referred the proposal to the relevant stakeholders, these recommendations are further discussed within this report.

Local Planning Strategy

The City of Mandurah Local Planning Strategy was endorsed by the WAPC on 19 April 2022 and is supported by several topic related strategies that form the background to the Local Planning Strategy, including Biodiversity Strategy (2013) and Urban Form and Housing Strategy (2013).

Biodiversity Strategy

Within the Biodiversity Strategy, the site is recognised as a Local Natural Area, as was all remaining undeveloped tree and bushland sites at the time of the development of the Strategy.

The Strategy recommends targets for the *protection* and *retention* of specific biodiversity features, such as the habitat of threatened species within Mandurah. The Protection and Retention Targets for Local Natural Areas set in the Strategy do not include this site, however, the three key principles of biodiversity conservation used as the foundation of the Strategy are of important consideration, these being:

1. *Biodiversity is best conserved in natural areas, and preferably natural areas with a high level of ecological viability;*
2. *The habitat of threatened species and the communities they form needs to be protected to prevent these species becoming even more threatened; and*
3. *Protection of a representative proportion of ecological communities is important to protect both rare and common forms of biodiversity.*

Urban Form and Housing Strategy

The Local Planning Strategy is also informed by its Urban Form and Housing Strategy which provides a framework for meeting the housing needs of Mandurah's growing population

Housing Supply

The Strategy seeks to plan for and identify 20,000 additional dwellings being required to be built within Mandurah. It is important to note the following key components of these 20,000 additional dwellings:

- 13,200 dwellings will be occupied by two or less people.
- 4,200 dwellings are required to be 'affordable' dwellings, where occupiers spend less than 30% of their income on renting or buying the dwelling.
- Approximately 8,500 dwellings can be accommodated in the Mandurah Strategic Centre through identified infill development.

Significant areas of land have already been zoned to allow for infill development within these areas. The Strategy provides that prior to progressing any further expansions, a review of each area's capacity to support increased density is required, including the lot configurations, dwelling stock and timing for redevelopment, environmental constraints and servicing infrastructure capacity.

It should be noted that this site has not been incorporated into calculations of additional dwelling yield as noted in **Table 1** below.

Table 1 Dwelling Yields

	Mandurah North	Mandurah Central	Mandurah East (inc Parklands)	Mandurah Island	Dawesville	Totals
Land Areas (ha)						
Total Area	1,732	1,156	1,840	2,464	881	8,073
Urban Zoned Area	1,373	928	1,178	1,952	641	6,072
Existing Development						
Existing Dwellings	4,366	6,921	6,328	11,816	2,256	31,687
Vacant Lots	1,004	343	728	2,750	982	5,807
Sub-Total	5,370	7,264	7,056	14,566	3,238	37,494
Future Development						
Dwellings	5,560	8,455	2,290	1,714	2,300	20,319
TOTAL	10,930	15,719	9,346	16,280	5,538	57,813
Additional Dwellings	51%	54%	25%	11%	42%	35%
Gross Urban Zoned Hectare Density	8.0	16.9	7.9	8.3	8.6	9.5

Urban Form

The Strategy provides an indicative scale of density, height and land use in an overview format through the urban form typologies identified. Localised planning will be required to ensure that the various typologies identified fit with their existing surrounds and context based on the principles of:

- **Context** - Respecting the location's context in the regional context
- **Nodes** - Ensuring that there are nodes of activity throughout the City
- **Form** - Avoiding single use suburban sprawl
- **Public Domain** - Respecting the street and public spaces through design
- **Community Benefit** - What do existing and future communities gain from the outcome
- **Site** - Respecting the site's environment and its neighbours through scale, site layout and design

The Local Planning Strategy Spatial Plan identifies the Urban Form for the subject site as 'Suburban (Large Lot)', which generally have the following characteristics:

- Residential Density Code of R2.5 - R10.
- Site Coverage of 30% - 40%
- Street Frontages 15m – 30m
- Street Setbacks 7.5m – 20m

The following actions of the Local Planning Strategy from the Urban Form part of the Strategy are relevant to the consideration of this Amendment:

9. *Recognise that Mandurah has a point of difference due to the natural assets, extensive coastline and waterways (natural and artificial), existing urban form and infrastructure, and ensure that there is a variety of development outcomes and scale to avoid being a continuation of suburban sprawl. Increase the density and diversity of housing in and around activity centres to improve land efficiency, housing variety and to support centre facilities.*
12. *Support increased density and scale, that results in other community benefits, such as bushland protection and/or community infrastructure.*
14. *Acknowledge that a variety of housing choices and built form outcomes are required to support a range of demographic profiles based on household size, age profiles and socio-economic circumstances.*

Comment

(a) Modifying R-Code density from R5 to R10 for Lot 801 Pleasant Grove Circle.

In undertaking a planning assessment of the proposal, the following elements could be considered benefits of the increase in density (and is further explored below):

- Increased density adjacent to areas of increased amenity (i.e. public open space, regional open space) is supported by WAPC operational policy Liveable Neighbourhoods.
- R10 density is consistent with lots to the north at Blue Rise Cove (R10), further north Coco Drive (R20, R40 & R60), and to the south-west at Charles Place (R20).
- R10 density is contemplated by the Local Planning Strategy, given the Suburban (Large Lot) urban form category sets a density range of R2.5 to R10.
- The inclusion of specific scheme provisions addressing environmental outcomes relating to vegetation retention and foreshore management provides greater weight and decision-making control for the City of Mandurah within the Planning Framework than through a subdivision process under the current R5 zoning. The City is a referral agency and may provide comments to the Western Australian Planning Commission (WAPC) on subdivision applications.

It should be noted that the City would actively advocate for positive environmental outcomes, through the request for conditions even if the site was developed at R5 through a subdivision, however, the decision making as part of that process rests with the WAPC.

Consideration of Increased Density

The proposal seeks an increase in density from R5 (as per R-Codes minimum lot size of 2,000m²) to R10 (as per R-Codes minimum lot size of 875m², average lot size of 1,000m²). It should be noted the proposed Scheme Amendment includes a specific modification requiring an average lot size of 1300m². This change has been endorsed by the proponent. Generally changes to minimum lot sizes that vary the R Codes are not supported by the Western Australian Planning Commission.

The indicative lot yield potential is demonstrated below, and based on a proposed lot size range of 880m² to 1,666m²:

	<i>Lot Yield Potential at R5</i>	<i>Lot Yield Potential at R10</i>
<i>Total</i>	48	74
	<i>* based on WAPC 142801 approval and R5 minimum lot frontage of 30m</i>	<i>* based on Subdivision Concept Plan and R10 minimum lot frontage of 20m. Average lot size to be 1300m²</i>

The WAPC’s operational policy Liveable Neighbourhoods considers it appropriate for higher residential densities to be located adjacent to areas of amenity, such as public open space (including foreshore reserves), to take advantage of the location and provide opportunities for passive surveillance.

Adjacent to the Peel-Harvey Estuary (Estuary), there is increased density to the north at Blue Rise Cove (R10) and to the south at Wannanup (R20) of the proposed development area. Within 1 km to the north of the site is the Falcon District Centre providing a wide range of community facilities and amenities.

Historically, residential density in Pleasant Grove has increased as time has progressed, and as the development moves closer to the Estuary. The proposal would continue to represent a low-density coding and, as such is considered by City officers to be in keeping with the character of the Pleasant Grove Estate.

Road Network

Increased density would facilitate the development of the site in the short term and progress connection of Pleasant Grove Circle, providing a complete road network for the neighbourhood and providing an escape route in the event of a bushfire (the current subdivision design predates State Planning Policy 3.7 Planning in Bushfire Prone Areas, with some properties not benefitting from secondary access routes).

A number of submissions identify the impact of the increased density on likely traffic conditions in the broader area, however City officers consider the potential increase in lot yield (i.e. potentially an additional 26 lots depending on design) to be minimal in the context of the local street network. The current and proposed road infrastructure could comfortably support this increase in traffic.

It is evident that current traffic safety concerns experienced by residents north of the subject site are legitimate and being investigated by City officers, however this issue is not triggered by the change from R5 to R10 with the additional indicative 26 lots and should be explored by the City outside of the current amendment proposal.

Foreshore Management

The recommended Scheme provisions provide for the requirement of a Foreshore Management Plan that would set out requirements for the provision of footpath connection, controlled fencing, rehabilitation and weed management, and on-street parking.

As is the case for the proposed inclusion of requirements for Local Development Plans (LDP's) and other environmental management assessments within Scheme provisions, the inclusion of a Foreshore Management Plan provides greater weight within the planning framework and provides increased control over the outcome for the City of Mandurah.

There is the opportunity for foreshore management planning requirements to be added as part of an R5 subdivision, however, this would be the decision of the WAPC after advocacy and comments from the City.

(b) Adding specific site requirements which apply to the development and/or subdivision of the site.

The specific site requirements have been identified to consider the following environmental matters:

Flood / Inundation

An important consideration for the proposal is that of future flood and inundation risk. The site is located adjacent to the Peel-Harvey Estuary and is low-lying given it includes portions with a natural ground level as low as 1m AHD.

In establishing a suitable minimum habitable floor level for development, the City previously considered the advice of the Department of Water Environment and Regulation (DWER). Based on DWER advice, the findings of the "Floodplain Development Strategy: Murray Drainage and Water Management Plan and Associated Studies" was considered best practice, particularly in the absence of a site-specific study. Historically, DWER recommends a minimum habitable floor level of 2.7m AHD for new development – in order to accommodate a 0.6m freeboard allowance for wind/waves within the context of a 0.9m sea level rise and 1.2m AHD Estuary water level.

Filling lots entirely to 2.7m AHD raises several concerns including impacts on streetscape due to level differences between proposed and existing development, excessive retaining and site works and a reduction in tree retention. DWER recommend a reduced 2.25m AHD where planning concerns are present.

Given the historic value placed on vegetation protection by all agencies and character that has been created within the Pleasant Grove development the City did not consider this extent of filling to be an acceptable outcome.

State Planning Policy 2.6 Coastal Planning provides that decision makers should ensure that land use and development, including roads, adjacent to the coast is sited and designed to complement and enhance the coastal environment in terms of its visual amenity, social and ecological values and must be considered over a 100-year development horizon.

At the time of Council adoption of the proposed amendment for advertising, City officers recommended filling the lots to a lower level of 2.15m AHD (Note additional 100mm concrete pad to establish a 2.25m AHD FFL) in order to limit the impact of fill on tree retention, streetscape and surrounding residential amenity.

Subsequent to the consideration of the amendment by Council, the EPA and WAPC for advertising purposes, the proponent has now prepared a Coastal Hazard Assessment. The assessment was prepared in consultation with the DPLH – Coastal Division to ensure that the technical analysis satisfies their assessment criteria, given the WAPC ultimately consider the amendment. A copy of the Indicative Subdivision Layout with Erosion Lines is provided as **Attachment 1.1**.

The Coastal Hazard Assessment presents the details of the assessment of potential coastal hazard impacts on the site in accordance with the requirements of State Planning Policy 2.6 – Coastal Planning. The purpose of the assessment is to determine the potential vulnerability to inundation hazards, and to

provide conservative estimates of possible future shoreline retreat (rather than predict the location of the future shoreline location).

In summary, the Coastal Hazard Assessment concludes that:

- The required development level to avoid inundation hazards is 2.42m AHD;
- The existing foreshore reserve can accommodate the estimated future shoreline.

This 0.17m increased Finished Floor Level from that originally proposed is considered to represent an acceptable outcome balancing inundation risk, amenity impacts through retaining and tree retention.

Tree Retention

Previous attempts to provide large lots to improve tree retention outcomes have produced mixed results, examples within the City include Bortolo Drive, Bulara Road and Lakelands. The ability to retain trees across the site has been explored further through an updated tree survey, which can be used to guide the placement of future dwellings and control through Local Development Plans (LDP's) which provide site specific controls on development. The **Tree Survey** is provided in **Attachment 1.2**.

Across the site, a total of 154 trees were identified with a summary as follows:

- 137 of the trees were identified as being in fair condition
- 2 were identified as being in Very Good Condition (Tree Numbers 138 and 139 noted within **Attachment 1.1**)
- 7 trees were recorded as leaning
- 7 trees were recorded as being in poor condition
- 1 tree was recorded in very poor condition.

Tree retention is one of the most significant considerations in the assessment of the scheme amendment. It is important to note tree retention outcomes must be assessed in comparison to the current LPS 12 zoning of R5 not on a scenario where the site is undeveloped.

It is extremely difficult to determine exact tree retention outcomes at this stage of the development process. Detailed information requires civil designs to provide greater clarity. Developers complete these for the subdivision stage.

To provide some direction to Council on the impact of various development scenarios, the City's Arbor Culturalist has provided an approximate assessment. The assessment considers potential controls through LDP's which are detailed below and considered against outcomes in accordance with *AS4970:2009 - Protection of trees on development sites* which defines:

- A Tree Protection Zone: 12x diameter at breast height (1.4m) a breast height
- A Structural Root Zone: approximately 5x diameter above root buttresses

It is essential that it be reinforced that the information is an estimation only and there are a range of factors that may influence tree retention outcomes.

<i>Development Scenario</i>	<i>Arbor Culturalist Assessment Indicative Tree Retention Outcome (Private Land)</i>	<i>Arbor Culturalist Assessment Indicative Tree Retention Outcome (Public Land)</i>
<i>R5 Retained Without LDP's (if the WAPC were to not support LDP's on a future subdivision)</i>	<i>Tree Retention Outcome 15-25% Approximately 31 of 136 (Private Land) Trees retained</i>	<i>Tree Retention Outcome 50% Approximately 9 of 18 (Public Land) Trees retained</i>

R5 with LDP's	Tree Retention Outcome 30-45% Approximately 53 of 136 (Private Land) Trees retained	Tree Retention Outcome 50% Approximately 9 of 18 (Public Land) Trees retained
R10 with LDP's	Tree retention outcome 25-35% Approximately 42 of 136 (Private Land) Trees retained	Tree Retention Outcome 50% Approximately 9 of 18 (Public Land) Trees retained

It is also important to note the applicant has indicated a more optimistic outlook for tree retention through the development process with approximately 50% of trees capable of being retained across the private land portion at the R10 zoning. This would require adjustment of the subdivision layout at the detailed design stage.

Local Development Plans (LDP's)

A very important consideration for the potential retention of environmental values across the site is the use of Local Development Plans (LDP's) as recommended within the proposed Scheme provisions. The LDP's would be informed by the Tree Retention Management Plan and Environmental Management Plan that are also a recommended requirement.

Clause 47 of the Deemed Provisions to Local Planning Schemes outlines that a LDP may be prepared if:

- (a) *the Commission has identified the preparation of a local development plan as a condition of approval of a plan of subdivision of the area; or*
- (b) *a local planning policy or structure plan requires a local development plan to be prepared for the area; or*
- (c) *another provision of this Scheme requires a local development plan to be prepared for the area; or*
- (d) *the Commission and the local government considers that a local development plan is required for the purposes of orderly and proper planning.*

(note: underlining for emphasis of responsible authority for requiring an LDP in the Planning Framework)

Under the recommended Scheme provisions, a LDP would be required to be provided before subdivision or development of the site. An LDP may be prepared by a proponent or a local government, are required to be advertised, and under current delegation arrangements, where submissions have been received on relevant matters that can be considered in making a determination on a Local Development Plan, are to be considered by Council for final approval.

It is possible that in retaining an R5 zoning, at the subdivision stage, the WAPC may apply a subdivision condition requiring LDP's. The City would strongly advocate for a condition of that nature. The inclusion of this requirement within the Local Planning Scheme as proposed, provides greater certainty within the planning framework and decision-making control over the process for the City.

Without LDP's in place under the current zoning, the only control mechanism to retain trees would be through the requirement for individual property owners to seek Development Approval to remove trees in accordance with existing Local Planning Scheme provisions applicable to this site.

The increase in density from R5 to R10 is expected to result in higher tree loss, however the ability to retain trees within future lots and road reserve is influenced by the following factors which the proponent intends to address at subdivision / LDP stage:

- Flexibility shown in terms of building footprint size and location. A LDP is able to require specific alternative setbacks and control the size of the building footprint at a lot level to retain trees.
- Protective measures shown on the development site to prevent root damage / loss, and root burying (i.e. tree protection zones).

- Location of driveways, and ability to designate through an LDP. Managing permitted lot access routes would form an important part of LDP's to ensure trees are not lost due to dwelling or outbuilding access.
- Road carriageway alignment to accommodate trees.

Under the proposed scheme amendment, the requirement for a LDP would form part of any subdivision condition and is enforceable through the Scheme. Specifically, LDP detail would include:

- Location of trees, and recommended tree protection zones.
- Dwelling and outbuilding envelopes to ensure appropriate setbacks to trees.
- Consideration of filling and required habitable finished levels.
- Consideration of reduced primary street setbacks to assist in tree retention.
- Fencing details to ensure balance between solid privacy sections, and low, permeable fencing for fauna movement and retention of existing character.

Cross sections that provide a visual representation of the practical outcomes that can be obtained through the use of LDP's are provided in **Attachment 1.3**.

As an additional recognition of the importance of tree retention the proponent has supported the inclusion of a required average lot size of 1300m², which will provide some additional assurance that the R10 zoning will be delivered as has been indicated by the proponent.

As previously noted, the indicated minimum lot size is 880m². The Residential Design Codes specify a minimum lot size for R10 zoning 875m².

Bushfire

The site is identified as being within a bushfire prone area, and therefore requires the preparation of a Bushfire Management Plan. The vegetation within the adjacent foreshore reserve is the origin of bushfire risk, however given the proposed road reserve will separate the foreshore reserve, the majority of future lots will achieve BAL-19 to BAL-29.

Lots within the south-west corner of the site have been identified as BAL-40/BAL-FZ, at this stage detailed subdivision design is not known (i.e. lot size), therefore the size of the lots can be adjusted to ensure that dwellings can achieve BAL-29 or less. It should be noted the City will not support the removal of vegetation within the adjacent reserve to facilitate lower BAL ratings on any future lots.

The proponent has supported the removal of battleaxe lots and adjustments of lot size to ensure that dwellings achieve BAL-29 or less through lot size and shape to facilitate the necessary building setback. City officers are confident these requirements can be resolved through the subdivision process.

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act 1999)

The amendment has the potential to impact upon the Ramsar listed Peel-Harvey Estuary, and the forest red-tailed black cockatoo and Carnaby's black cockatoo, threatened species listed under the *Federal Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999). The applicant has been encouraged to seek advice from the Commonwealth Department of Environment, Heritage and the Arts to determine if there is a requirement for the proposal to be referred for assessment under the *EPBC Act 1999*. The applicant has advised that the proponent would seek the necessary referral approval from the Commonwealth prior to any subdivision / development site works.

The above advice to the proponent is also reflected in the referral response from DWER and DBCA, in that it is the proponent's responsibility to seek the advice of the Commonwealth in order to establish their responsibilities.

Acid Sulfate Soils

The majority of the site is identified as having a medium – high risk of acid sulfate soils being present. The site will require clean fill, which will reduce the risk of disturbing existing soils. It is recommended that an acid sulfate soil investigation is undertaken in order to determine the likely extent of soils present, and to determine any limitations on the construction of swimming pools and/or excavation.

Effluent Disposal

The requirement for connection to reticulated sewerage is consistent with State Planning Policy 2.1 'The Peel-Harvey Coastal Plain Catchment' and Government Sewerage Policy. Connection to reticulated sewerage would have benefits from a nutrient retention perspective, particularly the subject site's close proximity to the Estuary. It would be the City's position that R5 or R10 development should be connected to sewer.

Modifications to the Amendment

City officers consider the following modifications to be minor in nature:

- *Removing Lot 124, No 45 Pleasant Grove Circle, Falcon from the amendment.*

City officer comment:

Since the initial adoption of the amendment, the lot has been sold and a house developed, whilst the lot could accommodate an additional lot the new landowner does not wish to be included in the amendment proposal.

- *Amend Condition 1 requiring a minimum habitable floor level of 2.42m AHD.*

City officer comment:

The site-specific Coastal Hazard Assessment considers the sites potential vulnerability to inundation hazards and specifies the minimum development level which protects against these hazards. The 2.42m AHD outcome is considered suitable.

- *Add Condition 2 requiring the average lot size be a minimum of 1300m²*

City officer comment:

The applicant is supportive of ensuring an average lot size of 1300m² to provide additional assurance of tree retention outcomes and closer alignment with lot sizes within the Pleasant Grove Estate.

- *Amend Condition 4c, A Local Development Plan shall be prepared, which details:*
 - *Location of trees, and recommended tree protection zones;*
 - *Dwelling and outbuilding envelopes to ensure appropriate setbacks to trees;*
 - *Consideration of filling and required habitable finished levels;*
 - *Consideration of reduced primary street setbacks to assist in tree retention;*
 - *Fencing details to ensure balance between solid privacy sections, and low, permeable fencing for fauna movement and retention of existing character.*

City officer comment:

The LDP provisions strengthen potential tree retention outcomes as recommended by the EPA.

- *Amend Condition 3g, requiring the Urban Water Management Plan to be prepared in consultation with and to the satisfaction of the City and DWER.*

City officer comment:

The involvement of DWER was requested by the EPA and is consistent with modern subdivision conditions where government agency advice is critical.

Consultation

The Scheme Amendment was referred to the Environmental Protection Authority (EPA) to determine if an environmental assessment was required, prior to advertising. The EPA advised that the Scheme Amendment should not be assessed under the *Environmental Protection Act 1986*. Furthermore, the WAPC were required to consent to the advertising of the proposal as a complex amendment.

The Scheme Amendment was advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a minimum period of 60 days, from 19 April 2024 to 21 June 2024. Seventy-two (72) submissions were received within the public consultation period.

The following government and agencies were also invited to make comment on the amendment:

- Department of Water and Environmental Regulation
- Department of Biodiversity, Conservation and Attractions
- Department of Fire and Emergency Services
- Department of Health
- Water Corporation
- Peel Harvey Catchment Council

A summary of the submissions received is provided in **Attachment 1.4**, with the key issues outlined in the comment section of the report. **Attachment 1.5** summarises referral agency advice.

MEAG Comment

The final report will be presented to MEAG at its 23 August 2024 Meeting with Council to be advised of the comments prior to the Ordinary Council Meeting of 27 August 2024 through additional information.

Statutory Environment

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

On adoption to advertise, the amendment was considered a 'Complex' amendment as outlined in Regulation 35(2), due to:

- (a) *the amendment is inconsistent with a local planning strategy for the scheme that has been endorsed by the Commission.*

The Local Planning Strategy states that all structure plans and proposals to rezone land adjacent to the waterways (coast, rivers and estuary) shall be subject to a Climate Change (sea level rise) assessment to determine appropriate form of development and necessary setbacks to mitigate climate change and extreme weather events. A Coastal Hazard Assessment has since been completed, which arguably downgrades the amendment to a 'Standard' amendment.

Regulation 41 outlines the following steps for a complex amendment after advertising:

- (2) *The local government:*
 - (a) *must consider all submissions in relation to a proposed complex amendment to a local planning scheme lodged with the local government within the submission period; and*
 - (b) *may, at the discretion of the local government, consider submissions in relation to the proposed amendment lodged after the end of the submission period but before the end of the consideration period.*
- (3) *Before the end of the consideration period for a proposed complex amendment to a local planning scheme, or a later date approved by the Commission, the local government must pass a resolution —*
 - (a) *to support the proposed amendment to the local planning scheme without modification; or*
 - (b) *to support the proposed amendment to the local planning scheme with proposed modifications to address issues raised in the submissions; or*
 - (c) *not to support the proposed amendment to the local planning scheme.*

Regulation 42 outlines that a local government may decide to advertise a proposed modification to a proposed complex amendment to a local planning scheme if the local government proposes the modification to address issues raised in submissions made on the proposed amendment; and the local government is of the opinion that the proposed modification is significant.

