



Ordinary Council Meeting 23/02/21

Item 12.1 refers

Attachment 1

Schedule of Submissions

Creating opportunities



SCHEDULE OF SUBMISSIONS

Landowners / Occupiers

No.	Submitter	Summary of Submission	Officer Comment
1.	R. Gibbs 58 Hay Road, Ascot	1.1 Supports the amendment and considers that the land is suited for the type of development that the proposed density would allow.	Noted.
2.	B. and G. Ralph 60 Hay Road, Ascot	<p>2.1 Considers that the amendment is intrusive and invasive and will impact on resident's lifestyle and amenity.</p> <p>2.2 Was not supportive of the local structure plan for DA9 when it was accepted.</p> <p>2.3 Does not consider that the R20/60 density coding was included or applied to the seven lots the subject of this amendment in the local structure plan.</p> <p>2.4 Accepts that some development is inevitable, however cannot accept that a 200% increase in density is either reasonable or equitable in this precinct.</p> <p>2.5 Considers that R30 or R40 should have been considered as a reasonable increase in density.</p>	<p>There is no evidence to suggest that future development within the precinct will have a negative impact on resident's amenity. Notwithstanding, any potential impact on amenity will be considered at the time individual development applications are submitted, to ensure that any impacts are reduced.</p> <p>Noted.</p> <p>The local structure plan approved for the Development Area 9 precinct illustrated and provided for a R20/60 density coding over the seven lots that are the subject of this amendment.</p> <p>Refer to comments under the heading Proposed Residential Density and Urban Form in the Officer Comment section of the report.</p> <p>Refer to response to comment 2.4 above.</p>

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		2.6 Deliberately purchased our lot 20 years ago with the plan of keep any future neighbours at a reasonable, distant proximity.	Refer to response to comment 2.4 above. It should also be noted that the site can currently be developed at the R20 density coding, however any future development, irrespective of the density coding, will need to adhere to the setback requirements contained within State Planning Policy 7.3 – Residential Design Codes.
		2.7 Does not accept that a zoning change of R60 is sound planning practice and consider that its merits are dubious.	Refer to comments under the heading Proposed Residential Density and Urban Form in the Officer Comment section of the report.
		2.8 Notes that the amendment is driven by an application from their neighbour who is proposing to build 18 units, nine of which would have their rear aspects against their side boundary. Questions where the planning merit is in this regard.	The development concept plan is purely indicative and therefore it should be noted that landowners are not obliged to adhere to this concept. It should also be noted that the concept plan requires further investigation in light of the proposed Local Planning Scheme provisions, particularly relating to crossover minimisation and its interface with the adjacent 'Mixed Use' zoned land. Notwithstanding the above, any future development on the site would need to comply with the requirements of the Local Planning Scheme and State Planning Policy 7.3 – Residential Design Codes.
		2.9 Outlines that good planning practice should include everyone.	The proposed amendment was advertised in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> to provide landowners/occupiers with the opportunity to provide comment prior to the proposal progressing.
		2.10 In summary, are incensed that R60 is being considered when possibly R30 or R40 would be infinitely more appropriate and more easily digested.	Refer to response to comment 2.4 above.

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		2.11 Refers to page 11 of 46 of the local structure plan where it shows all seven lots clearly marked R20, not R20/60.	This page of the local structure plan reflects the existing zoning and density coding of the precinct and not the density coding proposed through the local structure plan.
3.	J. and H. Farquhar 101 Fautleroy Avenue, Ascot	<p>3.1 Outlines that the Air BnB has been affected by the service station and considers that an R60 density coding adjacent to the subject property would further impact on the sense of peace and separation that has been created and is often mentioned by guests and City of Belmont Officers.</p> <p>3.2 Outlines being told that when the DA9 project commenced that the blocks the subject of this amendment would not be permitted to have multiple, high buildings, and that these buildings would be restricted to the new area, seven blocks to the east.</p> <p>3.3 Considers that R60 would allow flats up to three stories on the property boundary, which would affect the view from the properties upstairs rooms, as well as cause overshadowing.</p>	<p>Refer to response to comment 2.4 above.</p> <p>It should also be noted that the site can currently be developed at the R20 density coding, however any future development, irrespective of the density coding, will need to adhere to the setback requirements contained within State Planning Policy 7.3 – Residential Design Codes.</p> <p>The local structure plan approved for the Development Area 9 precinct illustrated and provided for a R20/60 density coding over the seven lots that are the subject of this amendment.</p> <p>All other lots within the Development Area 9 precinct were reflected in the approved local structure plan as being subject to further investigation and planning due to their 'Parks and Recreation' reservation under the Metropolitan Region Scheme as well as the need to resolve issues pertaining to the Swan River Trust Management Area.</p> <p>Amenity and overshadowing will form key considerations in the assessment of any future development application. It should be noted that the property directly adjacent to your property contains the main drain from the airport and is in the ownership of the Commonwealth of Australia – Federal Airports Corporation. Any future development on the adjacent lot will therefore need to be appropriately setback from the drainage infrastructure.</p>

