

## SCHEDULE OF MODIFICATIONS


### Submissions Received from Public – Wishart Place Structure Plan Amendment – PLN.37 - No. 91 (Lot 371) Horsley Road, Denmark

Ref No.	Name & Address Details	Verbatim Submission	Planning Services Comment & Recommendation
S1	[REDACTED]	<p>Please consider this is our submission on the above plan. Your invitation letter fell by the wayside amid the Coronavirus situation and it is only today that I've been able to comment. Apologies.</p> <p>The information contained in the covering letter was minimal and it is possible my concerns might be addressed in the more complete version of the structure plan. My concerns are as follows:-</p> <ol style="list-style-type: none"> <li>1. The advertised structure plan makes a brief reference to lot 372 (our lot) being in the adopted Horsley/Rockford Local Structure Plan but there is no acknowledgement of the relevant commitments and obligations of that structure plan and in particular the adopted access/egress arrangements relating to Horsley Road. In our opinion all relevant adopted road alignments and road connections should be referenced in the report and be shown on the advertised structure plan. (Just as lot 371 is included in the adopted Horsley/Rockford LSP). This not only reinforces agreed arrangements but leaves no doubt about what is proposed on adjoining land. An imperative of structure plans is that they should dovetail.</li> <li>2. Figure 3 is identified as the Current Subdivision Guide Plan but was it ever officially adopted? (Although there is a Shire adoption stamp there are no signatures or dates). Was it referred to WAPC/DPLH? The plan seems</li> </ol>	<p>Noted</p> <p><b>Upheld</b>            There is a recognised disconnect between the Wishart Place Structure Plan adopted in 2009 and the Horsley/Rockford Road Structure Plan adopted in 2012. A road linkage between the two plans is now missing. A link that creates a four way intersection in Horsley Road was added to the Horsley/Rockford Road Structure Plan and it is now opportune to include this in the Wishart Place Structure Plan.            It is recommended that the four-way intersection linking the structure plan area through the Horsley/Rockford Structure Plan area be included in the current amendment and it be notated with the requirement for a roundabout.</p> <p>The plan was adopted along with Scheme Amendment 78 in 2009.</p>

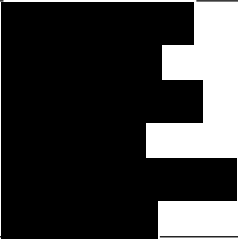
21 July 2020 - Attachment 8.1.1b





	<p>relatively recent, being dated 29 July 2019, and it shows an incorrect road connection into lot 372. Had the designer taken notice of the adopted Horsley/Rockford LSP (adopted 18 May 2012) then the correct road connection would have been shown. This adopted road connection is shown as a T Junction on a section of Horsley Road realigned through lot 371 to preclude tree removal in Horsley Road and avoid a wet area. Had this adopted connection been shown on any plan relating to lot 371 then the proposed internal T Junction on that lot would not have been shown, unless a dangerous four way intersection was proposed. Any departure from road arrangements consolidated in the adopted Horsley/Rockford LSP needs to be justified.</p> <p>3. In the Introduction, reference is made to the reason for the change ie removal of remnant vegetation and the solar passive orientation of lots. The remnant vegetation notation on Figure 2 generally corresponds with existing canopy but does not identify specific tree trunk locations. This area of Marri trees will be removed regardless of which plan is implemented ie some because of road construction and others to achieve house construction and solar passive objectives. It would appear therefore that the applicant is avoiding extending Horsley Road for approximately 100m, as shown in Figure 3 and the adopted Horsley/Rockford Road Structure Plan. It would be prudent for Shire staff to carry out a site inspection to determine the bona fides of this proposed modification.</p> <p>It is imperative that any new or varied structure plan corresponds with adopted structure plans. We are most concerned about access and egress at lots 372 and 51 in view of the Amaroo retirement village prospect, as stated in our letter to you dated 3 February 2020. In early February we commenced looking at improving access/egress arrangements and our team has concluded the best option in regard to Horsley Road is to construct an entry road into lot 372 approximately 30 m north of its southern boundary. That location, which generally coincides with our crossover, avoids removal of trees and includes filling and grading to reduce the gradient. We are presently examining fill proposals for proposed adjoining lots to ensure they are not below proposed road level. Our proposed road location unfortunately coincides with the lot 371 proposal. We have negligible alternatives whereas lot 371 can adhere to</p>	<p><b>Upheld</b> Adjustments to the road system need to be made to acknowledge adjustments may be required to protect trees in the Horsley Road reserve and the location of the southern most entry adjusted as per the recommendations in the attached Council report.</p> <p><b>Noted</b> It is understood that in either version of the structure plan (original or proposed) that most trees on private property would be removed.</p> <p><b>Upheld</b> Further discussions and design options were explored with the applicant in response to the need to adjust access into the Horsley/Rockford Road Structure Plan area.</p> <p>This is addressed in the Council report and has resulted in a recommended modification to shift the intersection in question north, place traffic islands and design for suitable sized trucks in a manner that complies with the requirements of Austroads standards.</p>
--	---	--