Following these steps, the advertised Amendment together with a schedule of submissions, the resolution of the local government to support, not support or modify the advertised amendment, are forwarded to the WAPC who are to make a recommendation to the Minister for Planning.

Refer to **Attachment 1.6** detailing the Scheme Amendment process.

Policy Implications

Nil

Financial Implications

Nil

Risk Analysis

The Minister for Planning on recommendation from WAPC is the final decision-maker with respect to an amendment to a Local Planning Scheme. In the event Council recommends refusal of the amendment, or approval of the amendment subject to modifications – the WAPC may resolve to approve the amendment, with or without those modifications.

With respect to the likelihood of conditions being imposed on subdivision by the WAPC at R5 without the Scheme including requirements such as LDP and average lot size, it is important that Council consider the reduced control of the decision making at this stage of the development process. It is not common practice for the WAPC to approve LPD's to be applied on R5 lots at the subdivision approval stage.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2024- 2044 are relevant to this report:

Economy

Community outcomes:

- Well-planned, sustainable urban development
- A thriving city that residents are proud to call home and people want to visit
- A supportive business environment where investment is encouraged, and entrepreneurship prospers

Community

Community outcomes:

- Safe and connected communities
- Inclusive and welcoming places, spaces and neighbourhoods

Environment

Community outcomes:

- Nature has a voice in all decision-making
- Our natural environment is celebrated, protected and restored for generations to come
- Our built environment is clean, accessible and sustainable

Leadership

Community outcomes:

- Sound decisions based on evidence and meaningful engagement
- Effective advocacy focused on the needs of the community and strong relationships with key stakeholders

Conclusion

The proposed R10 density is contemplated by City's Local Planning Strategy which identifies a density range of R2.5 to R10. Increased density exists to the north and south-west – and fundamentally proposes increased amenity adjacent to an area of with the potential for amenity (i.e. adjacent to foreshore reserve) which is consistent with WAPC operational policy Liveable Neighbourhoods.

The completion of a Coastal Hazard Assessment is now consistent with the Local Planning Strategy, and recommends development achieve a minimum level of 2.42m AHD to protect against potential vulnerability to inundation hazards as well as coastal erosion.

Proposed Scheme provisions seek a balanced planning and environmental outcome given a lower fill level provides greater potential for tree retention and maintenance of the locality's character which can be further controlled via Scheme conditions and detailed Local Development Plans. The EPA supports the proposed Scheme provisions which seek to address management of impacts to the environmental factors of the site.

NOTE:

- | | | |
|---------|------------------------------|----------------------------------------------------------------|
| • Refer | <i>Attachment 1.1</i> | <i>Indicative Subdivision Layout with Erosion Lines</i> |
| | <i>Attachment 1.2</i> | <i>Tree Survey</i> |
| | <i>Attachment 1.3</i> | <i>Local Development Plan Sample Cross Sections</i> |
| | <i>Attachment 1.4</i> | <i>Schedule of Submissions</i> |
| | <i>Attachment 1.5</i> | <i>Schedule of Referral Agency Advice</i> |
| | <i>Attachment 1.6</i> | <i>Amendment Process Flowchart</i> |

Recommendation

That the Planning and Community Consultation Committee Recommend:

That Council:

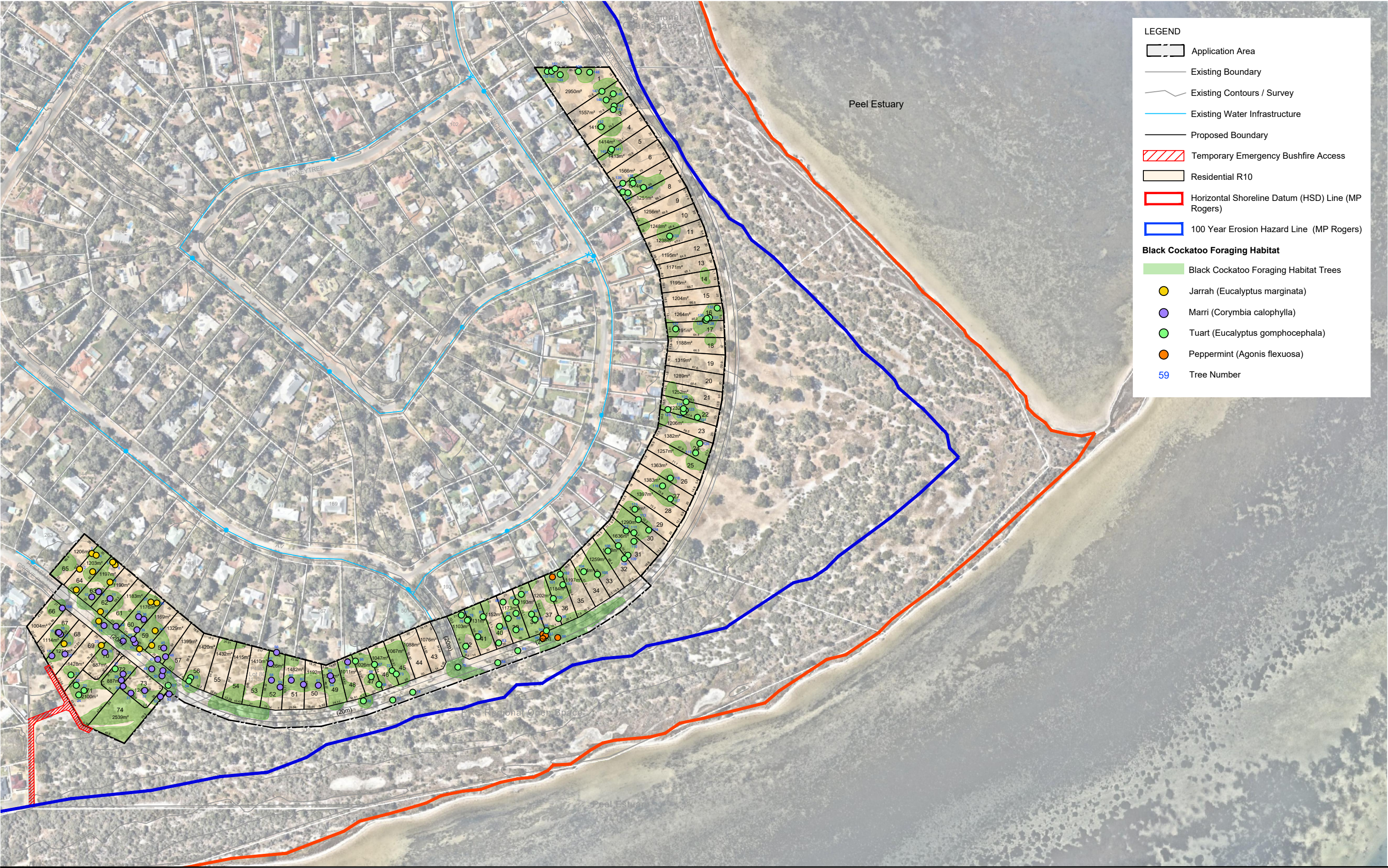
1. in accordance with Regulation 41(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, notes the submissions received in respect to Amendment No 4 to the City of Mandurah Local Planning Scheme No. 12 and endorses the response to the submissions as contained in Attachment 1.4 and 1.5.
2. in accordance with Regulation 41(3)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* determines to SUPPORT WITH PROPOSED MODIFICATIONS to Amendment No 4 to the City of Mandurah Local Planning Scheme No. 12 with the Scheme Amendment text to read as follows:
 - (a) *Modifying R-Code density from R5 to R10 for Lot 801 Pleasant Grove Circle, Falcon.*
 - (b) *Adding the following to the Requirements Column of Schedule 1 – Specific Site Requirements – No 8 Lot 801 Pleasant Grove Circle, Falcon:*

No	Description of Land	Requirement
8	Lot 801 Pleasant Grove Circle, Falcon	<ol style="list-style-type: none"> 1. <i>The minimum habitable floor level for development shall be 2.42m AHD.</i> 2. <i>That the average lot size be a minimum of 1300m²</i> 3. <i>All residential development shall be connected to reticulated sewerage.</i> 4. <i>Prior to the subdivision / development of the site (whichever occurs first), the following management plans shall be prepared / conditions imposed, and thereafter implemented:</i> <ol style="list-style-type: none"> a. <i>The recommendations of the Coastal Vulnerability Assessment undertaken for the site shall be implemented.</i> b. <i>A Tree Retention Management Plan and Environmental Management Plan shall be prepared that seeks to maximise tree retention outcomes and is informed by a tree habitat survey for species of black cockatoo and other locally significant species to the satisfaction of the City of Mandurah.</i> c. <i>A Local Development Plan shall be prepared, which details:</i> <ul style="list-style-type: none"> ○ <i>Location of trees, and recommended tree protection zones as an outcome of the Tree Retention Management Plan;</i> ○ <i>Dwelling and outbuilding envelopes to ensure appropriate setbacks to trees;</i> ○ <i>Consideration of filling and required habitable finished levels;</i> ○ <i>Consideration of reduced primary street setbacks to assist in tree retention;</i>

		<ul style="list-style-type: none"> ○ <i>Fencing details to ensure balance between solid privacy sections, and low, permeable fencing for fauna movement and retention of existing character.</i> <i>d. An Acid Sulfate Soils Investigation shall be undertaken to determine the extent of soils present and limitations on the construction of swimming pools and/or excavation.</i> <i>e. A Foreshore Management Plan for the Regional Open Space adjacent to the site, detailing the extent of improvements, footpaths, vegetation rehabilitation / weed management and fencing to the satisfaction of the City of Mandurah.</i> <i>f. An Environmental Management Plan including fauna management to the satisfaction of the City of Mandurah.</i> <i>g. An Urban Water Management Plan shall be prepared in consultation with and to the satisfaction of the City of Mandurah and Department of Water and Environmental Regulation, which addresses mitigation measures in relation to nutrient input.</i>
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(c) Amending the Scheme Maps accordingly.

- 3. Council authorises the Mayor and the Chief Executive Officer, in accordance with Section 9.49a of the *Local Government Act 1995*, to execute under Common Seal Amendment No. 4 to Local Planning Scheme No. 12 and forward the amendment to the Western Australian Planning Commission seeking final approval by the Minister for Planning.**
- 4. Require any proposed Local Development Plans submitted for No 8, Lot 801 Pleasant Grove Circle, Falcon be determined by Council.**
- 5. Note that clearing of City managed reserves to accommodate reductions in Bushfire Attack Level (BAL) of lots will not be supported.**



Subdivision Concept (R10) - Significant Trees

Pleasant Grove Circle, Falcon

Planning and Community
Consultation Committee
20 August 2024

Committee Report

Date: 5 Aug 2024 Scale: 1:4000 @ A3 1:2000 @ A1 File: 19-369 SU01B Staff: JP GW Checked: JP



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LOT 801 PLEASANT CIRCLE DRIVE, FALCON

TREE SURVEY AND BLACK COCKATOO HABITAT ASSESSMENT

Prepared for: Pleasant Grove Estate Pty Ltd

Report Date: 20 November 2023

Version: 1

Report No. 2023-774



pgv ENVIRONMENTAL

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Figure 2:	Site Boundary and Topography
Figure 3:	Significant Tree Survey
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Figure 5:	Black Cockatoo Foraging Habitat

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Appendix 1:	Tree Data
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1 INTRODUCTION

1.1 Background

Lot 801 Pleasant Circle Drive, Falcon (the site) is located in the City of Mandurah, 74km south-south-west of the Perth Central Business District (Figure 1). The site is 11.1308ha in size and is located along the foreshore of the Peel Estuary (Figure 2).

PGV Environmental was commissioned by Pleasant Grove Estate Pty Ltd to undertake a Tree Survey to identify trees that would be a priority for retention and a Black Cockatoo Habitat Assessment to assess the impact of the proposed development on habitat for listed species of Black Cockatoos.

1.2 Scope of Works

The Significant Tree Survey was undertaken in accordance with Appendix A of Australian Standard 4970 *Protection of Trees on Development Sites* and included:

- Measuring of all trees on the site with a Diameter at Breast Height (DBH) greater than 300mm;
- Recording information for each tree; and
- Providing recommendations on trees of high value that could be retained within a development.

The Black Cockatoo Habitat Assessment was undertaken to:

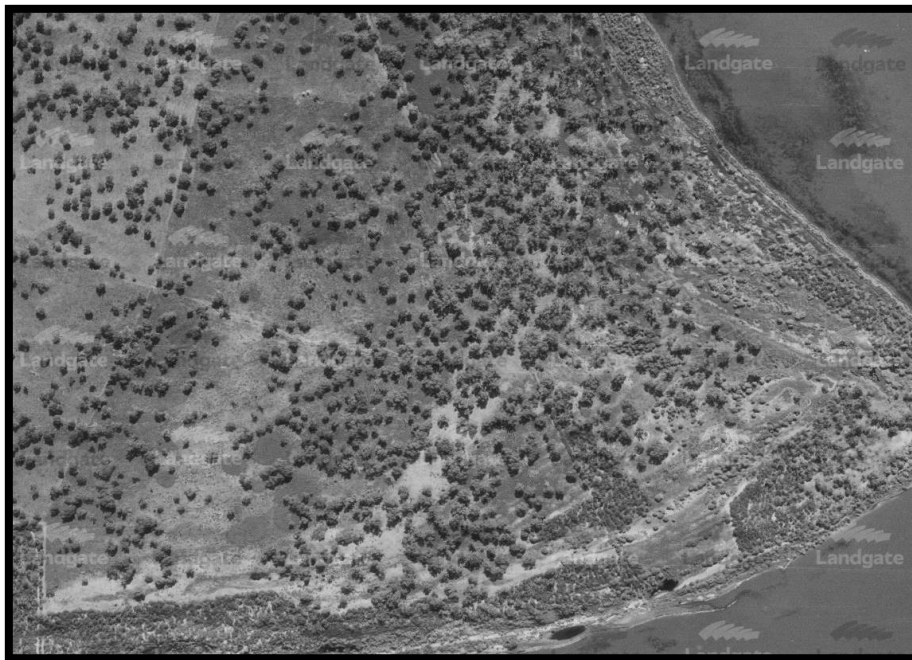
- Map and quantify the extent and quality of foraging habitat for Carnaby's and Forest Red-tailed Black Cockatoos;
- Record any evidence of foraging;
- Assess the foraging quality;
- Identify all suitable breeding habitat trees for Carnaby's and Forest Red-tailed Black Cockatoos;
- Identify any evidence of roosting on the site; and
- Provide advice on the significance of the impact on any Black Cockatoo habitat.

2 EXISTING ENVIRONMENT

2.1 Land Use

The site has been partially cleared for many years and is generally Parkland Cleared in the earliest aerial photograph from 1974 (Plate 1) (Landgate, 2023).

Plate 1: Aerial Photograph from 1974



There are more areas cleared and the surrounding development has commenced in the aerial from 1995 (Plate 2) (Landgate, 2023).

Plate 2: Aerial Photograph from 1995



The site remains relatively unchanged to the present while development around the western boundary has progressed (Landgate, 2023).

2.2 Topography

The site is relatively flat at 2m Australian Height Datum (AHD) with small, localised rises to 4mAHD and depressions less than 2m AHD (Figure 2).

2.3 Geomorphology and Soils

The site is mostly mapped as part of the Spearwood System which has the highest relief of the dune systems on the Swan Coastal Plain (Bolland, 1998). The Spearwood system consists of slightly calcareous Aeolian sand remnant from leaching of the underlying Pleistocene Tamala limestone (Davidson, 1995). There is a very small area to the south of the site that is mapped in the Vasse System which is described as poorly drained estuarine flats, of the Swan Coastal Plain (DAFWA, 2015).

The soil units located on the site are described as

- Spearwood S4a Phase (211Sp_S4a) which is a flat to gently undulating sandplain with deep, pale and sometimes bleached, sands with yellow-brown subsoils;
- Spearwood S4b Phase (211Sp_S4b) which is a flat to gently undulating sandplain with shallow to moderately deep siliceous yellow-brown and grey-brown sands with minor limestone outcrop; and
- Vasse V6 phase (211Va_V6) which are upper level sandy terrace and gently undulating beach ridges with deep grey or bleached pale brown siliceous sands overlying soft shelly limestone (DPIRD, 2023).

2.4 Hydrology

Groundwater is 1-3m from the surface and the site is on the boundary of the Peel Estuary.

A part of the Peel Inlet Estuary wetland is mapped over a portion of the northern part of the site (Green Colour on Plate 3). A large stand of the wetland Rush *Juncus pallidus* was observed in this area and is consistent with the wetland being mapped in this portion of the site.

A small Conservation Category Wetland (UFI 3065) is mapped on the site adjacent to Lots 183 and 184 Branchfield Way. The wetland is identified as a Sumpland which is a seasonally inundated basin. A dense stand of Paperbark (*Melaleuca raphiophylla*) trees was observed in this area which is consistent with the area being mapped as a sumpland wetland.

Plate 3: Wetland Mapping



2.5 Vegetation

The vegetation on the site is dominated by Tuart (*Eucalyptus gomphocephala*), Marri (*Corymbia calophylla*), Peppermint (*Agonis flexuosa*) and Jarrah (*E. marginata*) Woodlands. Other species recorded on the site include:

- Paperbark (*Melaleuca raphiophylla*);
- Balgas (*Xanthorrhoea preissii*);
- Tagasaste (*Chamaecytisus palmensis*), an exotic species;
- Rottneet Island Pine (*Callitris preissii*); and
- Spearwood (*Kunzea glabrescens*).

There are also scattered areas of low vegetation including:

- Pale Rush (*Juncus pallidus*); and
- West-coast Astartea (*Astartea affinis*).

The vegetation condition on the site was assessed using the system devised by Keighery and described in Bush Forever (Government of Western Australia, 2000) (Table 1).

Table 1: Vegetation Condition Rating Scale

Condition	Description
Pristine	Pristine or nearly so, no obvious signs of disturbance.
Excellent	Vegetation structure intact, disturbance affecting individual species and weeds are non-aggressive species.
Very Good	Vegetation structure altered, obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and grazing.

Condition	Description
Good	Vegetation structure significantly altered by very obvious signs of multiple disturbance. Retains basic vegetation structure or ability to regenerate it. For example, disturbance to vegetation structure caused by very frequent fires, the presence of some very aggressive weeds at high density, partial clearing, dieback and grazing.
Degraded	Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management. For example, disturbance to vegetation structure caused by very frequent fires, the presence of very aggressive weeds, partial clearing, dieback and grazing.
Completely Degraded	The structure of the vegetation is no longer intact and the area is completely or almost completely without native species. These are often described as 'parkland cleared' with the flora comprising weed or crop species with isolated native trees or shrubs.

Source: Government of Western Australia, 2000.

The vegetation on the site is mainly all Degraded or Completely Degraded as the understorey has been significantly cleared (Plate 4).

Plate 4: Woodland with no Understorey



The small areas of sedgeland have very few weeds and are considered to be in Very Good condition as there are few weeds but the overstorey has been impacted (Plate 5).

Plate 5: Sedgeland on the Site



3 SIGNIFICANT TREE SURVEY

3.1 Methodology

A Significant Tree Survey was undertaken by PGV Environmental on 1 August 2023. Each tree was assessed according to:

- Location;
- Species;
- Size;
- Structural health;
- habitat value; and
- landscape amenity value.

The measurement of trunk diameter followed the method shown in Appendix A of Australian Standard 4970 *Protection of Trees on Development Sites*. According to AS 4970 trees can have single trunk diameter measured at breast height or, for trees with multiple trunks, each trunk can be measured, and the formula as specified in AS 4970 applied to achieve a minimum 500mm measurement.

3.2 Trees Recorded on the Site

The significant tree survey recorded 154 trees that had a DBH greater than 300mm (Figure 3), of which 145 that had a DBH greater than 500mm using the AS 4970 methodology. The trees consisted of four species with Tuart (*Eucalyptus gomphocephala*) the most abundant (Table 2). All of the species are native and endemic to the area (Table 2). Complete data for each tree are in Appendix 1.

Many of the trees had old tags on them which is evidence that a tree survey had been completed in previous years. PGV Environmental is not sure for what purpose that survey was done. Where tags were found, the numbers are included in the tree table data.

Table 2: Tree Species on the Site

Species	Common Name	Native/Introduced	Number
<i>Agonis flexuosa</i>	Peppermint	Native	5
<i>Corymbia calophylla</i>	Marri		41
<i>Eucalyptus gomphocephala</i>	Tuart		91
<i>Eucalyptus marginata</i>	Jarra	Native	17
Total			154

3.3 Tree Characteristics

3.3.1 Condition

Most of the trees (137) are in fair condition with little to no signs of disease or previous impacts from disease and regular in shape. Two of the trees were classified as being in Very Good condition. These specimens have healthy crowns, no signs of disease and are generally symmetrical. Seven trees were recorded as leaning and most of these have an asymmetrical canopy (Plate 6). Seven trees were considered to be in poor condition with evidence of impacted crowns, poor leaf coverage and other signs of stress. One tree was in very poor condition.

Plate 6: Leaning Tree



3.3.2 Height

The trees were between 7m and 25m in height, averaging 15.9m. The Peppermint trees are a lower growing species and ranged from 7m to 12m, averaging 10m. The Jarrah trees ranged from 10m to 20m averaging 14.9m and the Marri from 8m to 25m, averaging 16m. The Tuarts ranged from 10m to 25m, averaging 16.1m.

3.3.3 Diameter

The calculated DBH, in accordance with the Australian Standard of the trees had a minimum of 350mm and a maximum of 2010mm. Tuarts had the largest average DBH at 919mm. The Jarrah trees had an average DBH of 734mm, and Marri averaged 703mm. The Peppermints had an average of 728mm.

3.3.4 Habitat Values

All the trees would provide some habitat for birds, including Black Cockatoos, bats and possums. Some trees had small hollows. One tree had a large hollow suitable for larger birds and possums. A large bird nest was observed in a tall Tuart tree (75).

3.3.5 Landscape Amenity Values

The whole site is well-treed and accordingly has landscape amenity value. The understorey is very open and easily walked by local residents as the site is not fenced off from the adjoining areas. The site contained two trees in Very Good condition.

3.4 Recommendations

The trees on the site contain habitat value for avifauna and reptiles, however this is likely to be reduced due to the mostly cleared understorey and the proximity of development nearby with

associated impacts such as light spill, noise and domestic predators such as cats. There were two trees of particular significance that should be considered to be retained which are Tree 75 (Plate 7), a large Tuart in Good condition, and tree 45 which is a large Marri in good condition.

Plate 7: Tree 75



4 BLACK COCKATOO SPECIES

4.1 Carnaby's Black Cockatoo (*Zanda (Calyptorhynchus) latirostris*)

Carnaby's Black Cockatoo is found in the south-west of Australia from Kalbarri through to Ravensthorpe. It has a preference for feeding on the seeds of *Banksia*, *Hakea*, *Eucalyptus*, *Grevillea*, *Pinus* and *Allocasuarina* spp. It is nomadic, often moving toward the coast after breeding. It breeds in tree hollows that are 2.5 – 12m above the ground and have an entrance of 23-30cm with a depth of 1-2.5m. Nesting mostly occurs in smooth-barked trees (e.g. Salmon Gum, Wandoo, Red Morrell). Eggs are laid from July to October, with incubation lasting 29 days (DoE, 2014).