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		3.4 In summary, opposes the change to R60.	Refer to comments under the heading Proposed Residential Density and Urban Form in the Officer Comment section of the report.
4.	D. Ransome 62 Hay Road, Ascot	4.1 Strongly opposes the planned rezoning.	Refer to comments under the heading Proposed Residential Density and Urban Form in the Officer Comment section of the report.
		4.2 Outlines purchasing the property 20 years ago based on the zoning at the time.	The zoning of the subject property is not proposed to change. The amendment proposes to amend the associated density coding of 'Residential' zoned properties within the precinct from R20 to R60.
		4.3 Planned on building two residences on the subject property, one for the landowner and in the future one for the landowner's daughter.	Two residences could be constructed on the property currently and the amendment would not impact on the ability for this to be undertaken, subject to the development meeting the requirements of the local planning scheme and Residential Design Codes.
		4.4 Considers that the proposed zoning changes and subsequent development will mean a loss of amenity.	There is no evidence to suggest that future development within the precinct will impact on the amenity of the area. Notwithstanding, any potential impact on amenity will be considered at the time individual development applications are submitted, to ensure that any impacts are reduced.
		4.5 Outlines that the change in zoning will see the possibility of up to nine multistorey units per block and considers that the existing residents' right to privacy will be destroyed.	Visual privacy is assessed and considered as part of any development proposal.
		4.6 Notes that the concept plan shows each units rear courtyard would back onto existing properties boundary fence. Notes seeing examples of this in Belmont and other suburbs and considers that existing residences are overlooked from all sides. Outlines that developers build and then move onto their next development. Considers that it is the existing residents that live with a reduced lifestyle which these developments inevitably bring.	Refer to responses to comments 4.4 and 4.5 above.

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		<p>4.7 Outlines that any planned development of property in the area should also consider the impact to local wildlife and their habitat. Notes that the area contains an abundance of wildlife, including bandicoots, turtles, snakes, goannas and an array of birds, and considers that future development, with increased traffic and human presence, will surely have an adverse environmental impact on these animals.</p> <p>4.8 Considers that application 431/2020 at 78 Fauntleroy Avenue should be used as a blueprint for this area. This application was for two grouped dwellings on an existing 1,260m² block.</p> <p>4.9 In summary objects to:</p> <ul style="list-style-type: none"> a. Loss of amenity b. Loss of privacy c. Decimation of wildlife and their habitat <p>Considers that the rezoning of these blocks should be more in keeping with development within the area. Notes that development is inevitable, but considers that an R30 density coding would be more appropriate and amenable in the street.</p>	<p>Refer to comments under the heading Environment in the Officer Comment section of the report.</p> <p>There is no evidence to suggest that increased activity in the area will negatively impact local wildlife. Notwithstanding, as part of the assessment of any future development applications, the City will need to consider the likely effect of the development on the natural environment.</p> <p>It should also be noted that the Department of Biodiversity, Conservation and Attractions and Department of Water and Environmental Regulation did not object to the proposed amendment.</p> <p>Landowners can apply to undertake this form of development on their land irrespective of the subject amendment.</p> <p>Refer to responses to comments 4.4, 4.5 and 4.7 above.</p> <p>Refer to comments under the headings Proposed Residential Density and Urban Form and Environment in the Officer Comment section of the report.</p>
5.	Y. M. Ayres 82 Fauntleroy	5.1 Supports single and double storey unit development within the area concerned.	Noted.