		<p>the original access proposal 100m to the north along Horsley Road. We will pay half the cost of the tree removal in Horsley Road to assist with this road extension.</p> <p>It would appear the time is ideal to revisit road alignment arrangements for both the Lot 371 area and the overall Horsley/Rockford Local Structure Plan area, with or without a retirement village. Up to now these plans have been prepared independently and a collective approach is desirable.</p> <p>Following on from the email I sent you on 12 May I provide the following information.</p> <p>In early February this year I commenced making some draft modifications to the Horsley/Rockford Road Local Structure Plan (HRRLSP) as a result of (i) lot 366 possibly being set aside for a retirement village purposes and denying access to lot 372 and (ii) the intention of the owner of lot 365 to not proceed with development. Note: lot 365 was included in the HRRLSP adopted in 2012. Dick Dimmock's parents Geoff and Joan, the then owners of lot 365, were part of a group effort to structure plan and rezone the land from 2005 through to 2012. After the adoption of the structure plan the control of lot 365 passed to Dick who elected not to participate in subsequent rezoning to Residential.</p> <p>It is opportune to review both structure plans to arrive at the most suitable road layout.</p> <p>NB Attachments are provided at the end of this schedule that highlight various issues raised..</p>	<p>Noted</p> <p>Noted Staff are will to work with the landowners within the Horsley/Rockford Road Structure Plan area to amend this structure plan and bring it up to speed with contemporary planning principles.</p>
--	--	--	--

S2		<p>I refer to the invitation by the Shire, received in April, regarding commenting on the proposed Amendment to the Structure Plan for Lot 371.</p> <p>Amaroo Care Services Inc( T/A Amaroo Village) own Lot 366 Horsely Road, nearby, and are planning the development of a new Aged Care Facility(ACF) for the township and region of Denmark.</p> <p>We are seeking that the Shire receives this submission, although it is outside of the date advised for public comment.</p> <p>Unfortunately this issue slipped under our radar with all of the concerns that we have had to address due to the Covid 19 virus shutdowns and extra health and security measures our industry has had to address( including regional travel shutdowns).</p> <p>Whilst the proposed amendment appears to be of little consequence, it may have a material adverse affect on our proposed development due to the proximity of their variance to their connecting Road to Horsley.</p> <p>As per previous discussions with the Shire, which was also the subject of a formal submission(DA) regarding the proposed land use, Amaroo are proposing to locate the ACF at the western end of Lot 366 , extending across the whole western boundary along Horsely Road. This is the most appropriate section of our land that can be earth worked to provide level benched land suitable for aged persons. Accordingly, we shall need at least two main vehicular access points to the site. After assessing the contour levels, the extent of earthworks and identifying the places where vehicles can access the site at grade, there are only two locations that will work with the existing road levels at Horsley.</p> <ol style="list-style-type: none"> <li>1. The first will be on Horsley, closer to the corner of Rockford.</li> <li>2. The second will be at the northern end of Lot 366, and about midway</li> </ol>	<p>Noted</p> <p>Accepted</p> <p>Upheld</p> <p>An alternate access, as described in the previous submission and the Council report is proposed to address concerns with the access options for Lot 366 &amp; 372.</p>
----	---	---	--