The site is inside the boundary of the 'non breeding range' modelled distribution for Carnaby's Black Cockatoos (DAWE, 2022).

4.2 Baudin's Black Cockatoo (*Zanda (Calyptorhynchus) baudinii*)

Baudin's Black Cockatoo is most common in the far south-west of Western Australia. It is known to breed from the southern forests north to Collie and east to near Kojonup. Baudin's Black Cockatoo is typically found in vagrant flocks and utilises the taller, more open Jarrah (*Eucalyptus marginata*) and Marri (*Corymbia calophylla*) woodlands where it feeds mainly on Marri seeds and various Proteaceous species (Johnstone, Johnstone and Kirkby, 2011).

The site is within the 'species may occur' modelled distribution for Baudin's Black Cockatoos (DAWE, 2022). Therefore, the species is likely to only be an intermittent/vagrant visitor to the site.

4.3 Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*)

Forest Red-tailed Black Cockatoos are endemic to the humid to sub-humid south-west of Western Australia (SEWPaC, 2012). The range of Forest Red-tailed Black Cockatoos is bound by Gingin in the north to Mt Helena, Christmas Tree Well, West Dale, North Bannister, Mt Saddleback, Kojonup, Rocky Gully, upper King River and Green Range (east of Albany) (DoE, 2014; DAWE, 2022). It nests in tree hollows with a depth of 1-5m, that are predominately Marri, Jarrah and Karri (*E. diversicolor*) and it feeds primarily on the seeds of Marri and Jarrah (Johnstone, Johnstone and Kirkby, 2011).

The site is inside the 'likely to occur' modelled distribution for Forest Red-tailed Black Cockatoos (DAWE, 2022).

5 METHODOLOGY

5.1 Habitat definitions

5.1.1 Breeding Habitat

‘Breeding habitat’ is defined as trees of species known to support breeding within the range of the species which either have a suitable nest hollow OR have a DBH of 300mm or 500mm or greater (Tuart, Marri and Jarrah) (DAWE, 2022).

Past studies have found that on average hollow openings are 25 cm x 27 cm (Saunders *et al.*, 1982, Saunders and Dawson, 2017) and 30 cm x 34 cm (Johnstone *et al.*, 2013). The height of a hollow entrance off the ground is on average 19.384 m (Johnstone *et al.*, 2013). Nearly all hollows that are used for nesting by Black Cockatoos are located in the main trunk and have a vertical aspect (Johnstone *et al.*, 2013, Saunders and Dawson, 2017). Black Cockatoos are large birds with shoulders that are about 100 mm wide, therefore they require hollows with an entrance bigger than this (as shown above they are typically much larger), but the internal dimensions (depth and floor base) need to be much larger in order for it to be suitable to lay eggs in and for adults to be able to move around.

Previous research has found for Carnaby’s Black Cockatoo a mean depth of 1.2 m and a floor diameter of 40 cm is required in order for it to be suitable to lay eggs in and for adults to be able to move around (Johnstone *et al.*, 2013, Saunders and Dawson 2017).

The Black Cockatoo Referral Guidelines define trees of certain species with a DBH of 300 to 500mm or greater, dependent on the tree species, as breeding habitat regardless of the presence or not of hollows. The theory behind this definition is the concept that while the trees may not currently contain hollows, they are mature enough that in the next 50 years or so a hollow might form and be of use to Black Cockatoos for the purposes of breeding.

5.1.2 Roosting Habitat

‘Roosting habitat’ is usually evident due to the presence of Black Cockatoos in the survey area in the evening and early morning and if there are scats or moulted feathers under the roosting area. Black Cockatoos utilise a wide range of native and non-native trees, situated within a variety of land-use types. Roosting habitat is generally in tall (average of > 25 m) tree species that have relatively thick trunks (average DBH of 1 m) and medium foliage density (average of 50%), and that are not too densely forested amongst other trees (average tree crown connectivity of 20 %) (Le Roux, 2017). Black cockatoos rely upon the availability of suitable night roosting sites in proximity to foraging resources, and particularly access to water within 2km of the roost site (SEWPac, 2012).

5.1.3 Foraging Habitat

‘Foraging habitat’ for Black Cockatoos is determined from the plant species that are present on the site and evidence of feeding such as direct observation of birds or by chewed nuts and cones. Foraging plants utilised by each species of Black Cockatoo varies, with Carnaby’s Black Cockatoo foraging on Eucalypts, pines and proteaceous species, whereas Forest Red-tailed Cockatoos prefer Eucalypts and Allocasuarina and many exotic species and Baudin’s prefer mostly seeds of Marri and Jarrah, also Allocasuarina cones (DAWE, 2022).

5.2 Site Survey

Dr Paul van der Moezel of PGV Environmental undertook a Black Cockatoo habitat assessment on 1 August 2023 in accordance with the Black Cockatoo Referral Guidelines and the methodology outlined in the SPRAT Database for each of the Black Cockatoo species.

The site was traversed on foot and information on Black Cockatoo foraging, roosting and breeding habitat was assessed. The extent, type and quality of the vegetation present, including the presence and extent of plants known to be used by Black Cockatoos was recorded.

Each of the trees that are recognised potential breeding habitat with a DBH greater than 500mm were measured and recorded.

6 BLACK COCKATOO HABITAT

6.1 Breeding

Black Cockatoos are known to breed in hollows of large eucalypts, including Jarrah, Marri and Tuart trees. The site is not known as a breeding site for Black Cockatoos (DoP, 2011; National Map, 2023). There is a recorded breeding site located 23km to the south (National Map, 2023).

A total of 133 Jarrah, Marri and Tuart trees (Table 3) were recorded on site that met the definition of breeding habitat or potential breeding habitat due to their DBH being >500mm (Figure 4, Appendix 1).

Table 3: Potential Breeding Habitat for Black Cockatoos on the Site

Species	Common Name	Number of Significant Trees	Number of trees with hollows potentially suitable for Black Cockatoos
<i>Corymbia calophylla</i>	Marri	34	1
<i>Eucalyptus marginata</i>	Jarrah	16	
<i>Eucalyptus gomphocephala</i>	Tuart	83	
Total		133	1

6.2 Roosting

Black Cockatoos are known to roost overnight in tall trees including native and introduced eucalypts and pine trees generally in close proximity to a fresh water source. The site contains mature trees, however no evidence of roosting was recorded during the survey.

The site is not mapped as containing a recorded roosting habitat for Black Cockatoos but is in the buffer of one known site (DoP, 2011; Peck *et al.*, 2018; National Map, 2023). The nearest roosting sites are reported to be around 4.3km to the south-west and 4.4km to the north-east (National Map, 2023) (Figure 4).

6.3 Foraging

The site contains four species that are recognised as foraging habitat for Black Cockatoos (Table 4; Figure 5) (Davies 1966; Saunders 1980; Johnstone and Storr 1998; Johnstone and Kirkby 1999; Valentine and Stock, 2008; Groom 2011; Johnstone *et al.*, 2011; SEWPaC, 2012; Johnstone, *et al.*, 2013; Groom, 2015; Johnstone *et al.*, 2016; DAWE, 2022).

Table 4: Foraging Species for Black Cockatoos on the Site

Species	Common Name	Carnaby's Black Cockatoo	Baudin's Black Cockatoo	Forest red-tailed Black Cockatoo
<i>Corymbia calophylla</i>	Marri	✓	✓	✓
<i>Eucalyptus gomphocephala</i>	Tuart			✓
<i>Eucalyptus marginata</i>	Jarrah	✓	✓	✓
<i>Xanthorrhoea preissii</i>	Balga	✓		

There is a total of 4.12ha of foraging habitat on the site. There was a small amount of evidence of Forest Red-tails and Carnaby's Black Cockatoos having foraged on Marri and Jarrah nuts on the site.

The foraging habitat value for Carnaby's Black Cockatoos was determined using the scoring tool in the revised Black Cockatoo Referral Guidelines (DAWE, 2022) (Table 5). The tool starts with a score of 10 and then subtracts points for contextual attributes (Table 5). The resultant score is 10 which is considered High quality foraging habitat.

Table 5: Scoring Tool for Foraging Habitat for Carnaby's Black Cockatoos

Attribute	Context Adjustor	Score with Breeding and Roosting as per mapping
Foraging potential	Subtract 2 from your score if there is no evidence of feeding debris on your site.	0
Connectivity	Subtract 2 from your score if you have evidence to conclude that there is no other foraging habitat within 12 km of your site.	0
Proximity to breeding	Subtract 2 if you have evidence to conclude that your site is more than 12 km from breeding habitat.	2
Proximity to roosting	Subtract 1 if you have evidence to conclude that your site is more than 20 km from a known night roosting habitat.	0
Impact from significant plant disease	Subtract 1 if your site has disease present (e.g. <i>Phytophthora</i> spp. or Marri canker) and the disease is affecting more than 50% of the preferred food plants present.	0
Score		8

6.4 Black Cockatoo Referral Guidelines

The *Referral guideline for 3 WA threatened black cockatoo species: Carnaby's Cockatoo, Baudin's Cockatoo and the Forest Red-tailed Black- cockatoo* (DAWE, 2022) (Black Cockatoo Referral Guidelines) contain several steps to determine whether or not a referral is required. These steps are:

1. Will the action directly or indirectly impact on Black Cockatoo Habitat;
2. Does your action involve loss of any habitat as defined in Section 4 and Appendix A of the guidelines;
3. Formulation of a mitigation strategy to reduce the scale of impact; and
4. A flowchart to assist in decision making on whether or not an action should be referred.

Step 1 Black Cockatoo Habitat

The site contains 4.12ha of foraging habitat for Black Cockatoos with evidence of foraging by Carnaby's and Forest Red-tailed Black Cockatoos on Marri and Jarrah nuts trees. There is no actual known breeding or roosting on the site. There are 133 potential breeding habitat trees.

Step 2 Loss of Habitat

Breeding

According to the Black Cockatoo Referral Guidelines the clearing of any known nesting tree has a high risk of being a significant impact. A known nesting tree is defined in the Black Cockatoo Referral Guidelines as any existing tree in which breeding has been recorded or suspected. There are no known nesting trees that occur on the site and therefore there is no risk of a significant impact on known breeding habitat of Black Cockatoos.

The Black Cockatoo Referral Guidelines also consider that the clearing or degradation of any part of a vegetation community known to contain breeding habitat is likely to have a high risk of a significant impact. Breeding habitat is defined as woodlands, forests or isolated trees that contain or consist of live or dead trees of certain species with either a DBH of or greater than 300mm or 500mm or the presence of suitable nest hollows.

There are 133 trees on the site that meet the definition of breeding habitat due to their trunk diameter. There is one tree that contains a hollow that may be suitable for Black Cockatoos to breed in, however no evidence of breeding was observed. In accordance with the guidelines clearing even one of these 133 trees is likely to have a significant impact.

Roosting

The Black Cockatoo Referral Guidelines consider the clearing of a known roosting site as a high risk of being a significant impact. Clearing of any trees on the site would not have a significant impact on roosting habitat.

Foraging

According to the Black Cockatoo Referral Guidelines the clearing of more than 1ha of quality foraging habitat or more than 10ha of low quality foraging habitat has a high risk of causing a significant impact. Degradation of more than 1ha of quality habitat by things such as altered hydrology or fire regimes has an uncertain risk. The significance of degradation depends on the type of degradation and the quality of the habitat.

The site contains 4.12ha of foraging habitat for Black Cockatoos. Clearing more than 1ha has a high chance of resulting in a significant impact.

Step 3 Mitigation

The consideration of a mitigation strategy during the determination of the level of impact and requirement to refer is allowed by the Black Cockatoo Referral Guidelines and setting in place the best practice mitigation strategy may reduce the level of impact and in turn the risk of a significant impact. Mitigation strategies include avoiding impact, managing impact so that there is no net decline in habitat and monitoring the effectiveness of mitigation.

Depending on the amount of clearing proposed and the area of vegetation to be retained there may be opportunities to plant some of the cleared areas with Black Cockatoo habitat species.

7 SUMMARY AND CONCLUSIONS

The Black Cockatoo Habitat Assessment resulted in the following findings:

- There were 154 trees recorded on the site that had a DBH of 300mm or more, of which two had high conservation values;
- There were 137 trees in fair condition and could be considered to be retained;
- There were 15 trees that were in poor condition or leaning and are not considered to be appropriate for retention;
- The site contains 4.12ha of foraging habitat for Black Cockatoos. The foraging habitat value was assessed as High;
- Some evidence of foraging by Carnaby's and Forest Red-tailed Black Cockatoos was observed on Marri and Jarrah nuts;
- There was no evidence of roosting or breeding activity on the site and there are no records of roosting or breeding on the site;
- The site contains 133 trees with a DBH large enough to be considered potential breeding habitat trees. One of the trees was recorded that may have a hollow large enough to provide breeding habitat for Black Cockatoos, however no evidence of breeding was observed; and
- Any clearing above the threshold of 1ha of quality foraging habitat or more than one potential breeding habitat tree could lead to a significant impact according to the Black Cockatoo Referral Guidelines and may require referral under the EPBC Act.

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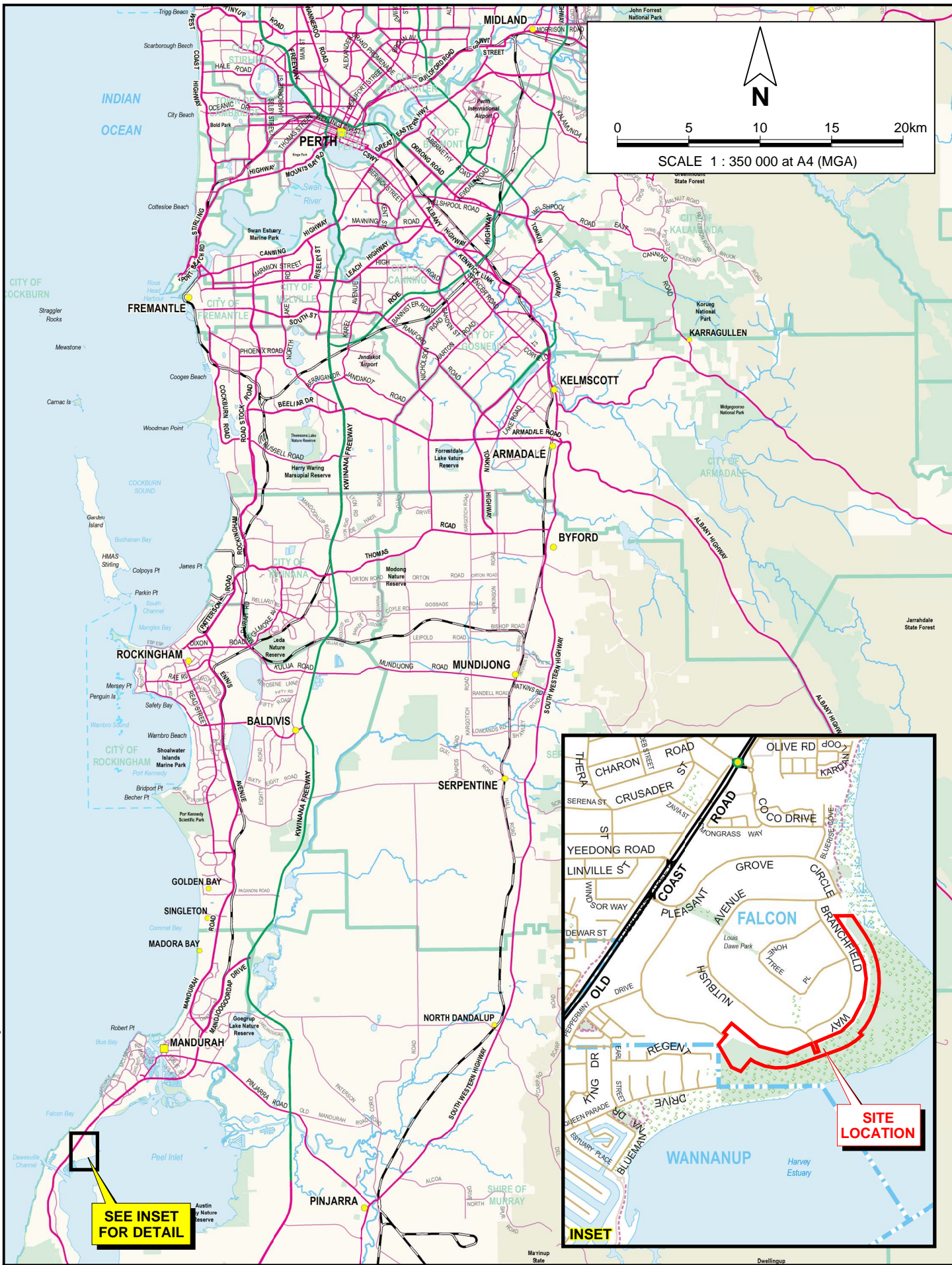
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FIGURES



**SEE INSET
FOR DETAIL**

**SITE
LOCATION**

INSET

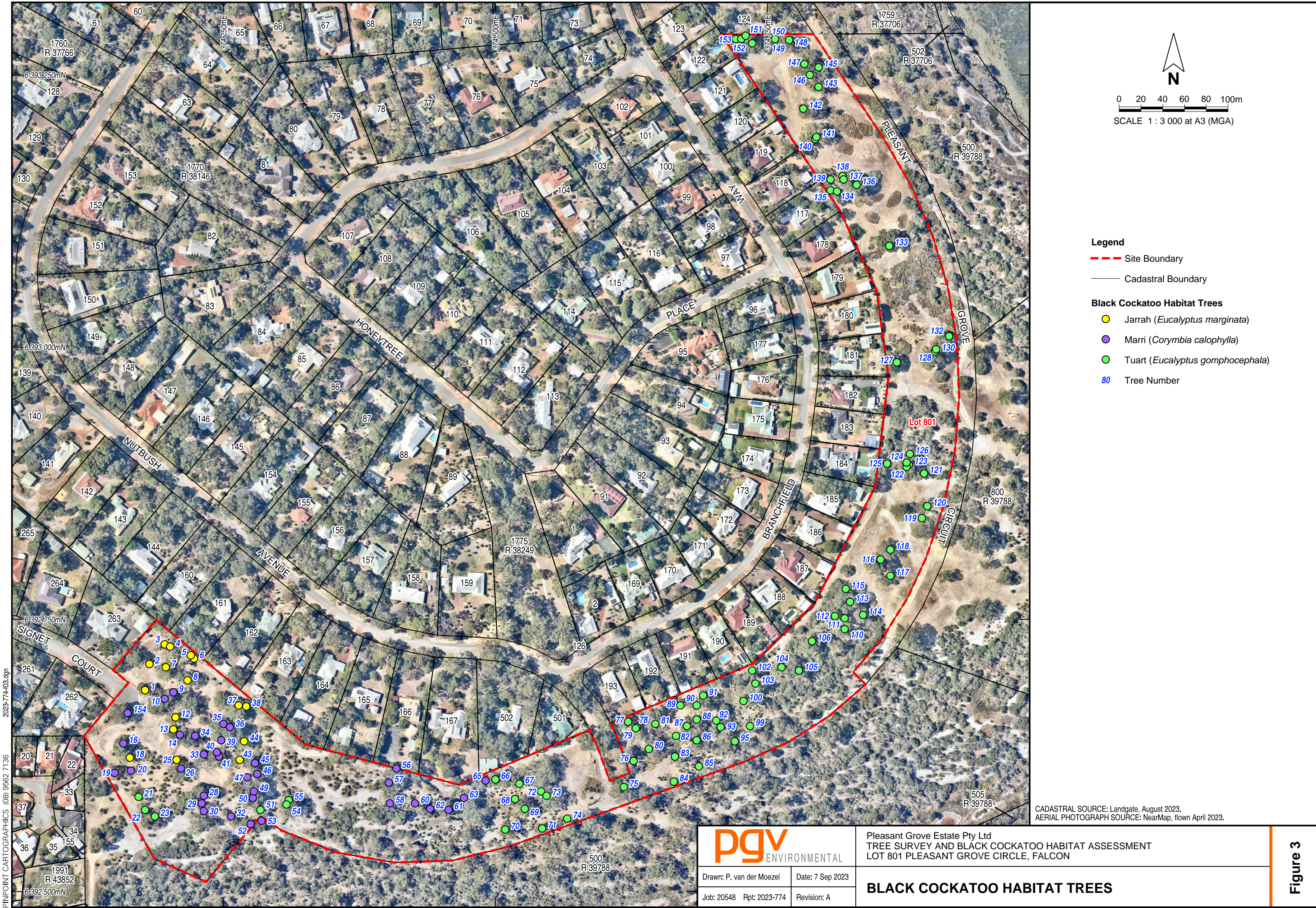
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Pleasant Grove Estate Pty Ltd
TREE SURVEY AND BLACK COCKATOO HABITAT ASSESSMENT
LOT 801 PLEASANT GROVE CIRCLE, FALCON

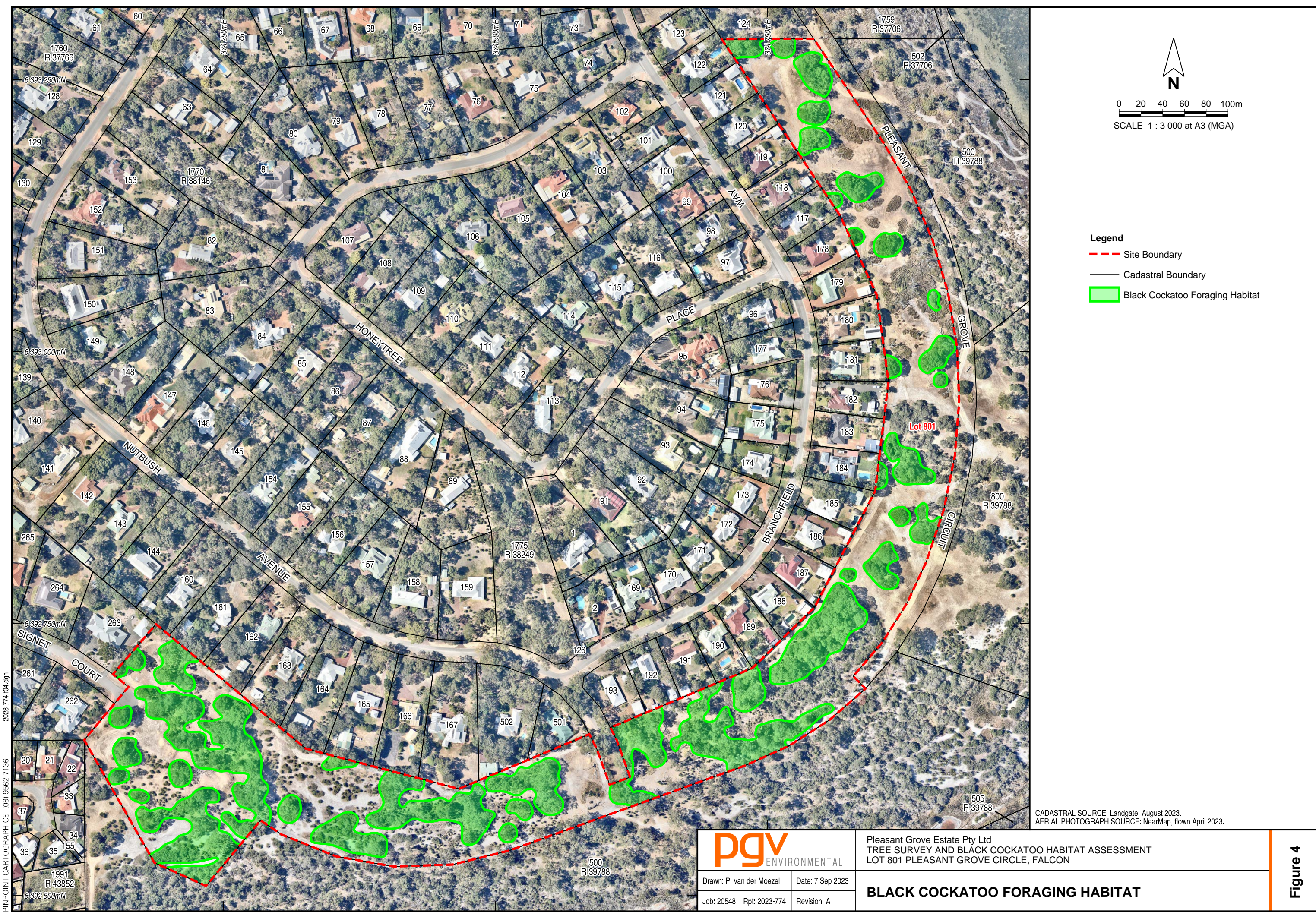
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Job: 20548 Rpt: 2023-774	Revision: A