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	Avenue, Ascot	5.2 Not supportive of high rise apartment development, due to being concerned that this form of development will lead to a significant increase in traffic and impact on the local environment.	Refer to comments under the headings Traffic and Environment in the Officer Comment section of the report. There is no evidence to suggest that increased activity in the area will negatively impact local wildlife. Notwithstanding, as part of the assessment of any future development applications, the City will need to consider the likely effect of the development on the natural environment. It should also be noted that the Department of Biodiversity, Conservation and Attractions and Department of Water and Environmental Regulation did not object to the proposed amendment.
		5.3 Strongly objects to and is opposed to commercial and light industrial development, as this form of development already exists along Great Eastern Highway.	The lots are proposed to remain zoned 'Residential'. This zoning is not conducive to commercial or light industrial development.
6.	P. Betz 56 Hay Road, Ascot	6.1 Major shareholder in a company which owns a property in Development Area 9.	Noted.
		6.2 Fully supports the scheme amendment.	Noted.
		6.3 Considers that the area the subject of the scheme amendment is one of the most neglected areas in Ascot and that the scheme amendment will encourage development and the beautification of the area.	Noted.
7.	T. Xie 56 Hay Road, Ascot	7.1 Major shareholder in a company which owns a property in Development Area 9.	Noted.
		7.2 In support of the scheme amendment.	Noted.
		7.3 Considers that by increasing the density, owners of properties within the precinct will be encouraged to develop their land and make the surrounding area nicer.	Noted.
		7.4 Also considers that the amendment will give more people the opportunity to live closer to the river precinct.	Noted.

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8.	S. Carter 3/10 Marina Drive, Ascot	8.1 Opposes modifying the density coding over properties bound by Hay Road, Faunteroy Avenue, land reserved for Parks and Recreation and properties zoned Mixed Use fronting Great Eastern Highway from R20 to R60 .			Noted.
		8.2 Considers that the Structure Plan for Development Area 9 is in contradiction/conflict with a number of strategies and plans as outlined in the table below.			<p>The lots the subject of this amendment are currently zoned Residential with an R20 density coding. The amendment is proposing to amend the density coding of these properties from R20 to R60.</p> <p>The amendment within itself does not propose the removal of any vegetation within the precinct. Refer to comments under the heading Environment in the Officer Comment section of the report.</p> <p>The lots the subject of this amendment are not impacted by the Swan River Trust Development Control Area.</p> <p>Main Roads WA outlined in their submission that they have no objections to the proposed amendment.</p> <p>There is no evidence to suggest that future development on the lots will result in the removal of trees. Refer to comments under the heading Environment in the Officer Comment section of the report.</p>
		Covering plan/law applicable	Objectives/excerpts from the covering plans/laws	DA9 rezone under consideration - flaws	
		8.2.1. The Strategic Community Plan 2020 - 2040 Goal 3 Natural Environment. Goal 3.1	<p><i>"Protect and enhance our natural environment".</i></p> <p>In this document the Mayor states <i>"The Plan outlines our community's shared vision and aspirations for the future. It acts as the City's overarching document to provide guidance to those making tough decisions related to competing priorities and resource limitations, whilst maintaining a focus on the 'big picture' and acting for the good of the whole City. For the good of the whole City!</i></p> <p><i>There is a connection with the river and natural areas. Sustainability is important to us. Belmont will be known for its strong connection to the environment especially the river and trees. The verges will be green and dominated by natural plantings. Parks will continue to be well maintained and their natural appeal will be enhanced. Sustainable development and expectations of sustainable practices of businesses are a part of the social fabric. "</i></p>	<p>Intention is to rezone to R60 plus and remove all but one significant flooded gum tree (#205).</p> <p>City of Belmont Arborist approves/d the action.</p> <p>The changes if approved still need discussions with Main Roads and the Swan River Trust.</p> <p>So recommendations not based on full disclosure or commitment of other stakeholders.</p>	
8.2.2. The Urban Forest Canopy Plan 2019-2024 (NB3.2)	<p><i>"develop partnerships and support research to retain, create and enhance canopy coverage in City projects and programs"</i></p> <p><i>Notably: "The City of Belmont has already observed a 28% decline of canopy cover in residential zones between 2001 and 2012, largely due to urban infill development"</i></p> <p>Councillors' endorsement of the Urban Forest Canopy Plan provided direction:</p>	<p>The change to R60 and subsequent development will result in the removal of 15-16 semi-matured Flooded Gum trees, retaining only one fully matured tree (no 205);</p> <p>Omission to advise that a tree canopy reduction on the subject land, i.e.</p>			