	<p>along the proposed development boundary.</p> <p>It is the second vehicular access point that is of concern. In order to make this work, Amaroo would have sought a change to the Structure plan for Lot 366 (which we would have to do anyway), proposing that the connecting road to Horsely, moves northwards, to align with the common boundary between Lots 366 and Lot 372.</p> <p>This is the only location where the road alignment will work. However, if it is located in this position, then it will likely be too close, if not to directly coincide, to the proposed new road intersection on Horsely, for Lot 371.</p> <p>Strategically, Amaroo will be lodging an Application for Development Approval (DA), without requiring any subdivision of the land. The DA will propose an amendment to the Structure Plan, to show that the development can be done without adversely affecting the integrity of the Structure Plan, but may not seek to change it at this stage, depending on the requirements of the Shire.</p> <p>Accordingly Amaroo would object to the amendment to the road change on Lot 371 as it may cause traffic conflict with the proposed road changes to Lot 366.</p> <p>However, there are also other planning design issues to do with the amendment to Lot 371, but these do not directly impact Amaroo and are of more direct adverse impact on the landowners either adjoining or future developed Lots on 371.</p> <p>These issues include;</p> <ul style="list-style-type: none"> <li>• Lot 25 Horsely Rd Landowner: I would have thought that this landowner would object if they realised that they would have a road on their boundary, rather than other residential Lots. I had heard that he had been gravely ill recently, perhaps they had not received the correspondence or had</li> </ul>	<p>Noted</p> <p>The Structure Planning amendments that would result from the proposed Aged Persons Village should commence prior to lodging a development application to allow for suitable time to assess the wider impacts of changing the adopted structure plan.</p> <p>The owner of Lot 25 indicated before the lodging of the structure plan amendment that they had no objection to the road shifting to beside their boundary.</p>
--	---	--

		<p>not thought it important with other concerns.</p> <ul style="list-style-type: none"> <li>Greater long term loss of vegetation Whilst the proposed new road alignment appears to "save trees", the current road location doesn't appear to actually cause a loss of trees - it is mostly canopy which appears on aerial photography. However, if the proposed road/ Lot layout is adopted it seems almost certain that with the development of houses and the like, that most of the tree stand would be jeopardised. A more detailed assessment could evaluate this aspect.</li> <li>Interface with Water Corp site - an impact assessment of the visual appearance of the Water Corp site and how this is addressed from the point of view of vehicular traffic should be undertaken. From a Planning perspective, is it a better aesthetic solution to have a road alongside the water Corp Site, or is it better to have housing allotments back on to it and screen it from traffic and public view?</li> </ul> <p>It appears that perhaps the Planning Unit Band Horsely/Rockford Roads Structure Plans may have been undertaken some time ago and that various minor amendments over the nearby landholdings may now be advisable due to changing circumstances with landowners . Perhaps all affected landowners may be contacted and invited to undertake a single exercise to update the respective Structure Plans.</p> <p>Thank you for your consideration.</p>	<p>Noted As noted above, it is understood that in either version of the structure plan (original or proposed) that most trees on private property would be removed.</p> <p>Noted The portion of the Water Corporation site that abuts the planned road is remnant vegetation. Adjusting the road to this location will allow the road to buffer the residential lots to this vegetation for fire management purposes.</p> <p>Noted This is an option for Council, but staff have recommended that the minor adjustments proposed to the current structure plan can be made without unduly affecting the development potential of the neighbouring land.</p>
G1		Thank you for your letter sent to the Albany office of DBCA regarding Lot 371 Horsley Road Denmark. Parks and Wildlife Service has no objections or comments to make on the proposal.	Noted
G2	Water Corporation	Thank you for your letter of 26 March 2020 inviting comments on the amended structure plan.	Noted