REGIONAL LOCATION

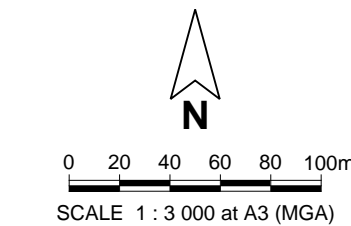
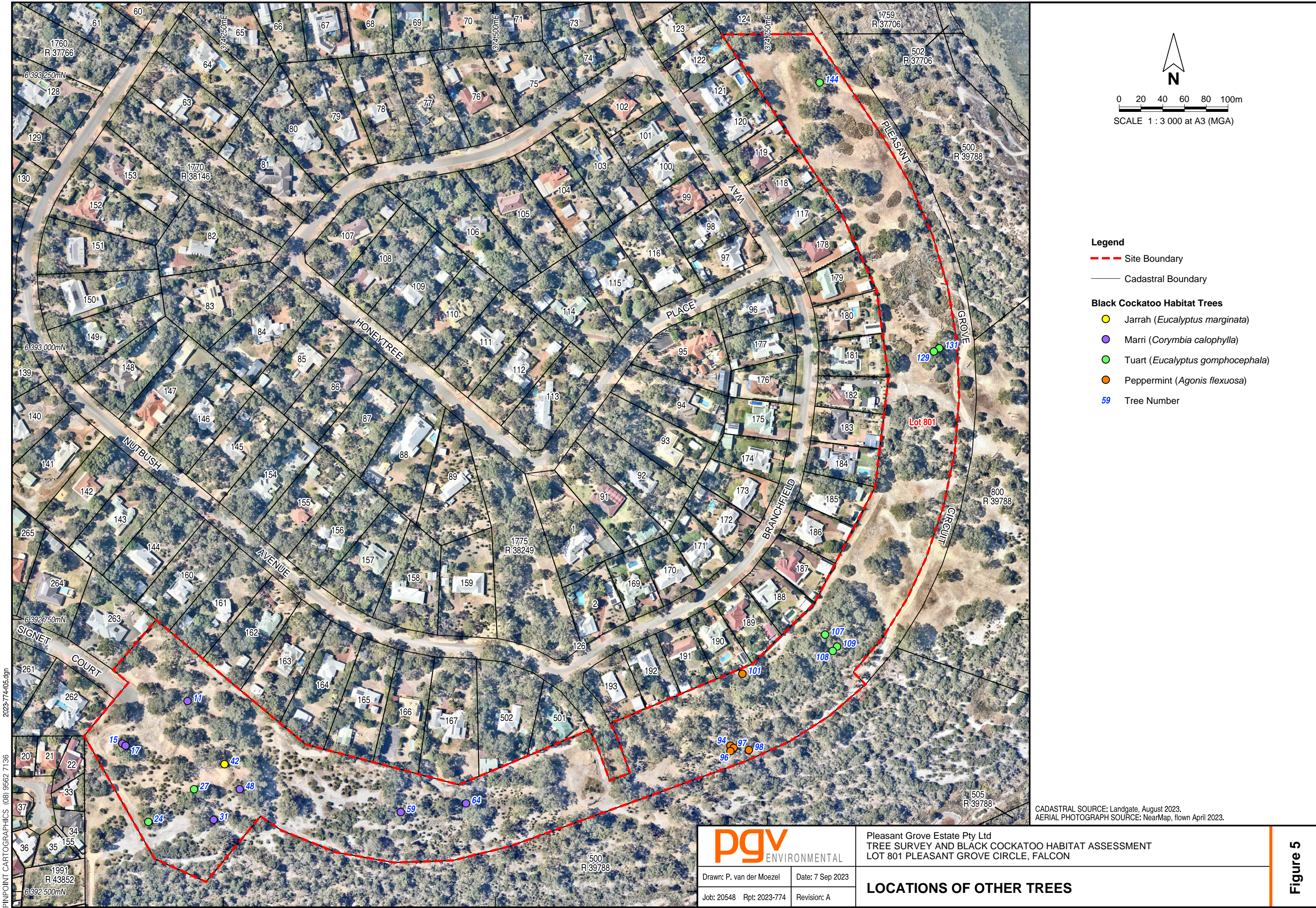
Figure 1



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PINPOINT CARTOGRAPHICS (08) 9562 7136



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- Legend**
- Site Boundary
 - Cadastral Boundary
- Black Cockatoo Habitat Trees**
- Jarrah (*Eucalyptus marginata*)
 - Marri (*Corymbia calophylla*)
 - Tuart (*Eucalyptus gomphocephala*)
 - Peppermint (*Agonis flexuosa*)
 - 59 Tree Number

pgv ENVIRONMENTAL	
Drawn: P. van der Moezel	Date: 7 Sep 2023
Job: 20548 Rpt: 2023-774	Revision: A

Pleasant Grove Estate Pty Ltd TREE SURVEY AND BLACK COCKATOO HABITAT ASSESSMENT LOT 801 PLEASANT GROVE CIRCLE, FALCON	
LOCATIONS OF OTHER TREES	

Figure 5

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APPENDIX 1

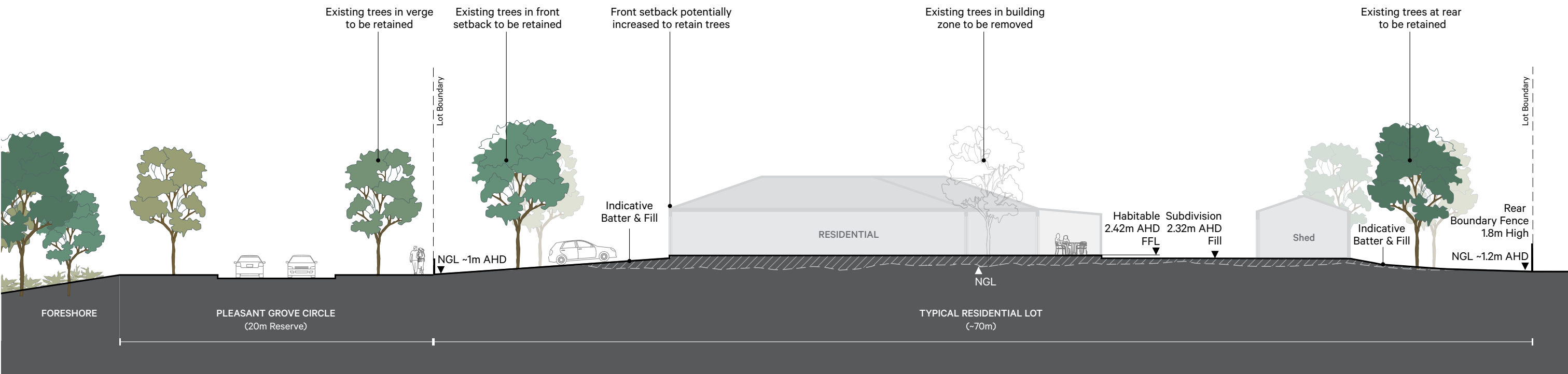
Tree Data

Tree #	Species	Easting	Northing	Height	Diameter	2nd Branch	3rd Branch	Calculated DBH	Comments
1	Jarrah (<i>Eucalyptus marginata</i>)	374178	6392685	12	690			690	Fair Condition
2	Jarrah (<i>Eucalyptus marginata</i>)	374182	6392709	20	850			850	Fair Condition
3	Jarrah (<i>Eucalyptus marginata</i>)	374196	6392727	13	540			540	Fair Condition
4	Jarrah (<i>Eucalyptus marginata</i>)	374201	6392725	19	890			890	Fair Condition
5	Jarrah (<i>Eucalyptus marginata</i>)	374220	6392717	17	700			700	Fair Condition
6	Jarrah (<i>Eucalyptus marginata</i>)	374223	6392714	12	640			640	Fair condition, 4 main branches in total, no hollows
7	Jarrah (<i>Eucalyptus marginata</i>)	374197	6392706	15	770			770	Fair condition, horizontal hollow, pink and grey galah observed on branch
8	Jarrah (<i>Eucalyptus marginata</i>)	374217	6392694	16	980			980	Fair condition, medium vertical hollow with no base
9	Marri (<i>Corymbia calophylla</i>)	374204	6392683	21	910			910	Fair condition, more than 3 stems, no hollows
10	Marri (<i>Corymbia calophylla</i>)	374196	6392677	17	880			880	Fair condition, no hollows
11	Marri (<i>Corymbia calophylla</i>)	374217	6392675	11	360			360	Fair condition, no hollows
12	Jarrah (<i>Eucalyptus marginata</i>)	374206	6392660	12	650			650	Fair condition, no hollows
13	Jarrah (<i>Eucalyptus marginata</i>)	374204	6392649	15	730			730	Fair condition, no hollows
14	Marri (<i>Corymbia calophylla</i>)	374210	6392644	15	860	220		888	Fair condition, no hollows
15	Marri (<i>Corymbia calophylla</i>)	374157	6392636	17	350			350	Fair condition, no hollows
16	Marri (<i>Corymbia calophylla</i>)	374158	6392636	17	500			500	Fair condition, no hollows
17	Marri (<i>Corymbia calophylla</i>)	374160	6392634	15	350			350	Fair condition, no hollows
18	Jarrah (<i>Eucalyptus marginata</i>)	374164	6392623	15	1170			1170	Fair condition, no hollows
19	Marri (<i>Corymbia calophylla</i>)	374150	6392609	20	810			810	Fair condition, no hollows
20	Marri (<i>Corymbia calophylla</i>)	374165	6392611	14	630			630	Fair condition, no hollows
21	Tuart (<i>Eucalyptus gomphocephala</i>)	374172	6392587	16	960			960	Fair condition, no hollows
22	Tuart (<i>Eucalyptus gomphocephala</i>)	374178	6392575	18	510			510	Fair condition, no hollows
23	Tuart (<i>Eucalyptus gomphocephala</i>)	374187	6392569	12	580			580	Fair condition, no hollows
24	Tuart (<i>Eucalyptus gomphocephala</i>)	374181	6392564	12	450	410	280	670	Fair condition, no hollows
25	Jarrah (<i>Eucalyptus marginata</i>)	374207	6392621	12	590	210	190	654	Fair condition, no hollows
26	Marri (<i>Corymbia calophylla</i>)	374211	6392613	20	860			860	Fair condition, no hollows
27	Tuart (<i>Eucalyptus gomphocephala</i>)	374223	6392594	18	400	270	220	530	Fair condition, no hollows
28	Marri (<i>Corymbia calophylla</i>)	374232	6392588	16	790			790	Fair condition, no hollows
29	Marri (<i>Corymbia calophylla</i>)	374230	6392581	13	770			770	Fair condition, no hollows
30	Marri (<i>Corymbia calophylla</i>)	374232	6392574	17	950			950	Fair condition, no hollows
31	Marri (<i>Corymbia calophylla</i>)	374241	6392566	8	370			370	Fair condition, no hollows
32	Marri (<i>Corymbia calophylla</i>)	374257	6392569	12	630			630	Fair condition, no hollows
33	Marri (<i>Corymbia calophylla</i>)	374232	6392626	15	690			690	Fair condition, no hollows
34	Marri (<i>Corymbia calophylla</i>)	374224	6392643	19	610			610	Fair condition, no hollows
35	Marri (<i>Corymbia calophylla</i>)	374250	6392654	20	780			780	Fair condition, no hollows
36	Marri (<i>Corymbia calophylla</i>)	374256	6392651	25	980			980	Fair condition, no hollows
37	Jarrah (<i>Eucalyptus marginata</i>)	374264	6392671	18	800			800	Fair condition, no hollows
38	Jarrah (<i>Eucalyptus marginata</i>)	374271	6392670	15	610			610	Fair condition, no hollows
39	Marri (<i>Corymbia calophylla</i>)	374248	6392639	13	610	560		828	Fair condition, no hollows
40	Marri (<i>Corymbia calophylla</i>)	374244	6392628	18	650			650	Fair condition, no hollows
41	Marri (<i>Corymbia calophylla</i>)	374246	6392624	14	640			640	Fair condition, no hollows

Tree #	Species	Easting	Northing	Height	Diameter	2nd Branch	3rd Branch	Calculated DBH	Comments
42	Jarrah (<i>Eucalyptus marginata</i>)	374251	6392617	10	430			430	Fair condition, no hollows
43	Jarrah (<i>Eucalyptus marginata</i>)	374265	6392621	14	680			680	Fair condition, no hollows
44	Jarrah (<i>Eucalyptus marginata</i>)	374269	6392638	18	690			690	Fair condition, no hollows
45	Marri (<i>Corymbia calophylla</i>)	374279	6392618	20	550			550	Fair condition, no hollows
46	Marri (<i>Corymbia calophylla</i>)	374281	6392608	20	850			850	Fair condition, no hollows
47	Marri (<i>Corymbia calophylla</i>)	374272	6392605	13	720			720	Fair condition, no hollows
48	Marri (<i>Corymbia calophylla</i>)	374265	6392594	10	430			430	Fair condition, no hollows
49	Marri (<i>Corymbia calophylla</i>)	374278	6392592	21	870			870	Fair condition, no hollows
50	Marri (<i>Corymbia calophylla</i>)	374277	6392586	14	740			740	Fair condition, no hollows
51	Tuart (<i>Eucalyptus gomphocephala</i>)	374284	6392575	14	630	570		850	Fair condition, no hollows
52	Marri (<i>Corymbia calophylla</i>)	374275	6392562	20	740			740	Fair condition, no hollows
53	Marri (<i>Corymbia calophylla</i>)	374285	6392565	14	630			630	Fair condition, no hollows
54	Tuart (<i>Eucalyptus gomphocephala</i>)	374308	6392580	21	1010			1010	Fair condition, no hollows
55	Tuart (<i>Eucalyptus gomphocephala</i>)	374310	6392584	13	590			590	Fair condition, no hollows
56	Marri (<i>Corymbia calophylla</i>)	374409	6392613	20	1220			1220	Fair condition, no hollows
57	Marri (<i>Corymbia calophylla</i>)	374402	6392600	21	680			680	Fair condition, no hollows
58	Marri (<i>Corymbia calophylla</i>)	374403	6392581	12	520	300		600	Fair condition, no hollows
59	Marri (<i>Corymbia calophylla</i>)	374413	6392573	10	420	380		566	Fair condition, no hollows
60	Marri (<i>Corymbia calophylla</i>)	374426	6392581	12	570			570	Fair condition, no hollows
61	Marri (<i>Corymbia calophylla</i>)	374457	6392575	16	750			750	Fair condition, no hollows
62	Marri (<i>Corymbia calophylla</i>)	374440	6392576	12	510			510	Fair condition, no hollows
63	Marri (<i>Corymbia calophylla</i>)	374471	6392586	15	760			760	Fair condition, no hollows
64	Marri (<i>Corymbia calophylla</i>)	374473	6392581	14	490			490	Fair condition, no hollows
65	Marri (<i>Corymbia calophylla</i>)	374491	6392602	14	670			670	Fair condition, no hollows
66	Tuart (<i>Eucalyptus gomphocephala</i>)	374500	6392603	15	880	490	340	1063	Fair condition, no hollows
67	Tuart (<i>Eucalyptus gomphocephala</i>)	374522	6392599	13	790	580		980	Fair condition, no hollows
68	Tuart (<i>Eucalyptus gomphocephala</i>)	374518	6392585	16	1060			1060	Fair condition, no hollows
69	Tuart (<i>Eucalyptus gomphocephala</i>)	374527	6392576	12	640	360		734	Fair condition, no hollows
70	Tuart (<i>Eucalyptus gomphocephala</i>)	374509	6392557	14	670	300	550	917	Fair condition, no hollows
71	Tuart (<i>Eucalyptus gomphocephala</i>)	374543	6392558	11	750	680		1012	Fair condition, no hollows
72	Tuart (<i>Eucalyptus gomphocephala</i>)	374542	6392592	18	720	280	280	822	Fair condition, no hollows
73	Tuart (<i>Eucalyptus gomphocephala</i>)	374547	6392588	20	1070	510		1185	Fair condition, no hollows
74	Tuart (<i>Eucalyptus gomphocephala</i>)	374566	6392567	17	650	530		839	Fair condition, no hollows
75	Tuart (<i>Eucalyptus gomphocephala</i>)	374618	6392596	25	2010			2010	Fair condition, no hollows
76	Tuart (<i>Eucalyptus gomphocephala</i>)	374627	6392620	11	690			690	Fair condition, no hollows
77	Tuart (<i>Eucalyptus gomphocephala</i>)	374622	6392656	20	1200			1200	Fair condition, no hollows
78	Tuart (<i>Eucalyptus gomphocephala</i>)	374630	6392651	25	980			980	Fair condition, no hollows
79	Tuart (<i>Eucalyptus gomphocephala</i>)	374629	6392650	16	1080			1080	Fair condition, no hollows
80	Tuart (<i>Eucalyptus gomphocephala</i>)	374641	6392631	21	760	560	530	1083	Fair condition, no hollows
81	Tuart (<i>Eucalyptus gomphocephala</i>)	374647	6392654	19	1520			1520	Fair condition, no hollows
82	Tuart (<i>Eucalyptus gomphocephala</i>)	374666	6392643	22	1020	510		1140	Fair condition, no hollows
83	Tuart (<i>Eucalyptus gomphocephala</i>)	374665	6392624	20	820	590		1010	Fair condition, no hollows

Tree #	Species	Easting	Northing	Height	Diameter	2nd Branch	3rd Branch	Calculated DBH	Comments
84	Tuart (<i>Eucalyptus gomphocephala</i>)	374664	6392601	22	1740			1740	Fair condition, no hollows
85	Tuart (<i>Eucalyptus gomphocephala</i>)	374687	6392615	15	1060	560		1199	Fair condition, no hollows
86	Tuart (<i>Eucalyptus gomphocephala</i>)	374685	6392639	11	1100			1100	Fair condition, no hollows
87	Tuart (<i>Eucalyptus gomphocephala</i>)	374676	6392652	16	860			860	Fair condition, no hollows
88	Tuart (<i>Eucalyptus gomphocephala</i>)	374685	6392658	17	970			970	Fair condition, no hollows
89	Tuart (<i>Eucalyptus gomphocephala</i>)	374670	6392671	10	580	550	450	917	Fair condition, no hollows
90	Tuart (<i>Eucalyptus gomphocephala</i>)	374685	6392671	13	910			910	Fair condition, no hollows
91	Tuart (<i>Eucalyptus gomphocephala</i>)	374691	6392680	20	600			600	Fair condition, no hollows
92	Tuart (<i>Eucalyptus gomphocephala</i>)	374703	6392657	17	800	400		894	Fair condition, no hollows
93	Tuart (<i>Eucalyptus gomphocephala</i>)	374707	6392651	13	570	270		631	Fair condition, no hollows
94	Peppermint (<i>Agonis flexuosa</i>)	374716	6392634	10	830	300		883	Fair condition, no hollows
95	Tuart (<i>Eucalyptus gomphocephala</i>)	374720	6392638	19	530	490	420	835	Fair condition, no hollows
96	Peppermint (<i>Agonis flexuosa</i>)	374716	6392629	12	590			590	Fair condition, no hollows
97	Peppermint (<i>Agonis flexuosa</i>)	374719	6392632	7	580			580	Fair condition, no hollows
98	Peppermint (<i>Agonis flexuosa</i>)	374733	6392630	11	600	590	480	969	Fair condition, no hollows
99	Tuart (<i>Eucalyptus gomphocephala</i>)	374734	6392652	14	560	510		757	Fair condition, no hollows
100	Tuart (<i>Eucalyptus gomphocephala</i>)	374728	6392675	17	960			960	Fair condition, no hollows
101	Peppermint (<i>Agonis flexuosa</i>)	374727	6392700	10	620			620	Fair condition, no hollows
102	Tuart (<i>Eucalyptus gomphocephala</i>)	374736	6392703	14	520	400	300	721	Fair condition, no hollows
103	Tuart (<i>Eucalyptus gomphocephala</i>)	374739	6392691	14	920			920	Fair condition, no hollows
104	Tuart (<i>Eucalyptus gomphocephala</i>)	374763	6392706	14	900	810		1211	Fair condition, no hollows
105	Tuart (<i>Eucalyptus gomphocephala</i>)	374779	6392703	18	1360			1360	Fair condition, no hollows
106	Tuart (<i>Eucalyptus gomphocephala</i>)	374791	6392730	19	730	610		951	Fair condition, no hollows
107	Tuart (<i>Eucalyptus gomphocephala</i>)	374803	6392736	10	480	310	200	605	Fair condition, no hollows
108	Tuart (<i>Eucalyptus gomphocephala</i>)	374810	6392721	10	460			460	Fair condition, no hollows
109	Tuart (<i>Eucalyptus gomphocephala</i>)	374814	6392725	11	450	380		589	Fair condition, no hollows
110	Tuart (<i>Eucalyptus gomphocephala</i>)	374821	6392741	15	610	140		626	Fair condition, no hollows
111	Tuart (<i>Eucalyptus gomphocephala</i>)	374821	6392751	15	600	380		710	Fair condition, no hollows
112	Tuart (<i>Eucalyptus gomphocephala</i>)	374812	6392753	18	730	660	420	1070	Fair condition, no hollows
113	Tuart (<i>Eucalyptus gomphocephala</i>)	374826	6392766	17	1070			1070	Fair condition, no hollows
114	Tuart (<i>Eucalyptus gomphocephala</i>)	374838	6392754	12	610	250		659	Fair condition, no hollows
115	Tuart (<i>Eucalyptus gomphocephala</i>)	374822	6392778	19	640	420		766	Fair condition, no hollows
116	Tuart (<i>Eucalyptus gomphocephala</i>)	374854	6392805	21	1310			1310	Fair condition, no hollows
117	Tuart (<i>Eucalyptus gomphocephala</i>)	374863	6392790	18	1030	470		1132	Fair condition, no hollows
118	Tuart (<i>Eucalyptus gomphocephala</i>)	374863	6392814	21	870	480	460	1095	Fair condition, no hollows
119	Tuart (<i>Eucalyptus gomphocephala</i>)	374892	6392843	17	640	590	520	1014	Fair condition, no hollows
120	Tuart (<i>Eucalyptus gomphocephala</i>)	374897	6392854	12	620	540		822	Fair condition, no hollows
121	Tuart (<i>Eucalyptus gomphocephala</i>)	374894	6392884	10	550	250		604	Fair condition, no hollows
122	Tuart (<i>Eucalyptus gomphocephala</i>)	374878	6392890	14	610	400		729	Fair condition, no hollows
123	Tuart (<i>Eucalyptus gomphocephala</i>)	374880	6392892	20	540	300		618	Fair condition, no hollows
124	Tuart (<i>Eucalyptus gomphocephala</i>)	374878	6392894	20	1130			1130	Fair condition, no hollows
125	Tuart (<i>Eucalyptus gomphocephala</i>)	374860	6392893	13	700	250	200	770	Fair condition, no hollows