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			<ul style="list-style-type: none"> to increase canopy cover within streetscapes, public open space and City-managed land with no net loss of canopy cover on this land; to implement current industry best practices and standards to help trees grow to their full arboricultural potential. 	<p>a further removal of 16 semi matured flooded gum trees from the City's already small canopy can never be regained. It cannot be recompensed by the planting of other smaller non mature and possibly non-native species of plants. Removal of 16 healthy semi matured trees will not help them grow to their full arboricultural potential.</p>	<p>The lots the subject of this amendment are currently zoned Residential R20 and can therefore be developed in line with this zoning and the associated density coding. These lots are not currently classified as public open space. It should be noted that Perth Airport's drain, that traverses the precinct, is piped and that land the subject of this amendment is not located within the floodway or flood fringe.</p> <p>The Local Structure Plan for the Development Area 9 precinct does not expire until 2025.</p> <p>The City does not currently own any of the land parcels that are the subject of this amendment and therefore has no authority to plant trees on the lots. It should be noted however that the R-Codes, relating to apartments, now requires site planning to maximise retention of existing healthy and appropriate trees and development to include deep soil areas and trees. Similar requirements are proposed in the draft R-Codes - Medium Density.</p>
8.2.3. Parks and Reserves Act 1985, S8 (r)	Duties prohibiting damage or injury to and destruction of trees, shrubs, plants and flowers on the land.	<p>The lots in question are described as being close to the river and lying over natural drainage (airport) areas and on 100-year flood water plains. It is the City's duty to prohibit damage, injury and destruction to this land.</p> <p>An opportunity to retain and enhance public open space is forgone.</p>			
8.2.4. DesignWA and Planning Reform objectives 2019-current	To include more trees and gardens; space for trees and deep soil areas as well as to provide for a tree to be planted for each dwelling	<p>The proposed zoning changes are based on 2013 planning models which are now 7 years old and outdated.</p> <p>Nevertheless, a tree for each dwelling would amount to several hundred trees that cannot be planted on the subject land by the City.</p>			

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		<p>8.2.5. State Government, December 2000, Bush Forever strategy (refer 1996 National Strategy for the Conservation of Australia's Biological Diversity for the Swan Coastal Plain portion of the Perth Metropolitan Region)</p>	<p>The land abuts the Swan River and although it was cleared in the past it can be revegetated to its natural riverside native vegetation. The land must be revegetated rather than developed as it is of environmental heritage. It consists of a declining species of flooded river gums (note Appendix 2 of the DA9 Plan) and the article "Flooded Gum (<i>Eucalyptus rudis</i>) decline in the Perth Metropolitan Area: A Preliminary Assessment", 2001, Jonathan Myer, R.E. Clay.</p> <p>The traditional peoples have ownership rights.</p> <p>The flooded gum is a unique part of the Swan River water ways and protected by international agreement</p>	<p>The City has omitted to advise this is a bush forever zone.</p> <p>The Plan glosses over the environmental significance due to unique habitat and proximity to the river foreshore.</p> <p>There is no mention of environmental heritage of trees or for the Nyoongar peoples.</p> <p>The rezoning offers no recognition of protection of waterbird migratory species under international conventions.</p>	<p>The lots the subject of this amendment are not classified as Bush Forever sites.</p> <p>The lots are zoned Residential, with an associated density coding of R20, under the City of Belmont Local Planning Scheme. This means that the lots can already be developed in accordance with this zone and density code. The amendment proposes to amend the density coding of the lots and does not propose to amend their existing Residential zoning.</p>
		<p>8.2.6 Natural observation and experience</p>	<p>Construction times are lengthy lasting 24-36 months and disrupt existing natural fauna and flora cycles.</p> <p>Airborne dust will impact significantly on the unique species that habitat this area. Airborne dust chokes habitat.</p> <p>Land will need filling to build up natural flood plains.</p>	<p>Rezoning of the land will allow R60+ development to benefit developers.</p> <p>Omitted that disruption times and construction times will occur over 24-30 months likely to disrupt natural fauna and flora cycles.</p>	<p>There is no timeframe for the redevelopment of the area. It should be noted that development can currently occur on the lots irrespective of this amendment; however, landowners within the precinct may not choose to undertake development on their lots.</p>
		<p>8.2.7 Register of trees Appendix 2</p>	<p>All 16 of the flooded gums are of value as continued canopy, not just matured trees.</p> <p>All trees will be nominated for inclusion on the tree register within 7 days.</p>	<p>Appendix 2 City of Belmont Trees Report shows that only one tree (# 205) contains nesting birds and is valued at ~\$78,000.</p> <p>This omission is an oversight on behalf of the City's arborist.</p>	<p>There is no evidence to suggest that development in the area will negatively impact local wildlife. Notwithstanding, as part of the assessment of any future development applications, the City will need to consider the likely effect of the development on the natural environment.</p> <p>It should be noted that the Department of Biodiversity, Conservation and Attractions and Department of Water and Environmental Regulation did not object to proposed amendment.</p> <p>Refer to comments under the heading Environment</p>