		<p>The Water Corporation has no objections to the modifications subject to the buffers around the Corporation's water pump stations being shown on the amended structure plan.</p> <p><i>(See Govt Submission – Attachment A)</i></p>	
G3	<p>Department of Primary Industries &amp; Regional Development</p> 	<p>Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal.</p> <p>DPIRD does not object to the proposal and offers the following comments:</p> <ul style="list-style-type: none"> <li>• The proposal allows for the protection or conservation of remnant vegetation;</li> <li>• The revision follows a logical contour, and presents opportunity for the soak (pond) in the northwest corner to remain as a natural sump and reserve within the new development.</li> </ul> <p>It is assumed that sufficient buffers and separation distances will be maintained adjacent existing rural lands and suitable drainage systems will be implemented to arrest and direct nutrient run-off.</p>	Noted
G4	<p>Department of Health</p> 	<p>Thank you for your letter of 27 March 2020 requesting comments from the Department of Health (DOH) on the above proposal.</p> <p>The DOH has no objection to the proposed amendment provided appropriate separation distances in accordance with 'Guidelines for Separation of Agricultural and Residential Land Uses' are observed. The attached guideline is also available for download from:</p> <p><a href="http://ww2.health.wa.gov.au/Articles/F_1/Guidelines-for-separation-of-agricultural-and-residential-land-uses">http://ww2.health.wa.gov.au/Articles/F_1/Guidelines-for-separation-of-agricultural-and-residential-land-uses</a></p> <p><i>(See Govt Submission – Attachment B)</i></p>	Noted
G5	<p>Department of Planning, Lands &amp; Heritage</p> 	<p>Thank you for the opportunity to review the amended structure plan No. 91 (371) Horsley Road, Denmark.</p> <p>This Department has no comment on the amendment however it is noted that Reserve 26277 adjoins Lot 371. Reserve 26277 is managed by the Water Corporation for the purpose of Water Supply Purposes. Could you please</p>	Noted