Tree #	Species	Easting	Northing	Height	Diameter	2nd Branch	3rd Branch	Calculated DBH	Comments
126	Tuart (<i>Eucalyptus gomphocephala</i>)	374881	6392902	17	1050			1050	Fair condition, no hollows
127	Tuart (<i>Eucalyptus gomphocephala</i>)	374869	6392986	19	750	400	360	923	Fair condition, no hollows
128	Tuart (<i>Eucalyptus gomphocephala</i>)	374904	6392996	12	520	520	340	810	Fair condition, no hollows
129	Tuart (<i>Eucalyptus gomphocephala</i>)	374903	6392996	10	400	350	250	587	Fair condition, no hollows
130	Tuart (<i>Eucalyptus gomphocephala</i>)	374905	6392998	19	930	230		958	Fair condition, no hollows, evidence of Carnaby's foraging
131	Tuart (<i>Eucalyptus gomphocephala</i>)	374908	6392999	10	370	370		523	Fair condition, no hollows, small spout, 28 parrot on tree
132	Tuart (<i>Eucalyptus gomphocephala</i>)	374917	6393010	14	900	300	290	992	Fair condition, potentially active nesting by Pink and Grey Galahs, small hollow
133	Tuart (<i>Eucalyptus gomphocephala</i>)	374862	6393093	20	1030			1030	Fair condition, small hollows
134	Tuart (<i>Eucalyptus gomphocephala</i>)	374814	6393143	20	1000			1000	Fair condition, small hollows
135	Tuart (<i>Eucalyptus gomphocephala</i>)	374808	6393144	13	780			780	Fair condition, small hollows
136	Tuart (<i>Eucalyptus gomphocephala</i>)	374832	6393149	16	790	420	420	988	Fair condition, small hollows
137	Tuart (<i>Eucalyptus gomphocephala</i>)	374820	6393154	15	760	330	300	881	Fair condition, small horizontal hollow
138	Tuart (<i>Eucalyptus gomphocephala</i>)	374819	6393157	13	520	200	140	574	Good condition, good specimen, no hollows, large bird nest
139	Tuart (<i>Eucalyptus gomphocephala</i>)	374808	6393154	17	600	400	280	774	Good condition, good specimen, no hollows, old foraging by Red-tails
140	Tuart (<i>Eucalyptus gomphocephala</i>)	374794	6393191	16	620	350		712	Leaning, no hollows
141	Tuart (<i>Eucalyptus gomphocephala</i>)	374795	6393193	21	1060	520		1181	Leaning, no hollows
142	Tuart (<i>Eucalyptus gomphocephala</i>)	374783	6393219	19	1600			1600	Leaning, no hollows
143	Tuart (<i>Eucalyptus gomphocephala</i>)	374797	6393239	17	860	370		936	Leaning, no hollows
144	Tuart (<i>Eucalyptus gomphocephala</i>)	374798	6393243	10	370			370	Leaning, no hollows
145	Tuart (<i>Eucalyptus gomphocephala</i>)	374797	6393257	16	670	460	200	837	Leaning, one-sided canopy, no hollows
146	Tuart (<i>Eucalyptus gomphocephala</i>)	374789	6393250	17	970			970	Poor condition, crown impacted, no hollows
147	Tuart (<i>Eucalyptus gomphocephala</i>)	374784	6393260	17	900			900	Poor condition, falling over, no hollows
148	Tuart (<i>Eucalyptus gomphocephala</i>)	374770	6393282	16	1350			1350	Poor condition, impacted crown, no hollows
149	Tuart (<i>Eucalyptus gomphocephala</i>)	374757	6393283	12	780	420		886	Poor condition, impacted crown, no hollows
150	Tuart (<i>Eucalyptus gomphocephala</i>)	374736	6393279	17	670	350		756	Poor condition, impacted crown, no hollows
151	Tuart (<i>Eucalyptus gomphocephala</i>)	374730	6393286	20	980	400		1058	Poor condition, One trunk is dead, no hollows
152	Tuart (<i>Eucalyptus gomphocephala</i>)	374726	6393283	20	890	240	230	950	Significant lean, no hollows
153	Tuart (<i>Eucalyptus gomphocephala</i>)	374721	6393283	22	620	500	420	900	Some impacted branches, spout that may be breeding habitat
154	Marri (<i>Corymbia calophylla</i>)	374162	6392664	22	1260			1260	Very poor condition, no hollows



Typical section showing indicative lot development and existing tree retention where possible.

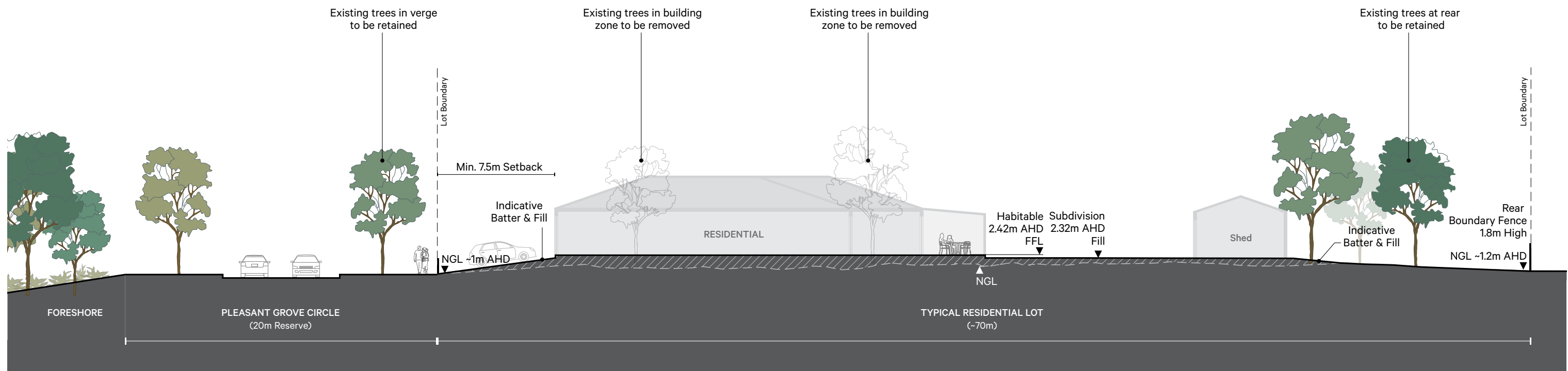
Earthworks Fill Strategy to Retain Existing Trees

- 1. In this plan the focus for retaining existing trees is within the front setback and the rear setback of the lot.
- 2. The area of subdivision fill to a finished level of 2.32m AHD would extend for a minimum length of 45m inside the lot from side boundary to side boundary. Alternatively battering to the side boundary(s) may be done depending on the lot-by-lot earthworks design approach to be taken at detailed subdivision stage.
- 3. In this scenario, the residential development is located in a central position within the lot in order to retain trees.
- 4. The trees to be retained and location for the subdivision dwelling/shed pad (45m in length) would be shown on an approved Local Development Plan for the subdivision.

Indicative Development with Tree Retention (Central Location in Lot)

Pleasant Grove Circle, Falcon
Planning and Community
Consultation Committee
20 August 2024

Date: 22 March 2024 Scale: 1:250 @ A3 1:125 @ A1 File: 19-369 CP-1 Staff: JP GW Checked: JP



Typical section showing indicative lot development and existing tree retention where possible.

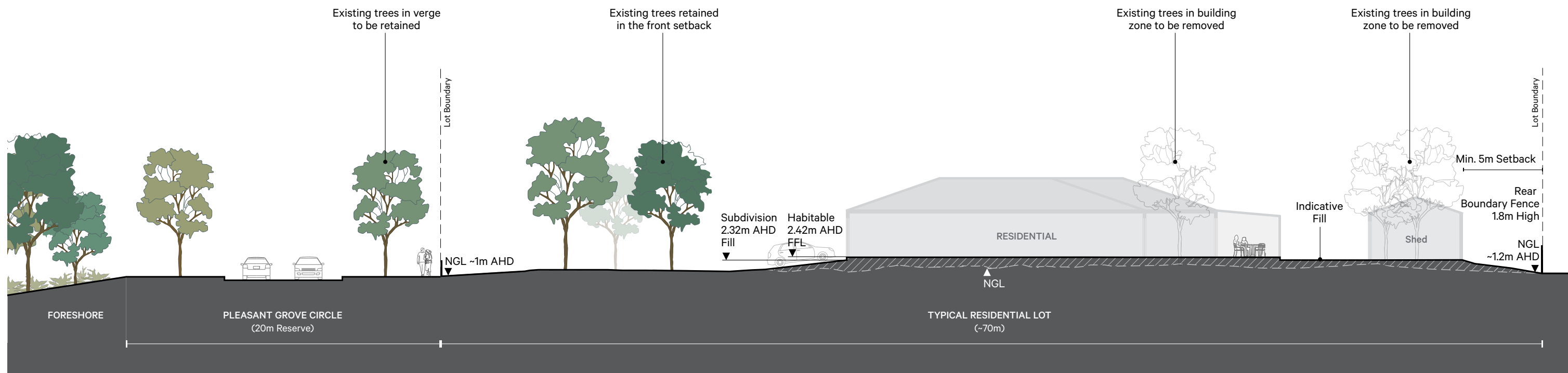
Earthworks Fill Strategy to Retain Existing Trees

1. In this plan the focus for retaining existing trees is within the rear setback area of the lot.
2. The area of subdivision fill to a finished level of 2.32m AHD would extend for a minimum length of 45m inside the lot from side boundary to side boundary. Alternatively battering to the side boundary(s) may be done depending on the lot-by-lot earthworks design approach to be taken at detailed subdivision stage.
3. In this scenario, the residential development is located in a forward (closer to the street min. 7.5m setback) position within the lot in order to retain trees.
4. The trees to be retained and location for the subdivision dwelling/shed pad (45m in length) would be shown on an approved Local Development Plan for the subdivision.

Indicative Development with Tree Retention (Front Location in Lot)

Pleasant Grove Circle, Falcon
Planning and Community
Consultation Committee
20 August 2024





Typical section showing indicative lot development and existing tree retention where possible.

Earthworks Fill Strategy to Retain Existing Trees

1. In this plan the focus for retaining existing trees is within the front setback area of the lot.
2. The area of subdivision fill to a finished level of 2.32m AHD would extend for a minimum length of 45m inside the lot from side boundary to side boundary. Alternatively battering to the side boundary(s) may be done depending on the lot-by-lot earthworks design approach to be taken at detailed subdivision stage.
3. In this scenario, the residential development is located towards the rear of the lot in order to retain trees at the front.
4. The trees to be retained and location for the subdivision dwelling/shed pad (45m in length) would be shown on an approved Local Development Plan for the subdivision.

Indicative Development with Tree Retention (Rear Location in Lot)

Pleasant Grove Circle, Falcon

Planning and Community
Consultation Committee
20 August 2024

Date: 22 March 2024 Scale: 1:250 @ A3 1:125 @ A1 File: 19-369 CP-3 Staff: JP GW Checked: JP



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Owner / Address	Submission (Summarised comments)	Comment
1. J Wiburd Nutbush Ave, Falcon	<p>a. Does not support the proposal, the area is too important from an environmental perspective.</p> <p>b. Some of the trees are frequented by endangered cockatoos and ringtail possums.</p>	<p>a. The City has referred the amendment to multiple agencies for advice, and the Scheme provisions reflect the sensitive nature of the site.</p> <p>b. The proponent is responsible for investigating their Commonwealth referral obligations under the EPBC Act, the City has reiterated these requirements.</p>
2. Coco C'Bay Committee Inc	<p>a. Does not support the proposal.</p> <p>b. Traffic impact will increase along Coco Drive, Tarragon Way, Watercress and Marigold Lanes.</p> <p>c. Turning Bluerise Cove into a no through road would alleviate traffic concerns.</p> <p>d. Concerns in relation to sewerage/septics close to the estuary.</p> <p>e. Native birds and animals will lose habitat.</p> <p>f. Will trees be removed, and how much canopy will be left.</p>	<p>a. Noted.</p> <p>b. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>c. Refer comment 2b.</p> <p>d. Scheme provisions require connection to reticulated sewer.</p> <p>e. The City has investigated the likely tree retention rate and sought to apply Scheme provisions to improve this outcome. Notwithstanding this, the proponent may have Commonwealth referral obligations under the EPBC Act.</p> <p>f. Refer comment 2e, proposed Scheme provisions and detailed subdivision design is considered to improve this outcome.</p>
3. G March Coco Drive, Falcon	<p>a. Recommend Coco C'Bay be turned into a gated community, given traffic issues.</p>	<p>a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco C'Bay are a separate matter to the amendment proposal.</p>
4. M Ellam Coco Drive, Falcon	<p>a. Does not support the proposal.</p>	<p>a. Noted.</p>

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	<p>b. Impact on wildlife / birds due to removal of trees.</p> <p>c. Increased traffic along Coco Drive.</p>	<p>b. The City has investigated the likely tree retention rate and sought to apply Scheme provisions to improve this outcome. Notwithstanding this, the proponent may have Commonwealth referral obligations under the EPBC Act.</p> <p>c. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p>
5. J & M Taylor Coco Drive, Falcon	a. Increased traffic and safety concerns along Coco Drive, which is not designed for high density traffic.	a. The City considers the likely increase in lot yield to be minimal in the context of the local street network.
6. G & J Patten Coco Drive, Falcon	<p>a. Does not support the proposal.</p> <p>b. Increased traffic along Coco Drive, recommend Coco Drive become a no-through road.</p>	<p>a. Noted.</p> <p>b. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p>
7. G Faulkes & C Collins Coco Drive, Falcon	<p>a. Not opposed in principle, as long as it meets criteria in relation to wetland preservation, wildlife habitat and any other issues Council takes into consideration.</p> <p>b. Increase traffic and safety concerns along Coco Drive, recommend Coco Drive becomes a no through road and traffic lights be installed at Duke Street.</p>	<p>a. The City has sought the advice from multiple agencies, and the Scheme provisions reflect this advice.</p> <p>b. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p>
8. L Santer Coco C'Bay	a. Proposal will be detrimental to us in so many ways.	a. Noted.
9. J & S Hill Pleasant Grove Circle, Falcon	a. Impact on wildlife due to smaller lot sizes.	<p>a. The City has sought the advice from multiple agencies, and the Scheme provisions reflect this advice in order to manage elements such as fauna relocation and movement.</p> <p>b. DWER are the responsible authority for bore licencing</p>

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	<p>b. Impact on groundwater quality due to bore installation, essential that additional bores are not installed.</p> <p>c. Increased traffic due to smaller lot sizes, impact on road safety and character of Pleasant Grove.</p> <p>d. Increased density will make evacuation more congested in the event of a bushfire, completion of Pleasant Grove Circle is advantageous (providing second evacuation route).</p>	<p>therefore this a future consideration.</p> <p>c. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>d. Not Supported, the connection of Pleasant Grove Circle will facilitate improved access. The increased lot yield is considered to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p>
10. B & D Sheedy Coco Drive, Falcon	<p>a. Increase traffic along Coco Drive, recommend Council redirect traffic away from Coco Drive to improve the quality of life and tranquillity of residents.</p>	<p>a. Not Supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p>
11. J & N Dodge Branchfield Way, Falcon	<p>a. Impact on environmental factors – note that the EPA state no further assessment needed. Impact on flora and fauna would be catastrophic, given importance of the Peel-Yalgorup wetland Ramsar site and bird species which frequent the site.</p> <p>b. Impact on trees which provide important fauna habitat, imperative that larger trees remain. Increased density will affect tree retention.</p> <p>c. Impact of fill level and associated waste, effluent and nutrient runoff on the estuary.</p> <p>d. No development of drainage infrastructure is to occur within the wetland on the eastern side of the</p>	<p>a. The City has referred the proposal to the multiple environmental agencies and the Scheme provisions reflect this advice. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>b. Scheme provisions and detailed subdivision design is considered to improve this outcome. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>c. Scheme provisions reflect this concern and require management of nutrient export.</p> <p>d. Detailed design work has yet to be completed, and will need to be assessed by relevant officers / agencies.</p>

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	<p>foreshore road interface. The elevated water levels associated with the estuary system must be considered.</p> <p>e. Access to foreshore, will this increase traffic, noise and boat traffic.</p> <p>f. Are the meetings between the local Indigenous people available.</p> <p>g. Development orders (previous planning decisions) showed Ward Point to be set to lot sizes of 1500m² and that issues relating to nutrient export, onsite sewage treatment and urban runoff be addressed. Further, remnant vegetation is important. What has been the effect since 1990?</p> <p>h. Loss of privacy due to multiple lots adjacent, possibility of two storey development and large sheds, and increased fill levels.</p> <p>i. If building was to go ahead, request that lots be in keeping with R5.</p>	<p>e. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>f. The City has not met with local Indigenous groups.</p> <p>g. The consideration of Ministerial Statement 266 was considered by the EPA which lifted the minimum 1500m² lot size and required environmental matters to be considered through the Scheme provisions.</p> <p>h. Future dwelling design will be subject to the R-Codes and LDP which include provisions minimising these concerns.</p> <p>i. Noted.</p>
12. S Lockyer Tarrogon Way, Falcon	<p>a. Does not support the proposal.</p> <p>b. Increase traffic along Coco Drive, surrounding roads are extremely narrow and in appalling condition.</p>	<p>a. Noted.</p> <p>b. The City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p>
13. J & M Ellis Marigold Lane, Falcon	<p>a. Does not support the proposal.</p> <p>b. Increased traffic and safety along Coco Drive, recommend Coco Drive becomes a no through road.</p> <p>c. Impact of sewerage/septics on the estuary and removal of trees / loss of habitat.</p>	<p>a. Noted.</p> <p>b. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p> <p>c. Scheme provisions deal with provision of sewer to lessen any impacts on the estuary, and put provisions in place to improve the potential tree retention rate. Referral obligations under the EPBC Act are the responsibility of</p>

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		the proponent to investigate as a separate matter.
14. D & T Williams Pleasant Grove Circle, Falcon	<p>a. Does not support the proposal.</p> <p>b. Impact on the Pleasant Grove culture.</p> <p>c. Impact on the environment.</p>	<p>a. Noted.</p> <p>b. The impact on Pleasant Grove culture is considered to be a broad statement and difficult to attribute to the amendment proposal. Character of the area is a relevant consideration</p> <p>c. The City has referred the proposal to the multiple environmental agencies and the Scheme provisions reflect this advice. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p>
15. J Buglass Coco Drive, Falcon	<p>a. Does not support the proposal.</p> <p>b. Loss of kangaroo habitat.</p> <p>c. Loss of trees, which provide habitat for endangered Black Cockatoos. Previous history of landowners causing destruction to trees in the area, in order to circumvent tree preservation provisions.</p> <p>d. Impact on estuary water quality due to need for fill material.</p> <p>e. Increased traffic and safety along Coco Drive, recommend Coco Drive becomes a no through road.</p>	<p>a. Noted.</p> <p>b. The Scheme provisions require a fauna management plan. The site is currently zoned Residential with minimal understorey vegetation.</p> <p>c. The Scheme provisions apply requirements which improve tree retention outcomes. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>d. The City has referred the proposal to the multiple environmental agencies and the Scheme provisions reflect this advice.</p> <p>e. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p>
16. G Davis Bluerise Cove, Falcon	<p>a. Increase traffic and safety along Bluerise Cove, recommend Bluerise Cove becomes a no through road. Accuracy of applicant statements relating to low traffic impact due to additional lots.</p>	<p>a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p>

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	<p>b. Absence of ospreys in environmental reports, despite their being at least one active osprey nest in the site.</p> <p>c. Fill is being used as an excuse to reduce the amount of fill required. Significant trees within a 5m envelope of a building should be retained by isolating them with retaining.</p> <p>d. Assume sewer will be buried within the current soil profile. Council should mandate sewer for all Pleasant Grove to address groundwater quality.</p>	<p>b. The proposal has been referred to DBCA (as well as the EPA previously). Further management plans are required to support the subdivision of the site.</p> <p>c. The Scheme provisions will be applied to the subdivision of the site once detailed subdivision design is known.</p> <p>d. The retrospective connection of all lots to reticulated sewer is a separate matter for the Water Corporation to consider. The proposed lots would be required to connect to sewer.</p>
17. L & M Mortimer Coco Drive, Falcon	a. Increased traffic and safety along Coco Drive.	a. The City considers the likely increase in lot yield to be minimal in the context of the local street network.
18. A Whitehead Coco C'Bay	a. Traffic safety along Coco Drive.	a. The City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.
19. J Cannon Lemongrass Way, Falcon	<p>a. Does not support the proposal, nor any further residential building in the area.</p> <p>b. Impact on the environment, include loss of black cockatoo habitat. Native species deserve consideration.</p> <p>c. Increased traffic and safety along roads in Coco C'Bay, recommend Bluerise Cove becomes a cul-de-sac, and roundabout or traffic lights exit for Pleasant Grove residents.</p>	<p>a. Not supported, the subject site is currently zoned residential.</p> <p>b. Environmental agencies have provided comment on the proposal to date. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>c. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive are a separate matter to the amendment proposal.</p>
20. R Lambert Branchfield Way, Falcon	a. Concerned that the development is being considered in isolation to the rest of Pleasant Grove.	a. Not supported, the proposal is assessed against the relevant planning framework and considerate of the local character

	<p>b. Consideration given to the estuaries impact on the development, and the effect of the development on some trees and endangered species – there seems to be less consideration on the impact on abundant species (endangered or not).</p> <p>c. Attitude towards preservation of wildlife has changed, trees have been removed and fences restrict wildlife movement.</p> <p>d. Increased traffic along Bluerise Cove.</p>	<p>b. Environmental agencies have provided comment on the proposal to date and Scheme provisions seek to address such concerns. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>c. Noted.</p> <p>d. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p>
21. K Thomson Honeytree Place, Falcon	<p>a. Does not support the proposal.</p> <p>b. High flood risk, and fill will change water flow patterns impacting on adjacent properties.</p> <p>c. Increase heat and bushfire risk.</p> <p>d. Tree removal causes loss of habitat.</p> <p>e. Development includes previously recognised conservation areas and is within EPA 50m buffer to wetland.</p> <p>f. High risk of acid sulphate soils.</p>	<p>a. Noted.</p> <p>b. DWER and DPLH have considered such impacts. Detailed design is not known and assessed until subdivision stage. Scheme provision require Urban Water Management Plan</p> <p>c. Not supported, the proposal does not propose public open space which may introduce new bushfire hazards. Future lots will be required to be maintained, therefore reducing the risk compared to the currently unmanaged state. Exit paths are improved.</p> <p>d. The Scheme provisions apply requirements which improve tree retention outcomes. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>e. The EPA and DWER have provided advice in relation to CCW buffers and the consideration of future development.</p> <p>f. The Scheme provisions recognise this concern and specify the requirement for further analysis.</p>