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				<p>The DA9 plan is incomplete as semi mature trees become nesting trees. Also trees are valuable for many varieties of species not just nesting birds.</p>	<p>in the Officer Comment section of the report.</p>
		<p>8.2.8 Western Australia Planning Commission under the Metropolitan Region Scheme.</p>	<p>Infill targets based on predicted population growth are used but those targets omit to specify how a local government will provide more outdoor space when the reality is less outdoor space for more people.</p> <p>Old development styles and ideas were to allow infill which crammed onto the old blocks.</p> <p>Property development on small blocks 'infill' have created an urban heat zone and are aesthetically not pleasing.</p>	<p>WAPC is the main landowner having acquired the subject land from Roads Board.</p> <p>Acquisitions were made in 2010.</p> <p>Advertising and community consultation was last done in 2011, which makes it outdated now.</p> <p>The DA9 plan was developed in 2013.</p> <p>The land was reserved for the purposes of 'Parks and Recreation'.</p>	<p>This amendment does not relate to the lots that are currently reserved for 'Parks and Recreation' under the MRS.</p> <p>The amendment proposes to incorporate a number of development provisions into the Local Planning Scheme to facilitate high quality development outcomes on the lots. In addition to meeting these requirements, future residential development will also need to comply with the requirements of the Residential Design Codes.</p> <p>The land the subject of this amendment is not reserved under the MRS for 'Parks and Recreation'.</p>

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		8.2.9 Swan and Canning Rivers Management Act (2006)	Swan River Trust conditions apply in regard to land which falls within, or adjacent to, Development Control Areas. The land falls under Section 14 of the	<p>The WAPC advise that the reservation of the subject land may be surplus to the requirements of the Swan River foreshore and therefore may be suitable for urban development, subject to further investigation.</p> <p>This is a breach of the Swan and Canning Rivers Management Act 2006.</p>	
		8.3	The State Government as the major land holder is duty-bound to ensure plans broadly specified by them and specifically overseen by local government (and to be eventually approved by the Joint Development Panel) adhere to their own prescribed policies, plans and laws.	All development is assessed against the local planning scheme and any relevant policies/legislation, irrespective of the decision making authority.	
9	Belmont Residents and Ratepayer Action Group Inc. PO Box 73 Belmont WA 6104	9.1	Notes that the lots the subject of this amendment were reflected in the Local Structure Plan as being zoned 'Residential' with an 'R20/60' density code. Queries why this was never normalised into the Local Planning Scheme, and why the existing R20 coding has continued to apply.	<p>The R20/60 density coding was not normalised into the Local Planning Scheme when the Local Structure Plan was approved by the Western Australian Planning Commission as:</p> <ul style="list-style-type: none"> • The Local Structure Plan identified that further planning was required for the portion of the precinct that is currently reserved for 'Parks and Recreation'; and • The landowners had not submitted an amendment to the City's Local Planning Scheme to normalise the density coding. 	