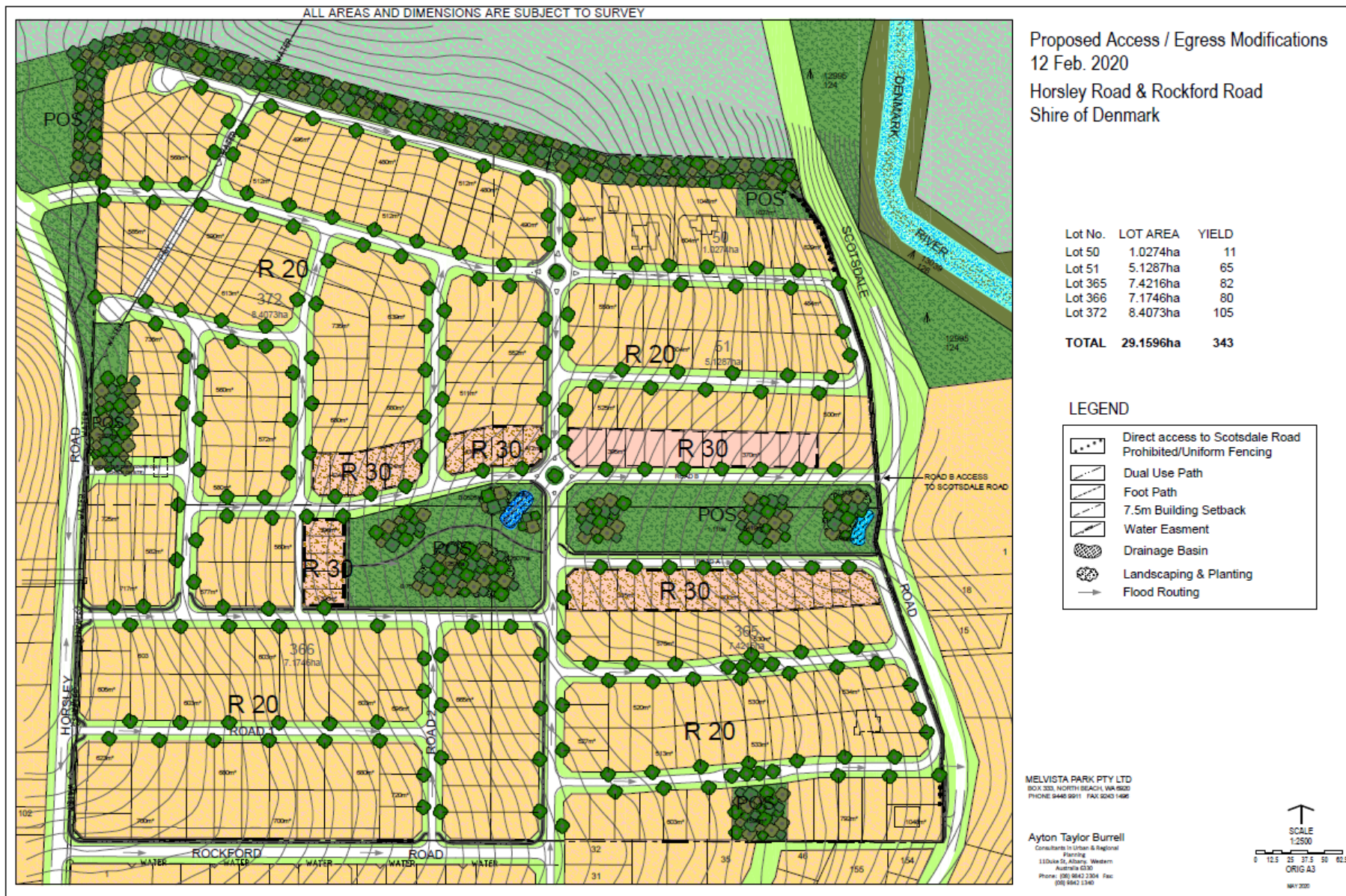
		ensure that the Water Corporation are given the opportunity to provide any comments.	
G6	Department of Water & Environmental Regulation [REDACTED]	<p>Thank you for referring the above planning proposal to the Department of Water and Environmental Regulation (DWER) for advice.</p> <p>DWER advises that it has no objection to the proposal and no comments to make.</p>	Noted
G7	Department of Fire and Emergency Services [REDACTED]	<p>I refer to your email dated 7 April 2020 regarding the submission of a Bushfire Management Plan (BMP) (Version 2), prepared by Bio Diverse Solutions and dated 24 February 2020 for the above subdivision application.</p> <p>It should be noted that this advice relates only to <i>State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)</i> and the <i>Guidelines for Planning in Bushfire Prone Areas (Guidelines)</i>. It is the responsibility of the proponent to ensure that the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.</p> <p>It is assumed that the DPLH will refer the two-lot subdivision (stage one) to DFES for formal comment. This assessment is specific to the Structure Plan amendment.</p> <p>Assessment Issues were raised with the adequacy of the photography that supports the assumptions around plot 5. This then affects the all subsequent assessment of the BAL and suitability of the design.</p> <p>Until the whole subdivision is completed it may not be possible to provide two methods of access &amp; egress. Should McLean Road not be constructed such that two access routes are not available, this PAW must be upgraded to an EAW standard in accordance with Table 6 of the Guidelines.</p>	<p>Noted</p> <p>The proposed structure plan area has been walked in person by staff who are accredited bushfire professionals and the assumptions of the BAL Contour Plan have been verified.</p> <p>The structure plan amendment improves the current situation by buffering proposed lots from existing vegetation on an adjacent property (Water Corporation land).</p> <p>The proposed PAW has been notated on the amended structure plan as an emergency accessway.</p>



		<p>Regardless of whether two access routes are available the PAW is encouraged to be compliant with the construction standards of an EAW to provide vehicular connectivity to Wishart Place.</p> <p>The proposed structure plan is not supported for the following reasons:</p> <ol style="list-style-type: none"><li>1. The subdivision design does not meet compliance to - Element 1: Location, and Element 2: Siting and Design.</li></ol>	
--	--	--	--