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	<p>g. Tree removal lifts water table.</p> <p>h. Impact of nutrient discharge into the estuary.</p> <p>i. Loss of amenity to Pleasant Grove residents due to increased density.</p> <p>j. Increased congestion during evacuation due to bushfire / flood event.</p> <p>k. Increased insurance premiums for existing and new residents due to increased bushfire and flood event.</p> <p>l. Increased traffic.</p> <p>m. Increased noise due to construction and increased density.</p> <p>n. Recommend consideration of traffic lights at the intersection of Old Coast Road and Pleasant Grove Circle.</p> <p>o. Rezoning of two Pleasant Grove lots sets unfair precedent.</p>	<p>g. The EPA and DWER have not raised such concerns.</p> <p>h. The Scheme provisions recognise this concern and specify the requirement for an Urban Water Management Plan.</p> <p>i. The increased density is contemplated by the Local Planning Strategy and the proposal is assessed considering amenity and character of the area.</p> <p>j. Not supported, the additional lot yield is likely to be minimal in the context of the local street network, and the connection of Pleasant Grove Circle provides improved access and alternative routes in an emergency event.</p> <p>k. Not supported, not considered to be a material planning consideration.</p> <p>l. The additional lot yield is likely to be minimal in the context of the local street network.</p> <p>m. Construction noise is temporary and relevant noise regulations apply. The <i>Environmental Protection Noise Regulations 1997</i> apply to residential development and seek to protect occupants.</p> <p>n. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>o. Not supported, the lot in question is substantial in size, whilst all amendment proposals are considered on their merit against the relevant planning framework.</p>
22. C May Pleasant Grove Circle, Falcon	<p>a. Does not support the proposal.</p> <p>b. Reduced lot sizes would be detrimental to Pleasant Grove.</p>	<p>a. Noted.</p> <p>b. Proposed density contemplated as per the urban form category</p>

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	<p>c. Loss of trees / habitat.</p> <p>d. Increased traffic.</p> <p>e. Recommend minimum half acre lot size.</p>	<p>identified in the Local Planning Strategy. Average Lot size of 1300m² to be required.</p> <p>c. The Scheme provisions apply requirements which improve tree retention outcomes. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>d. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>e. Refer comment 22b.</p>
23. N Williams Marigold Way, Falcon	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Bluerise Cove are a separate matter to the amendment proposal.
24. A de Hoog Bluerise Cove, Falcon	<p>a. Loss of trees / habitat and potential impact on birdlife (including species not currently endangered).</p> <p>b. Impact of road adjacent to bushland, potential for fauna fatalities.</p>	<p>a. The Scheme provisions apply requirements which improve tree retention outcomes. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>b. The proposed road alignment sits within already planned road reserve, whilst fauna management consideration is required prior to subdivision.</p>
25. S & R Dilworth Coco C'Bay	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Bluerise Cove are a separate matter to the amendment proposal.
26. R & C May Pleasant Grove Circle, Falcon	<p>a. Does not support the proposal.</p> <p>b. Impact on character of Pleasant Grove Circle, original intent was for 4,000m² lots.</p>	<p>a. Noted.</p> <p>b. Proposed density is contemplated as per the urban form category identified in the Local Planning</p>

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	<p>c. Existing roads are not designed for increased traffic.</p> <p>d. Increased density destroys the trust of residents and wildlife.</p>	<p>Strategy with average lot size of 1300m² proposed</p> <p>c. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>d. Not supported, the proposed density is contemplated as per the urban form category identified in the Local Planning Strategy with average lot size of 1300m² proposed.</p>
27. W Smyth Lemongrass Way, Falcon	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
28. M & D McKain Coco Drive, Falcon	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
29. L Mortimer Coco Drive, Falcon	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
30. H & P Bradley Lemongrass Way, Falcon	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
31. C & S Timms	a. Increased traffic and safety concerns due to increased density.	a. Not supported, the City considers the likely increase in lot yield to be

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Pleasant Grove Circle, Falcon	b. Impact on the character of Pleasant Grove.	<p>minimal in the context of the local street network. Traffic safety investigations into current safety conditions are a separate matter to the amendment proposal.</p> <p>b. Proposed density is contemplated as per the urban form category identified in the Local Planning Strategy, whilst Scheme provisions seek to improve tree retention outcomes which is an important character aspect of Pleasant Grove. Average lot size of 1300m² proposed.</p>
32. D Farquharson Marigold Lane, Falcon	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
33. J Turnham Nutbush Avenue, Falcon	<p>a. Does not support the proposal.</p> <p>b. Reduced lot sizes are not in keeping with the area – R5 should remain.</p> <p>c. Developer greed is not a valid reason to approve an amendment to the Scheme.</p> <p>d. Impact on flora and fauna due to loss of habitat given smaller lot sizes.</p> <p>e. Increased congestion during evacuation in a bushfire event.</p>	<p>a. Noted.</p> <p>b. Proposed density is contemplated as per the urban form category identified in the Local Planning Strategy with average lot size of 1300m² proposed.</p> <p>c. Opinions on the developer character are not a material planning consideration.</p> <p>d. Proposed Scheme provisions and detailed subdivision design is considered to improve this outcome. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>e. Not supported, the connection of Pleasant Grove Circle provides improved access and alternative routes during an emergency event.</p> <p>f. Noted.</p>

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	<p>f. Impact on peace and beauty of the area.</p> <p>g. Loss of trees due to reduced lot size.</p> <p>h. Loss of privacy due to multiple adjacent properties.</p> <p>i. Increased traffic through Coco C'Bay.</p> <p>j. Increased density not supported in order to reduce impacts to Peel-Yalgorup Ramsar site.</p>	<p>g. Refer comment 34d, potentially a net loss of approximately 17 trees.</p> <p>h. The R-Codes and LDP will include building design considerations to provide privacy controls.</p> <p>i. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>j. Density is contemplated by the City's Planning Strategy, and agency advice has been sought and helped shape Scheme provisions to improve environmental outcomes.</p>
34. A, T & K Bath Branchfield Way, Falcon	<p>a. Existing building is so high, it is visibly ridiculous. Irresponsible of the landowner to promote land in flood risk area.</p> <p>b. Impact on property prices due to adjacent buildings sitting much higher.</p> <p>c. Mosquito health risks due to proximity to the water.</p> <p>d. Impact on the environment due to removal of trees. Removal of trees contradicts policies. Deforestation, transportation of materials and energy usage will generate substantial carbon emissions – contributes to climate change, exacerbating global warming and its impact on the environment.</p> <p>e. The project at R5 was described as financially non-viable, so how can this be considered.</p> <p>f. Clearing the area for construction will result in irreversible habitat loss, threatening the survival of endemic flora and fauna.</p>	<p>a. A site-specific Coastal Hazard Assessment supports the proposal and recommends a level to protect against potential inundation hazards.</p> <p>b. Not supported, property prices are not a material planning consideration.</p> <p>c. DoH have provided advice, in any case notifications are placed on lot titles.</p> <p>d. The City has referred the amendment to multiple agencies for advice, and the Scheme provisions reflect the sensitive nature of the site.</p> <p>e. Whilst this may be a consideration for the proponent, it is not a material planning consideration for the decision-maker.</p> <p>f. The Scheme provisions apply requirements which improve tree retention outcomes. Referral obligations under the EPBC are</p>

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	<p>g. Impact on water quality due to construction activities.</p> <p>h. Would like to know of any conflict of interests are declared in the decision making process to ensure no bias in favour of the landowner rather than listening to the significant number of taxpayers concerns about this proposal.</p> <p>i. Pleasant Grove character is gradually changing due to the landowner wanting to capitalise on putting as many properties without regard to the historical promises made to the original Indigenous owners. Uncomfortable that this has been taken advantage of and conveniently forgotten about.</p> <p>j. Maybe the Council could promote the space being made into an open wildlife native area acknowledging the local indigenous farmland that it once was.</p>	<p>the responsibility of the proponent as a separate process.</p> <p>g. The Scheme provisions reflect the sensitive nature of the site.</p> <p>h. The City's assessment and recommendation is based on the assessment of matters as per the relevant planning framework.</p> <p>i. Noted.</p> <p>j. Not supported, the site is zoned residential under the Scheme.</p>
35. G Howe Coco C'Bay	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
36. L Williams Coco C'Bay	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
37. D Shotton Nutbush Avenue, Falcon	a. Lot 124 should be removed from the amendment as it has been sold to a private buyer.	a. Supported, the amendment was initiated prior to the sale and construction of a dwelling on Lot 124, therefore it is recommended

	<p>b. Why introduce smaller lots, we bought into the area to get a quieter life.</p> <p>c. Increased traffic and congestion.</p> <p>d. Impact on kangaroos due to increased traffic.</p> <p>e. Loss of trees due to smaller lot sizes, and impact on birdlife.</p> <p>f. Consideration needs to be given to removal of sewage.</p> <p>g. Increase traffic and congestion during construction of sewer.</p>	<p>that Lot 124 be removed from the amendment proposal.</p> <p>b. The density is contemplated as per the urban form category identified by the Local Planning Strategy which considers up to R10 as "Suburban – Large Lot". Average lot size of 1300m2 proposed</p> <p>c. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>d. The proposed road alignment is consistent with the planned road reserve. Fauna relocation forms part of the requirements for subdivision.</p> <p>e. Proposed Scheme provisions and detailed subdivision design is considered to improve this outcome. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p> <p>f. Proposed Scheme provisions require the connection to sewer.</p> <p>g. Not supported traffic management plans will be required for works to be undertaken.</p>
38. M Ellis Marigold Lane, Falcon	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
39. G Duffy Coco Drive	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.

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<p>40. T & M Atkinson Bluerise Cove, Falcon</p>	<ul style="list-style-type: none"> a. Does not support the proposal. b. Increased traffic and safety concerns. c. Increased density impacts on existing residents amenity and property prices. d. No information relating to new bores and use of ground water. e. Impact on environment, the City should purchase the lot for public land. f. Purpose of proposal is developer greed, rather than more efficient use of urban zoned land. g. Either way developer will need to connect to sewer. h. Proposal ignores negative impact on surrounding residents. i. They suggest proposal will facilitate access and walking paths along estuary, this would be required at R5. j. Negative impact of R10 example at Bluerise Cove. k. City of Mandurah conflict of interest has not been declared, given the City stands to gain significant rate increase – which seems to be why the City wants the change. 	<ul style="list-style-type: none"> a. Noted. b. Not Supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. c. Density proposed is contemplated by the Local Planning Strategy and assessment considers character and amenity. Property prices are not a material planning consideration. d. The presence of additional bores is not a consideration at the scheme amendment stage. e. Not supported, the site is zoned residential and may be developed. f. This is not considered to be a material planning consideration. g. The relevant planning framework would require connection to sewer. h. Not supported, the proposed Scheme provisions mitigate against a design and environmental issues. i. Requirements would be at the discretion of the WAPC at subdivision stage. The proposed Scheme provisions guarantee the preparation of a foreshore management plan and specifies matters to be considered. j. Scheme provisions seek to ensure an improved outcome. k. Not supported, this matter is not considered to be a material planning consideration, the City's assessment is based on the relevant planning framework.
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41. R Wallace Lemongrass Way, Falcon	a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
42. R Meredith Pleasant Grove Circle, Falcon	a. Inconsistent with character of Pleasant Grove Estate. b. Impact on the environment. c. Increased traffic.	a. Density proposed is contemplated by the Local Planning Strategy with average lot size of 1300m ² proposed and assessed in consideration of this. b. The City has referred the amendment to multiple agencies for advice, and the Scheme provisions reflect the sensitive nature of the site. c. The City considers the likely increase in lot yield to be minimal in the context of the local street network.
43. H Fletcher Signet Court, Wannanup	a. Increased traffic and safety. b. Impact on Kangaroos.	a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. b. Kangaroo management as part of an environmental management plan forms part of the Scheme provisions, required to be addressed at subdivision stage.
44. A Lawrence Branchfield Way, Falcon	a. Advertising signage was obscured, did it meet Local Government and Planning requirements. Not possible to walk the site to assess the scope of the proposal. b. Would established homes be required to connect to reticulated sewer.	a. Multiple signs were erected in the most prominent positions directly adjacent to the site. Signage meets the statutory manner and form prescribed by the WAPC. In addition to signage, 450 surrounding residents were directly notified via email / letter. The site is not accessible given it is private property, and for the most part bound by private property and inaccessible foreshore reserve. b. The retrospective connection to sewer would be at the discretion of the service provider.

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	<p>c. Impact on amenity due to provision of sewer, insufficient information provided to determine impact on established properties.</p> <p>d. Impact of weeds due to importation of fill.</p> <p>e. Council would be in breach of own tree policy, if major destruction allowed.</p> <p>f. Is Council willing to accept flood risk, Falcon could be "Lismore" of the West.</p> <p>g. Ratepayers will be condemned to 5 years plus of noise, dust and traffic – why?</p> <p>h. Project described as "not financially viable" at R5 zoning. Based on applicant report – R10 breaches guidelines and best practice in multiple ways. Why is Council considering it?</p>	<p>c. Detailed civil design is a consideration for the subdivision stage. The Government Sewerage Policy would now require the connection to sewer at the existing density.</p> <p>d. Detailed civil design is a consideration for the subdivision stage and is dealt with through conditions.</p> <p>e. The site is zoned Residential so may be developed. The City has assessed the likely tree retention rate, and notes that Scheme provisions relating to the preparation of an LDP would improve the tree retention rate. Notwithstanding this, referrals under the EPBC Act may be required with respect to endangered and important species.</p> <p>f. Not supported, the Scheme provisions identify a minimum development level which is based on expert technical analysis presented through the Coastal Hazard Assessment. Prospective purchasers would be made aware of the risks given the requirement for notification on title, to be applied through the subdivision stage (where relevant).</p> <p>g. The site is zoned Residential and therefore may be developed. The concerns associated with the need to fill the properties, construct a road and build houses is considered to be similar at the current R5 density.</p> <p>h. The planning framework considers and seeks to balance planning, environmental and economic factors.</p>
45. M Fletcher & K Landwehr Saffron Loop, Falcon	<p>a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of</p>	<p>a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic</p>

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	Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.	investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.
46. D Archer Tarragon Way, Falcon	<p>a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.</p> <p>b. Lack of environmental reporting.</p>	<p>a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.</p> <p>b. Not supported, environmental agencies have provided advice in relation to information provided to date. Further reporting is required prior to subdivision.</p>
47. S Lawrence Marigold Lane, Falcon	<p>a. Increased traffic and safety concerns along Coco Drive, recommend modifying the current intersection of Bluerise Cove and Pleasant Grove Circle to a cul-de-sac.</p> <p>b. Risk of flooding due to removal of trees.</p> <p>c. Loss of habitat due to removal of trees.</p>	<p>a. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network. Traffic investigations into Coco Drive / Bluerise Cove are a separate matter to the amendment proposal.</p> <p>b. Not supported, the risk of flooding is considered in consultation with DWER and DPLH, and considers the site-specific Coastal Hazard Assessment.</p> <p>c. Proposed Scheme provisions and detailed subdivision design is considered to improve this outcome. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p>
48. K & J Stein Pleasant Grove Circle, Falcon	<p>a. Reduced lot sizes inconsistent with Pleasant Grove character.</p> <p>b. Loss of trees and fauna.</p>	<p>a. Proposed density is contemplated by the Local Planning Strategy. Average lot size of 1300m² proposed.</p> <p>b. Proposed Scheme provisions and detailed subdivision design is considered to improve this outcome. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p>

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	<p>c. Impact of additional enviro cells if not connected to sewer.</p> <p>d. Ideally land would be used for recreational purposes.</p>	<p>c. Noted, however lots will be required to connect to reticulated sewer.</p> <p>d. Not supported, the subject site is zoned residential and may be developed.</p>
<p>49. M, C, T & C Ellis Pleasant Grove Circle, Falcon</p>	<p>a. Does not support proposal.</p> <p>b. Impact on character of estate.</p> <p>c. Increased traffic and impact on congestion.</p> <p>d. Roads are not suitable for construction traffic.</p> <p>e. Reticulated sewer will require pumping station, and will residents be required to connect.</p> <p>f. Increase congestion during bushfire.</p> <p>g. Impact on black cockatoo habitat.</p>	<p>a. Noted.</p> <p>b. Density is contemplated by the Local Planning Strategy which identifies the area as being within the "Suburban – Large Lot (R2.5-10)" band. Average lot size of 1300m² proposed.</p> <p>c. Not supported, the City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>d. Not supported, road design is expected to accommodate temporary construction vehicle requirements.</p> <p>e. These matters are to be determined by the service providers.</p> <p>f. Not supported, the completion of Pleasant Grove Circle will alleviate congestion during an event given the alternative access routes.</p> <p>g. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.</p>
<p>50. J Smith & C Van Wingerden Branchfield Way, Falcon</p>	<p>a. Loss of trees – inconsistent with Pleasant Grove character and impact on fauna.</p> <p>b. Increased traffic and safety.</p>	<p>a. Density considered to be contemplated by the Local Planning Strategy. Likely tree retention rate has been projected at R5 and R10, and can be improved through the implementation of the proposed Scheme provisions.</p> <p>b. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p>

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	c. Existing road network insufficient during evacuation event.	c. Not supported, the connection of Pleasant Grove Circle improves access and provides alternative route in the event of an emergency.
51. Name and address withheld at request of submitter.	<p>a. Inconsistent with Pleasant Grove character, less opportunity for tree retention.</p> <p>b. Recommend low, open rural fencing in forward portion of lots to retain character.</p> <p>c. Attention should be given to long-term resident fauna.</p> <p>d. Kangaroo management through fencing, signage and traffic calming.</p> <p>e. Fauna management plan to be undertaken prior to subdivision.</p> <p>f. Subdivision plan should have flexibility to allow for minor adjustments to boundaries to preserve significant vegetation.</p> <p>g. Foreshore management plan required due to likely increased pressure on foreshore.</p> <p>h. UWMP to consider un-kerbed roads with water draining to foreshore, do not support stormwater detention basins in foreshore.</p> <p>i. Traffic calming to incorporate trees, alternative road alignment – no speed humps.</p>	<p>a. Density considered to be contemplated by the Local Planning Strategy. Likely tree retention rate has been projected at R5 and R10, and can be improved through the implementation of the proposed Scheme provisions.</p> <p>b. Supported, forms part of the proposed Scheme provisions through the implementation of an LDP.</p> <p>c. Further environmental reporting required prior to and in support of any future subdivision.</p> <p>d. Supported, forms part of the proposed Scheme provision through the implementation of an environmental management plan.</p> <p>e. Refer comment 52d.</p> <p>f. Supported, the proponent has expressed the desire to approach the subdivision design process with this attitude towards tree retention.</p> <p>g. Supported, forms part of the proposed Scheme provisions through the implementation of a foreshore management plan.</p> <p>h. The proposed Scheme provisions require the Urban Water Management Plan to be prepared as part of the subdivision process, in consultation with the City and DWER.</p> <p>i. The proponent has expressed the desire to approach the subdivision design process.</p>

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	j. Significant Tuart tree located at intersection of Pleasant Grove Cir and Nutbush Ave to be retained through careful intersection design.	j. The retention of significant trees within road reserve is desirable, and will form part of the detailed assessment of the subdivision design.
52. C Hayes Woodsong Close, Falcon	<p>a. Inconsistent with Pleasant Grove character. Changing zoning is both unfair and dishonest.</p> <p>b. Nature totally wiped out with smaller lots.</p> <p>c. Development of Duke Street was a failure.</p> <p>d. Traffic congestion during evacuation due to current road network consisting of circles – putting lives at risk so that you make money.</p> <p>e. Argument that more housing is needed does not apply – this development would not solve housing crisis but would ruin a beautiful area, force vacant blocks to be built on instead.</p> <p>f. Doubt concerns would be read. Will not allow greed to destroy our area, and put nature and our lives at risk.</p> <p>g. I did not receive an email or letter about this development.</p>	<p>a. Density is contemplated by the Local Planning Strategy, whilst Scheme provisions are proposed which seek to retain character (i.e. preparation of LDP dealing with tree retention, fencing, etc.).</p> <p>b. The site is zoned Residential so can be developed. Scheme provisions require further management plans and apply conditions on the subdivision of the site.</p> <p>c. If referring to the higher densities concentrated – the precinct included a Local Centre which has ultimately not eventuated.</p> <p>d. The connection of Pleasant Grove Circle is considered to improve access and provides an alternative route in the event of an evacuation. The likely additional lot yield can be accommodated in the existing road networks capacity.</p> <p>e. Not supported, the planning framework seeks to balance planning, environmental and economic factors.</p> <p>f. All submissions are given consideration and form part of the assessment.</p> <p>g. 450 surrounding landowners were directly notified via email or letter, including all owners within the Pleasant Grove Estate.</p>
53. B de Silva Bluerise Cove, Falcon	a. Impact on flora and fauna.	a. The City has referred the proposal to multiple environmental agencies, and utilised the advice to shape the proposed Scheme

	<p>b. Inconsistent with tree canopy and urban greening priorities of the City.</p> <p>c. Increased traffic and emergency evacuation congestion.</p> <p>d. Increased nutrient load onto the Estuary.</p> <p>e. Impact on adjacent landowners due to sharing boundary with 2-3 future lots.</p> <p>f. Loss of Pleasant Grove character.</p>	<p>provisions. Referral under the EPBC Act is a consideration that the proponent is aware of, and is separate to the amendment process.</p> <p>b. The City has projected the likely tree retention rate, and proposes Scheme provisions to improve this outcome. The planning framework seeks to balance planning, environmental and economic factors.</p> <p>c. The City considers the likely increase in lot yield to be minimal in the context of the local street network. The connection of Pleasant Grove Circle is considered to improve access and provides an alternative route in the event of an emergency.</p> <p>d. Supported, the preparation of a management plan, to be prepared in consultation with the City and DWER forms part of the proposed Scheme provisions.</p> <p>e. The lot layout is indicative at this stage however amenity issues associated with dwelling design can be dealt with through the R-Codes and the site specific LDP.</p> <p>f. Density is contemplated by the Local Planning Strategy. The proposed Scheme provisions seek to retain character elements such as fencing, tree retention through the preparation of an LDP.</p>
54. E Lambert Branchfield Way, Falcon	<p>a. Loss of character due to alternative fencing type.</p> <p>b. Impact of weeds and illegal dumping on the Estuary.</p> <p>c. Tree preservation and environmental regulations have deteriorated over time.</p>	<p>a. The Scheme provisions seek to address fencing requirements through an LDP.</p> <p>b. Further environmental management plans are required which deal with foreshore management (i.e. controlled fencing).</p> <p>c. Scheme provisions seek to address the tree retention rate through the preparation of an LDP and further consideration of the</p>

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	d. Impact on the environment.	subdivision layout at the subdivision stage. d. Advice from multiple environmental agencies has helped shape the proposed Scheme provisions. Referrals under the EPBC Act may still be required, it is the proponent's responsibility to undertake such referrals separately to the amendment process.
55. J Lee Pleasant Grove, Falcon	<p>a. Loss of vegetation would impact the forest red-tails and carnaby's black cockatoo, kangaroos, birds and other fauna.</p> <p>b. Increased traffic.</p> <p>c. In 1990 lot sizes were set at 1500m2.</p> <p>d. Increased nutrient load, impact on Estuary.</p> <p>e. Increased congestion during bushfire.</p>	<p>a. Advice from multiple environmental agencies has helped shape the proposed Scheme provisions. Referrals under the EPBC Act may still be required, it is the proponent's responsibility to undertake such referrals separately to the amendment process.</p> <p>b. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>c. The Minister for Environment lifted the minimum lot size through the reconsideration of Ministerial Statement 266.</p> <p>d. The preparation of a management plan in consultation with the City and DWER forms part of the Scheme provisions, and is required as part of the subdivision.</p> <p>e. Not supported, the connection of Pleasant Grove Circle is considered to improve access and provides an alternative route in the event of an emergency.</p>
56. D & M Bathgate Honeytree Place, Falcon	a. R10 density results in clearing by stealth given likely requirement to remove trees.	a. The proposed Scheme provisions and detailed subdivision design is considered to improve this outcome. Referral obligations under the EPBC are the responsibility of the proponent as a separate process.