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		<p>9.2 Notes that changes to the planning framework have occurred over the years and that any amendments to Local Structure Plans need to be consistent with the current models.</p> <p>Furthermore, stipulates that whilst it may not be a requirement under the Planning and Development Act to readvertise, due to this being considered a minor amendment, given the Local Structure Plan was approved in 2013, and a significant time has passed, questions whether it is appropriate to provide landowners with the opportunity to comment on the proposed amendment.</p>	<p>The proposed scheme amendment was advertised in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, to landowners and occupiers within and surrounding the precinct.</p>
		<p>9.3 Outlines that 185-196 Hay Road, which is land reserved for Parks and Recreation and was once a wetland, has been filled in overtime with colourbond fencing. Notes that this is not outlined in the report and questions whether there is a different intent planned for this land.</p> <p>Outlines that land reserved for 'Parks and Recreation' should not end up being for development. Considers that the City already has a significant amount of development and proposed development and that the more residents within a locality, the more parks and recreation areas that are needed.</p>	<p>Lots 185-196 Hay Road are currently reserved 'Parks and Recreation' under the Metropolitan Region Scheme and are in the ownership of the Department of Planning, Lands and Heritage. The Local Structure Plan recognises that further investigation and planning for these lots is required, due to their Parks and Recreation reservation, as well as the need to resolve issues pertaining to the Swan River Trust Management Area. As a result, these lots do not form part of this amendment.</p>
		<p>9.4 Considers that the proposed development area is going to cause the loss of a significant number of trees. Does not consider that the removal of 15-16 flooded gums is acceptable. Outlines that with climate change being a priority and Belmont being named one of the hottest localities in the country, it is shameful that this is even considered. Notes a 28% canopy decline over recent years, due to development and questions why the elected members are not giving any consideration to this.</p>	<p>Refer to comments under the heading Environment in the Officer Comment section of the report.</p>

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		<p>9.5 Notes that the City of Belmont has an Urban Forrest Canopy Plan which aims to increase canopy cover within streetscapes, public open space and City-managed land, with no net loss of canopy cover.</p> <p>Notes that land reserved for 'Parks and Recreation' is not privately owned land and falls within the Urban Forrest Canopy Plan. As such considers that any development, which will result in the removal of significant trees, is inconsistent with the Urban Forrest Canopy Plan.</p> <p>Does not consider that planting smaller replacement trees will compensate for such a significant loss of the trees that will occur if this development goes ahead.</p>	<p>The lots the subject of this amendment are not reserved for 'Parks and Recreation', they are privately owned lots with a 'Residential' zoning. The amendment within itself does not propose the removal of any vegetation within the precinct.</p> <p>There is no evidence to suggest that future development on the lots will result in the removal of trees. Refer to comments under the heading Environment in the Officer Comment section of the report.</p>
		<p>9.6 Outlines that the traffic report states that there is the potential for development within the precinct to generate 550 vehicles per day, 64 vehicles per hour and 38 vehicles per hour in the AM and PM peak hours respectively. States that whilst this may be considered minor, it would seem that traffic reports do not look at the big picture and only the specific area for which the report relates.</p>	<p>Refer to comments under the heading Traffic in the Officer Comment section of the report.</p> <p>The wider road network (Great Eastern Highway) is under the care and control of Main Roads Western Australia who are responsible for monitoring traffic flows and undertaking improvements to address issues if and when they arise.</p>
		<p>9.7 Considers that whilst new development areas may sound acceptable in their own right, when assessed collectively that they will have a significant impact on current residents who use Great Eastern Highway. Notes that Belmont residents have two main roads in and out which are Great Eastern Highway and Leach Highway.</p> <p>Considers that residents who utilise Great Eastern Highway will be significantly impacted, taking into consideration existing traffic and traffic associated with new developments in DA6, Golden Gateway, Midland and the hills. Outlines that care needs to be given to ensure that residents of Belmont can still access and egress the locality.</p>	<p>Great Eastern Highway and Leach Highway are under the care and control of Main Roads WA. Main Roads WA is responsible for monitoring traffic flows along these roads and undertaking improvements to address issues when they arise.</p>
		<p>9.8 Considers that the report only contained a basic environmental assessment from City staff, who recommended work be undertaken. Considers that due to the significance of the environment on both our flora and fauna, that a full assessment should be sought from the EPA prior to any approvals for changes to the LPS being granted.</p>	<p>Prior to the proposed scheme amendment being advertised, it was referred to the Environmental Protection Authority (EPA). The EPA considered that the proposed scheme should not be assessed under the <i>Environmental Protection Act</i> and that it was not necessary to provide any advice or recommendations.</p>

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10.	D. Snell 11 Wedderburn Place Ascot WA 6104	<p>10.1 Objects to the proposed rezoning of the land on Hay Road.</p> <p>10.2 Considers that the proposed density will increase the volume of traffic and population in a sensitive area. Notes already experiencing the inconvenience of traffic when an event is held in Garvey Park. Also considers that the quiet neighbourhood will be overrun with traffic.</p> <p>10.3 Considers that the river foreshore will suffer with the increase in people.</p>	<p>Noted.</p> <p>Refer to comments under the heading Traffic in the Officer Comment section of the report.</p> <p>Prior to the proposed scheme amendment being advertised, it was referred to the Environmental Protection Authority (EPA). The EPA considered that the proposed scheme should not be assessed under the <i>Environmental Protection Act</i> and that it was not necessary to provide any advice or recommendations. It should also be noted that the Department of Biodiversity, Conservation and Attractions submission did not object to proposed amendment.</p>