Attachments

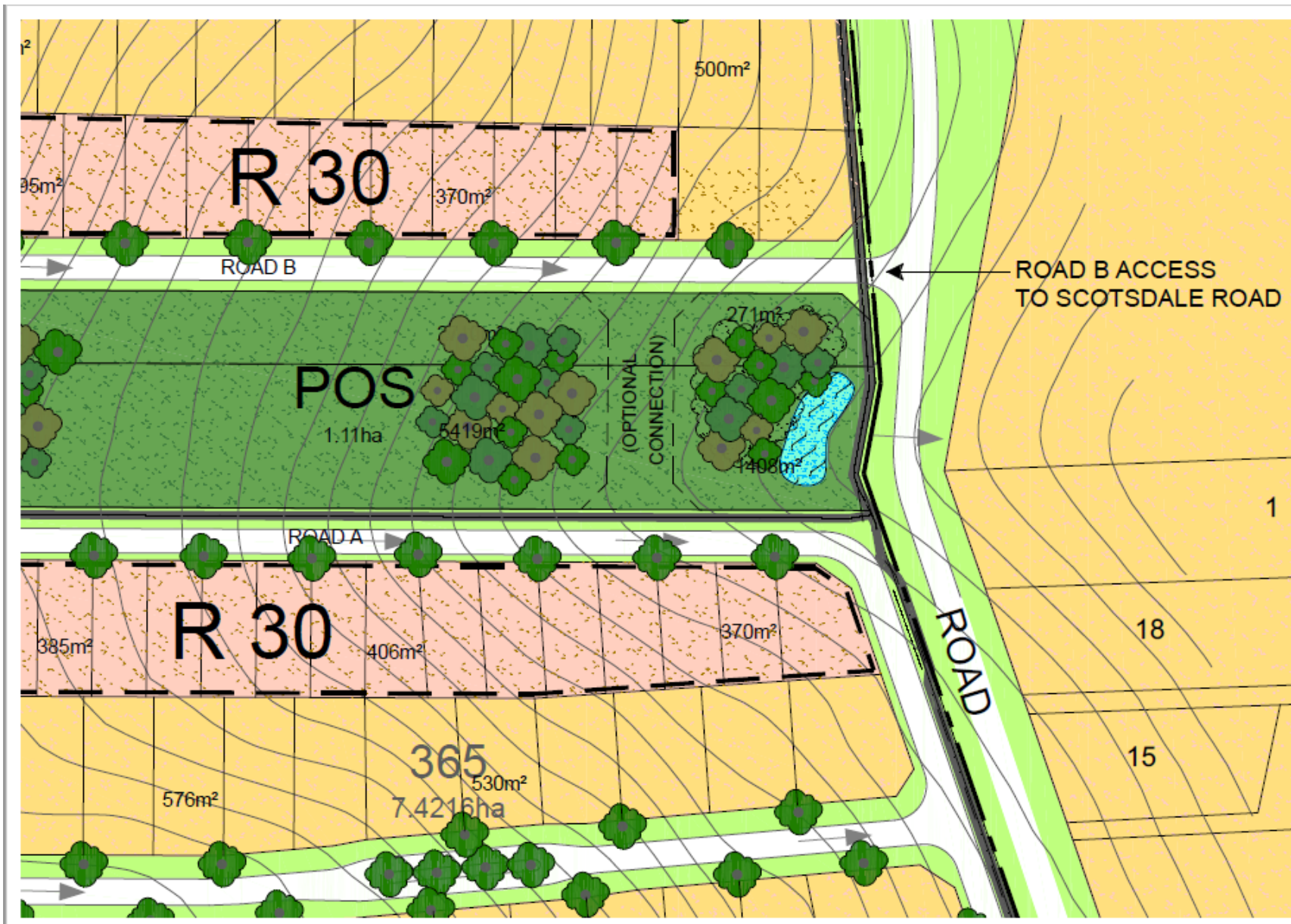
Submission 1 (S1) – Attachment A -



Submission 1 (S1) - Attachment B -