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	<p>b. Recommend individual lot sizes be based on tree retention and fill requirements.</p> <p>c. Recommend each lot to have prescribed building envelope, to improve tree retention.</p>	<p>b. Individual lot layout is not yet known given it is a subdivision consideration. The proponent has the intention of adjusting lot boundaries in order to retain significant trees at the detailed design stage.</p> <p>c. Supported, the Scheme provisions identify the need for an LDP which will include the location of trees and building envelopes to improve the tree retention rate.</p>
57. Name and address withheld	<p>a. Does not support the proposal.</p> <p>b. Existing density allows for the site to be developed appropriately – cost can be addressed by increasing lot price.</p> <p>c. Increased traffic.</p> <p>d. Impact on fauna.</p> <p>e. Developer likely to maximise lot yield if approved at R10.</p> <p>f. Impact on the character of the area.</p>	<p>a. Noted.</p> <p>b. The planning framework considers planning, environmental and economic factors.</p> <p>c. The City considers the likely increase in lot yield to be minimal in the context of the local street network.</p> <p>d. Advice from multiple environmental agencies has helped shape the proposed Scheme provisions, which requires further management plans and analysis at subdivision stage. Referrals under the EPBC Act may still be required, it is the proponent's responsibility to undertake such referrals separately to the amendment process.</p> <p>e. The planning framework considers planning, environmental and economic factors.</p> <p>f. Noted, density is contemplated by the Local Planning Strategy, whilst Scheme provisions are proposed which seek to retain character (i.e. preparation of LDP dealing with tree retention, fencing, etc.).</p>
58. M Malkovic Pleasant Grove Circle, Falcon	<p>a. I didn't receive any formal letter or notification of the development.</p> <p>b. Inconsistent with the character of Pleasant Grove.</p>	<p>a. 450 surrounding landowners were sent either an email or letter.</p> <p>b. Density is contemplated by the Local Planning Strategy, whilst</p>

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	c. Impact on vegetation.	<p>Scheme provisions are proposed which seek to retain character (i.e. preparation of LDP dealing with tree retention, fencing, etc.).</p> <p>c. Advice from multiple environmental agencies has helped shape the proposed Scheme provisions. Referrals under the EPBC Act may still be required, it is the proponent's responsibility to undertake such referrals separately to the amendment process.</p>
59. J & K Petzer Nutbush Avenue, Falcon	<p>a. Loss of privacy due to number of properties adjacent to lots on Nutbush.</p> <p>b. Loss of trees and impact on fauna.</p> <p>c. Increased nutrient load on the Estuary.</p> <p>d. Increased traffic and safety, and congestion during evacuation event.</p> <p>e. Loss of character in the area.</p>	<p>a. The R-Codes and site specific LDP provides the mechanisms to consider privacy through building design.</p> <p>b. The advice from multiple environmental agencies has helped shape the proposed Scheme provisions. Referrals under the EPBC Act may still be required, it is the proponent's responsibility to undertake such referrals separately to the amendment process.</p> <p>c. The Scheme provisions require the preparation of a management plan, in consultation with the City and DWER.</p> <p>d. The connection of Pleasant Grove Circle is considered to improve access and provides an alternative route in the event of an evacuation. The likely additional lot yield can be accommodated in the existing road networks capacity.</p> <p>e. Density is contemplated by the Local Planning Strategy, whilst Scheme provisions are proposed which seek to retain character (i.e. preparation of LDP dealing with tree retention, fencing, etc.).</p>
60. W & L Gray Pleasant Grove Circle, Falcon	a. Impact on community character.	a. Density is contemplated by the Local Planning Strategy, whilst Scheme provisions are proposed which seek to retain character (i.e.

	<p>b. Increased pressure on infrastructure.</p> <p>c. Impact on the environment – loss of trees, impact on fauna, contradicting efforts to promote sustainability and conservation.</p> <p>d. Increased traffic.</p> <p>e. Dissatisfaction and distrust within the community if concerns not addressed.</p> <p>f. Impact on property values.</p>	<p>preparation of LDP dealing with tree retention, fencing, etc.).</p> <p>b. Infrastructure capacity is considered by the relevant service providers at the amendment and later the subdivision stage, when detailed design is available.</p> <p>c. Advice from multiple environmental agencies has helped shape the proposed Scheme provisions. Referrals under the EPBC Act may still be required, it is the proponent's responsibility to undertake such referrals separately to the amendment process.</p> <p>d. Not supported, the likely additional lot yield can be accommodated in the existing road networks capacity.</p> <p>e. The City's assessment considers the relevant planning framework which seeks to balance planning, environmental and economic factors.</p> <p>f. Not supported, property values are not a material planning consideration, given numerous factors affect value.</p>
61. S McVea Branchfield Way, Falcon	<p>a. Assessments do not use current data – will EMP be updated.</p> <p>b. Will Whistling Kite nesting trees be maintained.</p> <p>c. How many trees are going to be removed.</p>	<p>a. The submission of an Environmental Management Plan forms part of the proposed Scheme provision.</p> <p>b. Further analysis of tree retention to be undertaken at the subdivision stage. Efforts can be made to manipulate road alignment, boundary layout, and building envelopes to maintain individual trees once detailed civil design work has been undertaken.</p> <p>c. Detailed design is not yet known proposed Scheme provisions and detailed subdivision design is considered to improve this outcome.</p>

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<p>62. N, L, M, E & A Simms Pleasant Grove Circle, Falcon</p>	<p>a. Environmental impact on wetlands – damage could disrupt delicate balance of flora and fauna.</p> <p>b. Increased traffic congestion – exacerbates air and noise pollution.</p> <p>c. Impact on flora and fauna.</p> <p>d. Loss of trees – loss of aesthetic and environmental value.</p> <p>e. Loss of privacy for adjacent lots – loss of quality of life.</p> <p>f. Fire safety concerns – inappropriate access roads and evacuation routes.</p> <p>g. Loss of character in the immediate area.</p>	<p>a. Advice from multiple environmental agencies has helped shape the proposed Scheme provisions. Referrals under the EPBC Act may still be required, it is the proponent's responsibility to undertake such referrals separately to the amendment process.</p> <p>b. Not supported the likely additional lot yield can be accommodated in the existing road networks capacity.</p> <p>c. Refer comment 63a, further management plans and technical analysis is required at subdivision stage, once detailed subdivision layout is known.</p> <p>d. Refer comment 63a and c, the preparation of an LDP will assist the tree retention rate from an aesthetic and environmental perspective.</p> <p>e. The R-Codes and site specific LDP provide relevant building design controls to mitigate privacy concerns.</p> <p>f. Not supported, the connection of Pleasant Grove Circle will improve access and an alternative route in the event of an evacuation.</p> <p>g. Density is contemplated by the Local Planning Strategy, and the preparation of an LDP can assist in dealing with matters such as tree retention and fencing – which have a significant impact on character.</p>
<p>63. M Neagle Branchfield Way, Falcon</p>	<p>a. Does not support the proposal.</p> <p>b. Impact of filling – building structural concerns, loss of trees.</p>	<p>a. Noted.</p> <p>b. Further detailed design work is required at the subdivision stage, however proposed Scheme provisions seek to deal with flood risk (and informed by relevant technical study) and mechanisms to assist in tree retention (i.e. preparation of LDP to inform tree retention).</p>

	<p>c. Loss of trees and impact on fauna.</p> <p>d. Impact on endangered fauna – Carnaby's black cockatoo, Ospreys, Western ringtail possum.</p> <p>e. Increase in mosquito levels.</p> <p>f. Increasing density – benefit serves developer, rather than surrounding residents and environment.</p>	<p>c. The site is zoned Residential and may be developed. The proposed Scheme provisions seek to improve the likely tree retention rate, whilst further technical analysis is required by subdivision stage. The preparation of Scheme provisions has been informed by referral to relevant environmental agencies.</p> <p>d. The proponent is required to investigate their referral responsibilities under the EPBC Act, which is a separate process to the amendment process. Notwithstanding this, further environmental analysis and management plans form part of the Scheme provisions, required to be addressed at the subdivision stage.</p> <p>e. Not supported, The City has sought advice from relevant environmental agencies, including the DoH. Notifications will be required on individual titles advising of mosquito breeding areas being prevalent. The City has a long established mosquito management programme.</p> <p>f. The City's assessment is based on the planning framework which seeks to balance planning, environmental and economic factors.</p>
64. T Goodwin Governor Drive, Falcon	<p>a. Density should not be increased in low lying areas.</p> <p>b. Impact on the environment.</p>	<p>a. Density is contemplated by the Local Planning Strategy. The minimum development level is informed by expert technical analysis in the form of a Coastal Hazard Assessment.</p> <p>b. Advice from multiple environmental agencies has helped shape the proposed Scheme provisions. Referrals under the EPBC Act may still be required, it is the proponents responsibility to undertake such referrals separately to the amendment process.</p>

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65. M & D King Branchfield Way, Falcon	<p>a. Loss of Pleasant Grove character and privacy due to additional properties abutting.</p> <p>b. Requirement for filling – importation of weed and pests, heavy haulage and construction impacts, noise, and compaction. Who is liable.</p> <p>c. Loss of trees is inconsistent with Councils own position / policy.</p> <p>d. Connection to sewer – costs to connect to established properties, location of pump facility, noise and smell associated with pump facility.</p> <p>e. Impact on groundwater – proximity to Estuary is a significant concern.</p> <p>f. Impact on kangaroo population.</p>	<p>a. Density is contemplated by the Local Planning Strategy, whilst Scheme provisions are proposed which seek to retain character (i.e. preparation of LDP dealing with tree retention, fencing, etc.). Building controls applied through the R-Codes and a site specific LDP assist in maintaining privacy and amenity of adjoining properties.</p> <p>b. Further management plans are required and considered at the subdivision stage. It is the City's expectation that such concerns are addressed through the preparation of civil drawings.</p> <p>c. Scheme provisions specify the need for further management plans and an LDP. Detailed subdivision layout is not yet known, therefore further analysis and assessment can be undertaken to improve the likely tree retention rate.</p> <p>d. Connection to sewer at either R5 or R10 is required under the Government Sewerage Policy. Detailed design and requirement to connect is at the discretion of the service provider.</p> <p>e. The amendment proposal was referred to the EPA, DWER and the Peel Harvey Catchment Council – advice has assisted in the preparation of Scheme provisions. Further management plans required to be preparation in consultation with the City and DWER.</p> <p>f. The preparation of a fauna management plan is required to be provided at subdivision stage. DBCA have provided comment to this effect.</p>

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	g. Increased traffic congestion and safety.	g. Not supported, the likely additional lot yield can be accommodated in the existing road networks capacity.
66. J Marwick	<p>a. Density does not respect the existing character of the area.</p> <p>b. Density of R10 is not common in Mandurah, and visually similar to R20 due to smaller lot sizes, frontages and building setbacks.</p> <p>c. Zoning has a huge impact on the character of an area, it determines: look and feel of the streetscape, degree of privacy, and limitations on the design and layout of buildings.</p> <p>d. Streetscape analysis provided – demonstrating stark difference between density.</p>	<p>a. Density is contemplated by the Local Planning Strategy, the proposed Scheme provisions seek to retain trees and guide fencing.</p> <p>b. Noted, refer Comment 66a.</p> <p>c. Noted.</p> <p>d. Noted.</p>
67. D & D Templeman Pleasant Grove Circle, Falcon	<p>a. A proposal similar to the previously approved R5 proposal, would be viable in the current market.</p> <p>b. Impact on local native fauna – impact on kangaroos, western ringtail possum, black cockatoo habitat.</p> <p>c. Loss of tree canopy – R5 density would allow for greater tree retention.</p> <p>d. Loss of trees – due to long narrow lots.</p>	<p>a. Noted.</p> <p>b. The proposal has been referred to environmental agencies and advice has assisted in the preparation of Scheme provisions. Referrals under the EPBC Act may still be required, however it the responsibility of the proponent separate to the amendment proposal.</p> <p>c. Detailed design is not yet known or required until subdivision. Proposed Scheme provisions and detailed subdivision design is considered to improve likely tree retention outcomes.</p> <p>d. Refer comment 67c, subdivision design stage allows for manipulation of lot boundaries, road alignment and building envelopes, once detailed design is known.</p>

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	<p>e. Increased traffic congestion and safety.</p> <p>f. Environmentally appropriate that lots are connected to sewer.</p>	<p>e. Not supported, the likely additional lot yield can be accommodated in the existing road networks capacity.</p> <p>f. Supported, connection to sewer forms part of the Scheme provisions.</p>
68. M Tucker Nutbush Avenue, Falcon	<p>a. Impact on flora and fauna – species at risk due to smaller lot sizes.</p> <p>b. Increased traffic congestion and emergency evacuation concerns.</p> <p>c. Increased nutrient load on the Estuary.</p> <p>d. Loss of privacy and amenity due increased number of properties.</p>	<p>a. Advice has been sought from multiple environmental agencies. Referrals under the EPBC Act may still be required, however it is the proponent's responsibility to undertake this process under separate legislation.</p> <p>b. The likely additional lot yield can be accommodated in the existing road networks capacity. The connection of Pleasant Grove Circle provides improved access and an alternative route.</p> <p>c. The preparation of an Urban Water Management Plan forms part of the Scheme amendment process, in consultation with the City and DWER.</p> <p>d. The R-Codes and site specific LDP provide the opportunity for building controls which seek to address amenity and privacy concerns.</p>
69. S & S Davies Branchfield Way, Falcon	<p>a. Developer greed, Council and Mayor need to explain their position as being complicit in greed driven exercise or financial relations to proponent.</p> <p>b. Loss of privacy due to increased building height.</p> <p>c. Increased fill requiring retaining walls.</p>	<p>a. The planning framework considers planning, environmental and economic matters which is identified through relevant policies.</p> <p>b. The R-Codes and site specific LDP provide building controls which deal with such amenity issues.</p> <p>c. Detailed design work is required at subdivision stage.</p> <p>d. Noted, further technical analysis and design work is required at the</p>

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	<p>d. Impact of stormwater runoff.</p> <p>e. Impact on Osprey nests.</p> <p>f. Impact on kangaroos.</p> <p>g. Lack of consultation – Council process is required rather meaningful. Process is underhanded in my opinion.</p>	<p>subdivision stage. Urban Water Management Plan required through proposed Scheme provisions.</p> <p>e. Loss of individual trees may not be fully understood until the subdivision stage given detailed design work has not yet been completed.</p> <p>f. Fauna management is required at the subdivision stage, and is enforced through proposed Scheme provisions.</p> <p>g. The City's assessment is undertaken in accordance with the relevant planning framework, taking into account planning, environmental and economic matters.</p>
70. K & T Sutton Pleasant Grove Circle, Falcon	<p>a. A proposal similar to the previously approved R5 proposal, would be viable in the current market.</p> <p>b. Impact on local native fauna – impact on kangaroos, western ringtail possum, black cockatoo habitat.</p> <p>c. Loss of tree canopy – R5 density would allow for greater tree retention.</p> <p>d. Loss of trees – due to long narrow lots.</p> <p>e. Increased traffic congestion and safety.</p>	<p>a. Noted.</p> <p>b. The proposal has been referred to environmental agencies and advice has assisted in the preparation of Scheme provisions. Referrals under the EPBC Act may still be required, however it the responsibility of the proponent separate to the amendment proposal.</p> <p>c. Proposed Scheme provisions and detailed subdivision design is considered to improve likely tree retention outcomes.</p> <p>d. Refer comment 67c, subdivision design stage allows for manipulation of lot boundaries, road alignment and building envelopes, once detailed design is known.</p> <p>e. The likely additional lot yield can be accommodated in the existing road networks capacity.</p>

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	f. Environmentally appropriate that lots are connected to sewer.	f. Supported, connection to sewer forms part of the Scheme provisions.
71. M Edwards	<p>a. Increased traffic congestion and impact on local fauna.</p> <p>b. Loss of trees.</p> <p>c. Impact on birdlife – including endangered species.</p>	<p>a. Likely additional lot yield can be accommodated in the existing road networks capacity.</p> <p>b. Loss of individual trees may not be fully understood until the subdivision stage given detailed design work has not yet been completed. Scheme provisions seek to guide and improve the likely tree retention rate.</p> <p>c. Noted, advice has been sought from multiple environmental agencies. Referrals under the EPBC Act may still be required, however it is the proponent's responsibility to undertake this process under separate legislation.</p>

Owner / Address	Submission (Summarised comments)	Comment
1. Department of Water and Environmental Regulation (DWER)	<p>a. DWER does not object to the proposal, however key issues, recommendations and advice are provided.</p> <p>b. Conservation Category Wetland – the proponent is advised that a CCW exists on an adjacent lot, the implementation of a 50m buffer may impact on development.</p> <p>c. Better Urban Water Management – the UWMP was previously considered to be unsatisfactory to inform the then proposed subdivision, it is recommended that the UWMP be updated to reflect the increase in density and changes to the location of stormwater management and drainage infrastructure.</p> <p>d. Government Sewerage Policy – the site is within a sewage sensitive area, DWER recommends the subdivision be connected to reticulated sewer.</p> <p>e. Floodplain Management – based on the Murray River Flood Study a minimum habitable floor level of 2.7m AHD is recommended to protect against 1 in 100 AEP flooding into the future. A lower level of 2.25m AHD may be considered where there is planning merit - consequently no objection to level proposed.</p> <p>f. Previous EPA Advice – the EPA's Notice of Decision Under Section 48(1)(a) dated 16 May 2023 is to be adhered to.</p> <p>g. Threatened Ecological Communities and Threatened Fauna Species – the site contains ecologically significant Tuart woodlands which support Black Cockatoo foraging habitat. Recommended that advice is sought from DBCA.</p>	<p>a. Noted.</p> <p>b. Noted, considered to be a consideration for subdivision given detailed subdivision design is not yet known and is subject to change.</p> <p>c. Supported, the Scheme provisions include the requirement for a UWMP to be prepared in consultation with DWER.</p> <p>d. Supported, the Scheme provisions include the requirement to connect to reticulated sewer.</p> <p>e. Noted, planning reasons such as fill levels, streetscape character, privacy and tree retention provides justification for a lower level. However, the proposal is now supported by a site-specific Coastal Hazard Assessment which recommends a development level of 2.42m AHD will provide protection against potential inundation hazards.</p> <p>f. Noted, Scheme provisions modified to reflect EPA advice where relevant.</p> <p>g. Noted, referral advice sought from DBCA.</p>
2. Department of Fire and Emergency Services (DFES)	<p>a. Bushfire management measures within the BMP should be refined.</p> <p>b. BMP has focused on future buildings being able to achieve BAL-29 through construction standards, instead of demonstrating that future lots will not be impacted by BAL-40/FZ. The Guidelines state that a strategic planning proposal should be located in areas of BAL-29 or below.</p>	<p>a. Noted.</p> <p>b. Supported, The applicant has indicated a desire to remove battle-axe lots and increase the size of lots, to ensure adequate separation to future dwellings.</p>

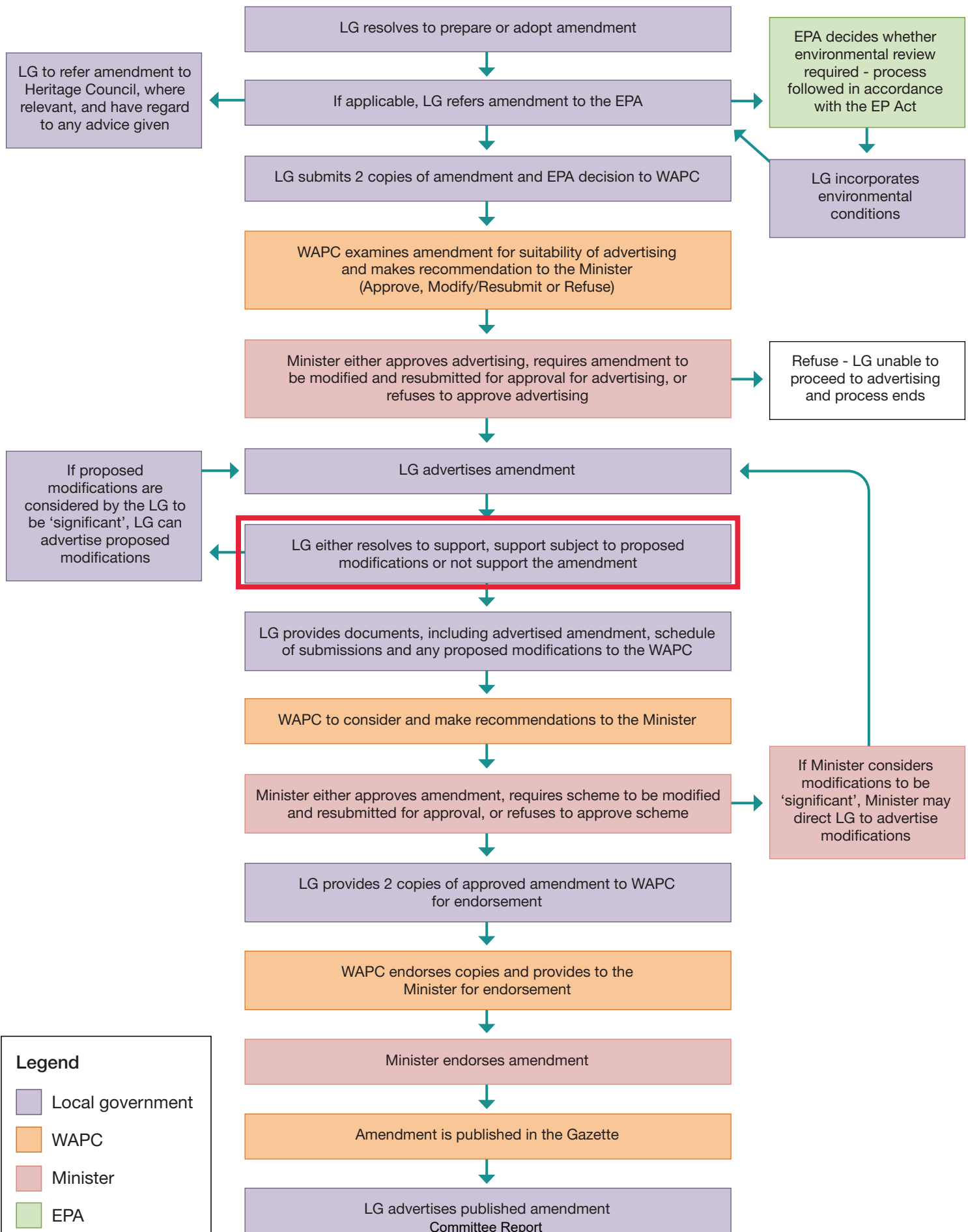
Schedule of Referral Agency Advice

	<p>c. Future subdivision is capable of achieving compliance with vehicular access requirements should Pleasant Grove Circle be fully constructed as part of Stage 1. The temporary EAW (from Pleasant Grove Cir to Charles Pl) appears to end at the rear of the lots and serves no purpose other than additional access for battle-axe lots.</p> <p>d. The future subdivision layout is provided which shows battleaxe lots, such lots are to be avoided and the BMP has not demonstrated why there is no alternative. The strategic planning stage provides the opportune time to redesign the lot layout.</p>	<p>c. Noted, in the event that Pleasant Grove Circle is not fully constructed and connected as part of Stage 1, the provision of a temporary EAW can be further investigated at subdivision stage (given the EAW relies on legal access through the reserve). However, the applicant has indicated a desire to no longer progress with the intention of battle-axe lots.</p> <p>d. Supported, the applicant has indicated a desire to no longer progress with the intention of battle-axe lots.</p>
3. Department of Biodiversity, Conservation and Attractions (DBCA)	<p>a. Previous EPA Advice – DBCA notes the advice and recommendation provided by the EPA on 16 May 2023. The EPA noted and supported the proposed Scheme provisions.</p> <p>b. Fauna Plan - DBCA expectation that the City request a fauna plan be prepared and implemented as a condition of subdivision, and that an authorised spotter will be on-site to manage any impacts to western ringtail possum.</p> <p>c. Fauna Spotter - If western ringtail possum are present or black cockatoo nesting identified, a section 40 ministerial authorisation under the Biodiversity Conservation Act is to be obtained by the fauna spotter.</p> <p>d. Wetlands – there are several CCW areas that overlap the subdivision area, DWER are responsible for providing advice.</p> <p>e. Matters of National Significance – the subdivision may result in the loss of habitat for Carnaby's black cockatoo and the forest red-tailed black cockatoo species – which are Endangered and Vulnerable species under the EPBC Act. The Commonwealth has also listed the Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community as Critically Endangered under the EPBC Act. The proponent will need to consider their responsibilities to refer the proposal to the Commonwealth.</p> <p>f. Kangaroo Management – it is recommended that a kangaroo management plan be developed, given the presence of a large mob</p>	<p>a. Noted, Scheme provisions modified to reflect EPA advice where relevant.</p> <p>b. Noted, the Scheme provisions include the requirement for an Environmental Management Plan which includes fauna relocation. This would be further required through subdivision conditions.</p> <p>c. Noted, the Environmental Management Plan should include advice to this effect.</p> <p>d. Noted.</p> <p>e. Noted, the City intends to reiterate this position to the applicant.</p> <p>f. Noted, the Scheme provisions include the requirement for an Environmental Management</p>