Agencies

No.	Submitter	Summary of Submission	Officer Comment
11.	Department of Planning, Lands and Heritage Locked Bag 2506 Perth WA	11.1 Notes that Hay Road and Fauntleroy Avenue are local roads under the care and responsibility of the City of Belmont and that Great Eastern Highway is reserved as a Primary Regional Road under in the Metropolitan Region Scheme under the responsibility of Main Roads WA.	Noted.
		11.2 Given the proximity of the proposal to the regional road network, the Western Australian Planning Commission's State Planning Policy 5.4 (SPP 5.4) is applicable, which seeks to minimise the adverse impact of transport noise on proposed developments.	Noted.
		11.3 It is recommended that due considerations be given to SPP 5.4 requirements and that all necessary measures, as detailed in the SPP 5.4 Implementation Guidelines, be applied to future development.	Schedule No. 9 of the Scheme Text relating to Development Area 9 is proposed to include a provision requiring a Local Development Plan to be submitted and approved as a requirement of any subdivision approval involving the creation of vacant lots. As part of the Local Development Plan, transport noise management will be required to be addressed. Furthermore, any future development within the precinct will be required to be assessed in accordance with the requirements of State Planning Policy 5.4.
12.	ATCO Gas Australia Locked Bag 2 Bibra Lake DC WA 6965	12.1 ATCO has considered the documentation provided by the City and advertised on the City's website and has no objection to the proposed Amendment 14 being formalised.	Noted.
		12.2 ATCO does not operate gas mains nor infrastructure within the Hay Road, road reserve; however we have medium pressure gas mains DN80 PVC 70kPa within the same side of Fauntleroy Avenue adjacent to the Property.	Noted.

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13.	Water Corporation Locked Mail Bag 2 Osborne Park Delivery Centre Osborne Park WA 6916	13.1 A desktop evaluation indicates that reticulated water of a sufficient capacity to serve the proposal is currently not available. The 100CI single feed main in Hay Road will not be able to serve multiple dwellings to the R-Codes specified. The future development will require a review of the existing scheme to determine the extent of the upgrades required. That review may take some time. The developer will need to provide more detail regarding the timing and staging of development and the proposed layout or structure plan (e.g. will an internal road be created?). 13.2 Reticulated sewerage is available in the area but an extension may be required to service any future development. All sewer main extensions required for the development site should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice. 13.3 The developer is expected to provide all water and sewerage reticulation required. A contribution for water and sewerage headworks may also be required. In addition the developer may be required to fund new works or the upgrading of existing works and protection of all works.	It will be the developer's responsibility to liaise with the Water Corporation in relation to future upgrades required to service redevelopment within the precinct. Noted. Noted.
14.	Department of Water and Environmental Regulation 7 Ellam Street, Victoria Park WA 6100	14.1 The Department of Water and Environmental Regulation has assessed the Local Planning Scheme Amendment and has no objections.	Noted.
15.	Main Roads Western Australia	15.1 Main Roads has no objections to the Scheme Amendment and provides the following comments.	Noted.

No.	Submitter	Summary of Submission	Officer Comment
	PO Box 602 East Perth WA 6982	<p>15.2 The Local Development Plan prepared to guide any vacant lot subdivision and development must include the following provisions:</p> <ul style="list-style-type: none"> a. Prior to occupation of the development, an acoustic report is to be prepared by a qualified acoustic consultant consistent with the requirements of State Planning Policy 5.4 – Road and Rail Noise submitted to the satisfaction of the City of Belmont in consultation with Main Roads and implemented thereafter. b. No vehicular access is permitted directly onto Fauntleroy Avenue for any future development of the subject site. <p>The functional area of the intersection is the area beyond the physical intersection of two roads that comprises decision and manoeuvre distances on the approaches and departures, plus any required vehicle storage length. Wherever possible, this area should be protected from interference by traffic entering the road from driveways. The location of an access close to a major intersection is often an issue in the design of major intersections as it has the potential to adversely affect both safety and capacity; hence why this comment has been made in this instance.</p> <p>See Austroads 2017 Guide to Road Design Part 4 Intersections and Crossings General, section 7.2 Property Access – for further details.</p>	Noted. This will be considered as part of a future Local Development Plan proposal.
		<p>15.3 Should the City disagree with or resolve to not include any of the above comments, Main Roads requests an opportunity to meet and discuss the scheme amendment further, prior to a final determination being made.</p>	Noted.