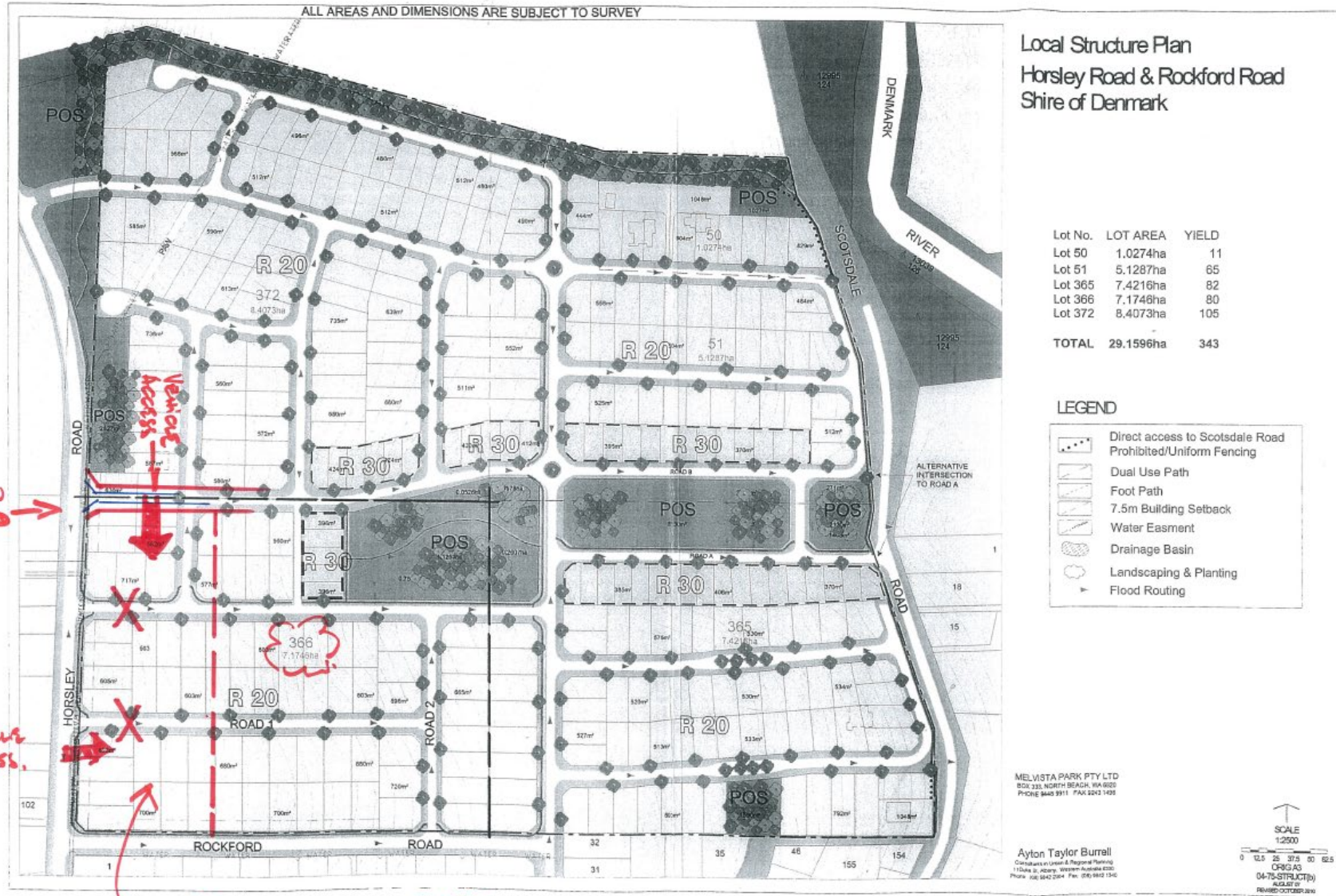
Submission 1 (S1) - Attachment C -





Submission 2 (S2) - Attachment 1

# ATTACHMENT A.



APPROX DEVELOPMENT AREA.