Schedule of Referral Agency Advice

	of western grey kangaroos and relocation post-development is very difficult.	Plan which includes fauna relocation.
4. Water Corporation	<p>a. Water servicing is available for the subdivision, no wastewater infrastructure without major upgrades at the developer's expense.</p> <p>b. Developer expected to provide all water and sewerage reticulation, and a contribution for water, sewerage and drainage headworks may be required. Water Corporation may require land being provided for works.</p>	<p>a. Noted.</p> <p>b. Noted.</p>
5. Department of Health	<p>a. Wastewater Disposal – DoH has no objection to proposal subject to connection to drinking water and reticulated sewerage.</p> <p>b. Drinking water management – all drinking water must meet health related requirements.</p> <p>c. Medical Entomology – subject site within mosquito breeding area which is health risk, therefore notification should be placed on future lots.</p>	<p>a. Noted, Scheme provisions require connection to sewer, which is consistent with the Government Sewerage Policy.</p> <p>b. Noted.</p> <p>c. Noted, Scheme provisions require notification be placed on land titles to advise landowners of the risk.</p>

Simplified process for **complex and standard amendments** to local planning schemes flowchart



2	SUBJECT:	Proposed Amendment No. 6 - Local Planning Scheme 12 Lot 812, Waardong Court Halls Head – Additional Uses
	DIRECTOR:	Business Services
	MEETING:	Planning and Community Consultation Committee
	MEETING DATE:	20 August 2024

Summary

The City has received a proposal and is recommended to adopt (initiate) an amendment to the City's Local Planning Scheme 12 (the Scheme) for the purpose of advertising. The proposed amendment seeks to amend Section 3.4 of the Scheme and add additional uses of 'Restaurant/ Cafe', 'Convenience Store' and 'Private Recreation' to Table 4 relating to Lot 812 Waardong Court, Halls Head (subject site).

The site is located at the corner of Old Coast Road and Mandurah Road and is considered an important site due to its prominence as the southern gateway to the City Centre.

The proposed Scheme Amendment provides for an expansion in permitted land uses that may be developed on the site. The applicant has provided a concept for development which includes multiple dwellings, a gym and café (with a drive through coffee component). The drive through element proposed has been recommended not to be included within the proposed scheme provisions.

The proposed uses of 'Recreation Private', 'Convenience Store' and 'Restaurant / Café' are currently prohibited in the Residential zone, however if the Scheme is amended as proposed, they could be considered as a discretionary land use and subject to development approval.

The location of the subject site, specifically portions adjacent to the intersection, can be considered incompatible with residential development from the perspective of amenity. Given the context and the size of the subject site, considering additional uses to support development is considered appropriate.

In addition to the proposed additional uses, it is also proposed to amend Schedule 1 of the Scheme 'Specific Site Requirements' No 4 so that the accurate address is referenced and that a minimum scale is required for residential development. These minor changes rectify oversights that were not carried through from Town Planning Scheme 3 to Local Planning Scheme 12 and updates the table to reflect the correct address which has changed.

City officers recommend Council adopt the proposed scheme amendments to progress it to the consultation phase.

Disclosure of Interest

Nil

Location



Property Details

Applicant:	Rowe Group
Owner:	Bordland Pty Ltd
Directors	Nathan John Caratti Aaron Grant Caratti
Location	Lot 812 D/P: 419819 Waardong Court, Halls Head
Scheme No 12 Zoning:	Residential
Peel Region Scheme Zoning:	Urban
Lot Size:	8015m ²
Topography:	Predominantly flat and cleared
Land Use:	Currently vacant

Previous Relevant Documentation

- G.22/6/20 23 June 2020

Council resolved to proceed Scheme 12 to final approval by the Western Australian Planning Commission and the Minister for Planning.
- G.18/4/19 30 April 2019

Council adopted a modified Scheme 12 and Local Planning Strategy which incorporated changes suggested by the Environmental Protection Authority.
- G.6/01/17 24 January 2017

Council adopted draft Local Planning Scheme and Strategy for forwarding to the Western Australian Planning Commission and the Environmental Protection Authority for consent to advertise the draft Scheme.
- G.14/12//13 17 Dec 2013

Council refused the proposed Development Guide Plan for Lot 90 Leisure Way.

Background

The subject Lot once formed part of Lot 90 Leisure Way, Halls Head. The Lot was subdivided and subject of a Development Guide Plan (DGP) incorporating Lots 88 and 89 Leisure Way. This DGP (approved in 2008) provided significant development potential for the area, in particular the area that is now Lot 812, with eight storey mixed use development permitted.

In 2013 a proposed amendment to the DGP was received by the City for development of a bulky goods showroom on the portion of the lot that is currently subdivided into low density residential lots. As part of this proposed iteration, the area that is now Lot 812 was proposed to be an aged care facility with residential development up to eight storeys. The bulky goods aspect to this proposal was not supported due to its amenity impacts and ultimately it was rejected by Council.

In February 2020, the Joint Development Assessment Panel granted conditional development approval for a significant 'Aged Care Facility' on the subject property. The three-storey development was considered at the time to be of a very high standard from an architectural perspective, however the development did not materialise.

The applicant is seeking an amendment to Local Planning Scheme 12 (Scheme) to facilitate an expanded range of land uses with a concept for the proposal detailed in **Attachment 2.1**. Proposed land uses include multiple dwellings, a gym and restaurant café with a drive through coffee component).

Comment

Context

The subject site is prominently located adjacent to the intersection of Old Coast Road and Mandurah Road with these roads forming borders to the south and west of the site. Waardong Court is a recently created road which sits adjacent to the northern border of the subject site. There is residential development to the north and northwest adjacent to the site and Lot 89 is to the north which is zoned "Local Centre". Lot 812 is considered a key location and is the southern entryway to the City Centre area of Mandurah.

Proposed Additional Land Use Permissibility

The current application had initially sought to add "additional uses" to the residential zoning applying to the subject lot which would allow for the development of a 'Convenience Store', 'Recreation Private', 'Restaurant/ Cafe', 'Fast Food Outlet', 'Bulky Goods Showroom' and 'Multiple Dwellings'.

Officers raised concerns with the inclusion of land uses such as 'Bulky Goods Showroom' and 'Fast Food Outlet' due to the proximity to existing residential development and consider it appropriate to remove these land uses from the proposed amendment.

The applicant has expressed concern that the exclusion of 'Fast Food' as an acceptable land use will impact the potential for a cafe to be developed on the subject lot particularly in the absence of a drive through component. The definitions of Restaurant / Cafe refer to the primary use being the preparation and sale of food to be consumed on the property, as opposed to 'Fast Food' where the primary function is for the sale of products to be consumed away from the site.

It is important to note even without specific provisions in the Scheme the City has the capacity to favourably consider a drive through proposal. There are existing examples where a drive through component is approved attached to a Restaurant/ Cafe where the primary function of onsite consumption is maintained. By not including the drive through component via the scheme amendment, the City will retain the ability to assess amenity and design impacts associated with a future drive through proposal at the development application stage.

The land uses that are proposed to be considered are defined as follows:

- Convenience Store means a premises
 - used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
 - operated during hours which include, but may extend beyond, normal trading hours; and
 - the floor area of which does not exceed 300m² net lettable area;
- Recreation Private – means a premises
 - used for indoor or outdoor leisure, recreation or sport; and
 - not usually open to the public without charge
- Restaurant/ Café – means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the Liquor Control Act 1988.

A condition limiting the Net Lettable Area (NLA) to a maximum of 500m² to ensure the development of a Restaurant/ Café is of a modest scale given the context is recommended in addition to a condition requiring such a development includes seating for a minimum of 20 patrons to ensure the onsite consumption is prioritised.

A further condition proposing a minimum amount of landscaping for all non- residential development to 15% is also proposed to ensure abundant green space to assist in screening non-residential uses and provide a more attractive approach into this focal point and southern approach to the city centre.

The proposed modification seeks to modify Section 3.4 Additional Uses, Table 4 as follows:

No.	Description of Land	Additional Uses	Conditions
A2	Lot 812 Waardong Court Halls Head	D Uses <ul style="list-style-type: none"> • Convenience Store • Recreation Private • Restaurant/ Café 	a. The Net Lettable Area of any Restaurant/ Café shall not exceed 500m ² . b. Any Restaurant / Café shall include seating for a minimum 20 patrons. c. All non-residential development shall include a minimum of 15% of the site area as landscaping.

It is noted the proposed additional uses are 'D' uses which means they are discretionary and development approval is required.

Development Concept

The concept development plan that accompanies the application to amend the Scheme provided in **Attachment 2.1** shows a multiple dwelling development to the easternmost portion of the lot providing some buffering to existing development. The proposed gym and café are indicated to be located on the western side alongside Old Coast Road. The indicative plan suggests four storeys of residential development which is considered to provide prominence to the site given its important location as an entry statement. While the indicative plan shows the gym and café setback significantly from Waardong Court and parking in the forecourt, it is considered that positive design outcomes can be achieved, including significant landscaping.

As noted, it is recognised the proposed Scheme Amendment to add these uses to **Table 4**, relates to land use only. Conditions referring to specific design outcomes are considered appropriate and are recommended to guide future designs.

Local Planning Strategy

The proposed amendment that results in additional uses is not inconsistent with the City's Local Planning Strategy, which considers higher level activity centres throughout the City. With that said, the applicant provided a retail impact test to evaluate whether the introduction of commercial uses to the subject site was sustainable and would not compromise the existing commercial developments nearby. It is noted this study was undertaken based on an assumption that the amendment would be to rezone the subject site to 'Local Centre' in contrast to additional uses and as such the findings of the report considered a wider range of potential land uses and potential impacts.

The report found that such a rezoning would not be detrimental to the existing commercial development and would be sustainable soon after development occur. A peer review of this report was undertaken by the City which broadly concurred with the findings that such a rezoning would be sustainable and not have a detrimental impact on existing development.

Minor Amendment to Schedule 1, 'Specific Site Requirements'

Schedule 1 of the Scheme includes a table of specific site requirements. No 4 currently refers to Lot 88, 89 and 90 Leisure Way. With the creation of Waardong Court, Lot 90 Leisure Way became Lot 812 Waardong Court. It is proposed to replace 'Lot 90 Leisure Way' with 'Lot 812 Waardong Court'. The specific requirements that relate to these three lots include:

1. Development shall be designed to front onto and be oriented toward Old Coast Road.
2. Multiple Dwellings shall be permitted at a minimum Residential Density Code of R80.
3. All land adjacent to Mandurah Road shall be provided with a landscape buffer area with a minimum width of 10m.

In Town Planning Scheme No 3, there was also a provision that required a minimum scale of 9m (two storeys) for all development within 40m of Old Coast Road. The inclusion of this provision was not carried through to the current Scheme in oversight. Noting the proposed additional uses include a restaurant / café with limited NLA, it is proposed a modified provision is introduced. Namely, it is proposed that a fourth requirement is added as follows:

4. All residential development shall have a minimum scale of 9m (two storeys).

It is noted this will also apply to Lots 88 and 89 Leisure Way as was the case in the previous Scheme and will result in the City being able to better ensure an appropriate scale of development exists on Old Coast Road.

MEAG Comment

This item does not have any impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment.

Consultation

If adopted, the amendment will need to be referred to the Environmental Protection Authority (EPA) for the agency's consideration on whether an environmental assessment is required. If the EPA confirm that an environmental assessment is not required, public advertising as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* will be required.

Advertising will be undertaken via the following methods:

- direct letter / email notification to surrounding landowners;
- sign on-site;
- notification on the City's website; and
- notification in the local newspaper.

The period for making submissions on the proposed modification is 60 days after the day proposal is first advertised.

Statutory Environment

The proposed amendment is undertaken in accordance with the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The proposed amendment is considered to be a standard amendment based on:

- (a) the amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;
- (b) the amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (c) an amendment to the scheme so that it is consistent with the region planning scheme that applies to the scheme area;
- (d) the amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- (e) the amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- (f) is not an amendment that is a complex or basic amendment.

In accordance with section 81 of the *Planning and Development Act 2005*, when a local government resolves to prepare or adopt a local planning scheme, or an amendment to a local planning scheme the local government is to forthwith refer the proposed local planning scheme or amendment to the Environmental Protection Authority (EPA) by giving to the EPA —

- (a) written notice of that resolution; and
- (b) such written information about the local planning scheme or amendment as is sufficient to enable the EPA to comply with section 48A of the Environmental Protection Act in relation to the local planning scheme or amendment.

Policy Implications

Future development will be assessed against existing State and Local Planning Policies.

Financial Implications

The future development provides economic opportunity and additional residential development.

Risk Analysis

If the City does not adopt the proposal for advertising there is a risk the applicant may seek intervention from the Minister for Planning under Section 76 of the *Planning and Development Act 2005*.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2024 – 2044 are relevant to this report:

Economy

- Well-planned, sustainable urban development
- A thriving city that residents are proud to call home and people want to visit

Community

- Inclusive and welcoming places, spaces and neighbourhoods

Leadership

- Sound decisions based on evidence and meaningful engagement

Conclusion

The proposed amendment to add 'Convenience Store', Recreation Private' and 'Restaurant/ Café' through the addition uses table found in section 3.4 of the Scheme can be considered favourably based on the size of the subject lot allowing these uses to be sufficiently separated from existing residential development, the context of the intersection being a low amenity area for residential development and subject to additional landscaping being provided. In addition, conditions are included in the recommended addition to Table 4 that limit the size of a Restaurant / Café development in terms of lettable area while ensuring any such development remains primarily focused on providing dine in meals and drinks through the provision of a minimum number of seats. The City has not included scheme provisions that provide for a drive through, however this can be assessed at the Development Application stage.

In addition, the amendments to Schedule 1 'Specific Site Requirements', result in the referenced lots being named correctly and requires all residential development to be at a minimum scale. This ensures residential development is of an appropriate scale and orientation for such a prominent area.

It is recommended Council adopt the proposed amendment in order to commence community consultation with a further report to be provided following the submission period.

NOTE:

Refer ***Attachment 2 1 – Lot 812 Waardong Court - Concept Design***

RECOMMENDATION

That the Planning and Community Consultation Committee Recommend:

That Council:

1. **In accordance with Section 75 of the *Planning and Development Act 2005*, resolves to adopt Amendment No 6 of the City of Mandurah Local Planning Scheme No 12 for the purposes of advertising as follows:**

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

CITY OF MANDURAH LOCAL PLANNING SCHEME NO 12

AMENDMENT NO 6

Resolved that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amends Local Planning Scheme No 12 by:

(a) Amending section 3.4 of the Scheme, Table 4 by adding:

No	Description of Land	Additional Uses	Conditions
A2	Lot 812 Waardong Court Halls Head	D Uses <ul style="list-style-type: none"> • Convenience Store • Recreation Private • Restaurant/ Café 	a. The Net Lettable Area of any Restaurant Café shall not exceed 500m ² . b. Any Restaurant / Café shall include seating for a minimum 20 patrons. c. All non-residential development shall include a minimum of 15% of the site area as landscaping.

(b) Modifying Schedule 1 of Local Planning Scheme 12, Specific Site Requirements No. 4 by:

- a. Replacing 'Lot 90 Leisure Way' with Lot 812 Waardong Court, Halls Head in the column labelled 'Description of Land'***
- b. Adding "4. All residential development shall have a minimum scale of 9m (two storeys)" to the column labelled 'Requirement'***

(c) Amending the Scheme Maps accordingly.

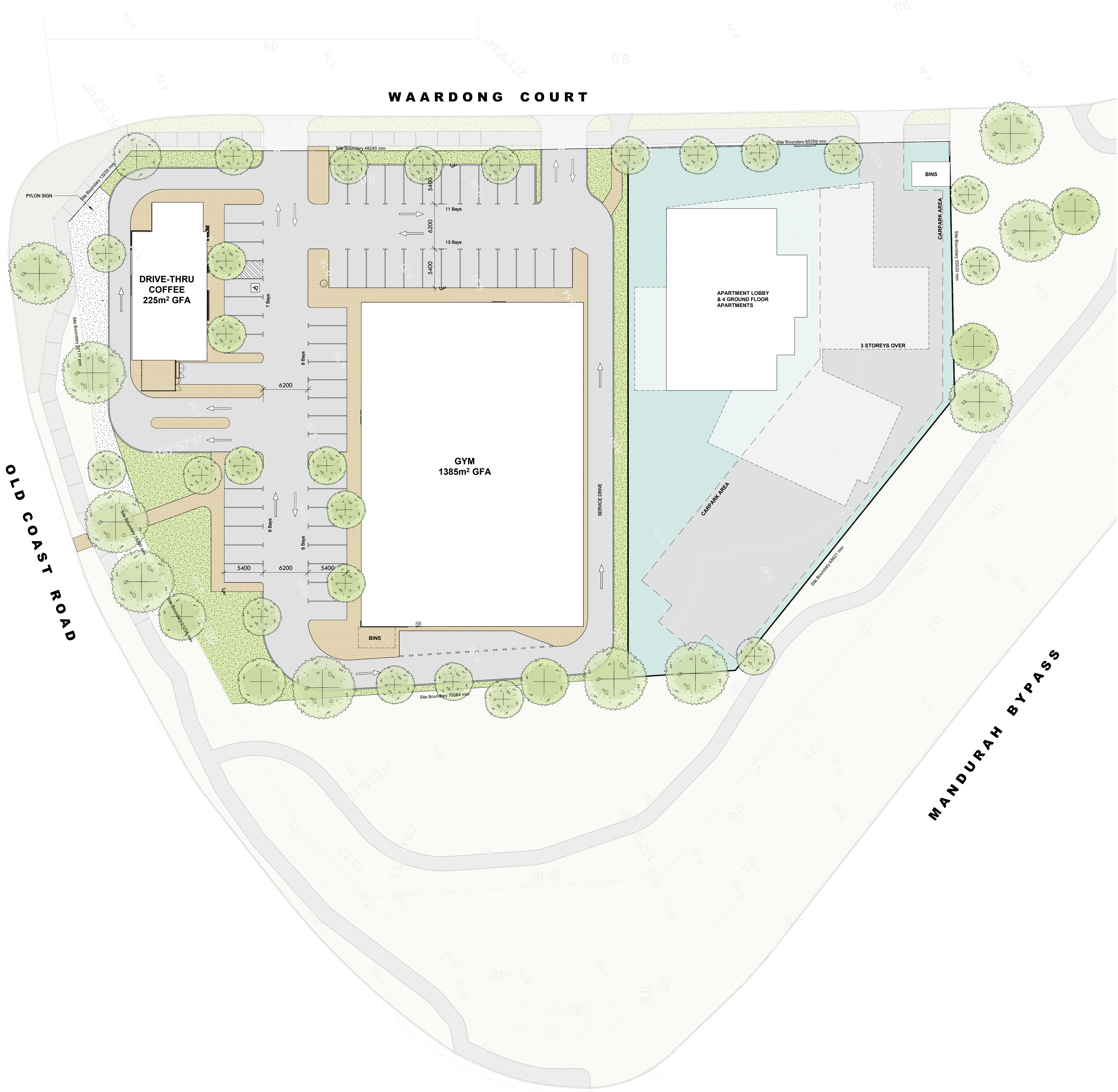
2. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No. 6 of the City of Mandurah Local Planning Scheme No 12 is a standard amendment for the following reasons:

- (a) the amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;***
- (b) the amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;***
- (c) an amendment to the scheme so that it is consistent with the region planning scheme that applies to the scheme area;***
- (d) the amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;***
- (e) the amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and***
- (f) is not an amendment that is a complex or basic amendment;***

3. Authorises the Chief Executive Officer (through the Coordinator Statutory Planning and Lands) to prepare the necessary Scheme Amendment documentation for Amendment No 6 to the City of Mandurah Local Planning Scheme No 12.

SITE CRITERIA

Site Area		
a. Commercial Lot		5282m²
b. Apartment Lot		2733m²
Combined Site Area		8,015m²
Commercial Areas		
Floor Area (GFA)		
a. Drive-thru Coffee		225m²
b. Gym		1400m²
Total		1,625m²
Floor Area (NLA)		
a. Drive-thru Coffee		190m²
b. Gym		1370m²
Total		1,560m²
Commercial Carparking		
i. Cars Required		
a. Drive-thru Coffee	28 Seats @ 1/4	7.0 Bays
b. Gym	150 Patrons @ 1/4	37.5 Bays
Total Car required		44.5 Bays
ii. Cars Provided		
a. On grade		53 Bays
Total Car provided		53 Bays
Apartments		
Site Area:		2733m2
Zone		R80
Plot Ratio		1.0
Allowed plot ratio area:		2733m2
Proposed 4 storey apartment building		
30 - 35 apartments		
Apartment Carparking:		
35 apartments @ 1.25 bays per apartment		44 Bays
Visitor Bays for 35 apartments		6 Bays
Total bays required		50 Bays



CONCEPT SITE PLAN

SCALE: 1:250

PROPOSED COMMERCIAL DEVELOPMENT

LOCATION : LOT 812 WAARDONG COURT, HALLS HEAD
FOR : CARATTI HOLDING CO. PTY LTD





meyer
shircore
architects

FOR: CARATTI HOLDING CO. PTY LTD

LOCATION: LOT 812 WAARDONG
COURT, HALLS HEAD

DATE: JULY 2023

SHEET: 1004 REVISION: SK012

22-8965

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