No.	Submitter	Summary of Submission	Officer Comment
		<p>15.4 Main Roads advises that it offers a free of charge pre-lodgment consultation service. Main Roads encourages both the Local Government in liaising with applicants to promote and capitalise on this free advisory service offered by the road authority prior to lodgment of strategic or statutory planning proposals, especially where development plans involve land adjacent to or have the potential to impact on the State road network. Further information on the pre-lodgment consultation process can be found on Main Roads website.</p>	Noted.
		<p>15.5 Main Roads requests a copy of the City's final determination on this scheme amendment to be sent to planninginfo@mainroads.wa.gov.au quoting the file reference above.</p>	Noted.
16.	<p>Department of Fire and Emergency Services</p> <p>20 Stockton Bend, Cockburn Central WA 6164</p>	<p>16.1 This advice relates only to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining approvals that apply to the proposal including planning, building, health or any other approvals required by a relevant authority under written laws.</p>	Noted.
		<p>16.2 Recommendation – supported compliant application. DFES advises that the bushfire management plan has adequately identified issues arising from the Bushfire Hazard Level assessment and considered how compliance with the bushfire protection criteria can be achieved.</p>	Noted.

No.	Submitter	Summary of Submission	Officer Comment
17.	Perth Airport Pty Ltd PO Box 6 Cloverdale WA 6985	<p>17.1 The National Airports Safeguarding Advisory Group, comprising of Commonwealth and State Government planning and transport Departments and Authorities, has developed the 'National Airports Safeguarding Framework.' The NASF is a national land use planning framework that aims to:</p> <ul style="list-style-type: none"> • Improve community amenity by minimising aircraft noise-sensitive developments near airports; and • Improve safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions through guidelines being adopted by jurisdictions. 	Noted.
		<p>17.2 The NASF contains nine guideline documents which assist in achieving the listed aims. Guideline A of the framework is titled 'Measures for Managing Impacts of Aircraft Noise' and specifically addresses the suitability of different development scenarios in aircraft noise affected areas. All levels of decision makers, including Local Governments, are encouraged to review and take guidance from the framework and consider it as part of their assessment.</p>	Noted.
		<p>17.3 Guideline A uses 'noise above' contours as its reference, which relate to the specific number of events that a decibel level is exceeded. The N65 is a 'noise above' metric, and is produced because the ANEF is not well suited to conveying aircraft noise exposure to the community, as over-flight frequency and the sound level of single events (typically two factors that determine how a person will react to noise) are not clearly translated by the ANEF system.</p>	Noted.
		<p>17.4 Perth Airport produces the N65, which demonstrates the likely effect of aircraft noise exposure on an area or a development, at the ultimate airfield capacity. The N65 is publicly available on the Aircraft Noise Information portal, viewable from Perth Airport's website.</p>	Noted.

No.	Submitter	Summary of Submission	Officer Comment																						
		<p>17.5 The NASF is consistent with State Planning Policy 5.1 (SPP 5.1), in that it aims to ensure residents and prospective residents are sufficiently informed regarding aircraft noise. Although both documents are considered and referenced in this response, SPP 5.1 is ultimately the prevailing document used in Western Australia.</p>	Noted.																						
		<p>17.6 The proposal is located outside the endorsed 2020 ANEF. Using the NASF recognised N65 contour, the subject site will experience up to 20 aircraft noise events above 65 decibels across an average day. Noise at this level is disruptive to a normal conversation even inside a building and will be unacceptable to most people. It is worth noting that the area will receive a significant number of additional aircraft noise events at a level less than 65 decibels, and these noise events may also cause annoyance to some people.</p> <p>An additional NASF recognised noise metric is the N60, which shows the number of events in excess of 60 decibels that can be expected over an average night (11pm-6am). The lower threshold was chosen to reflect the people's increased sensitivity to noise in this period. The subject site will experience up to 50 aircraft noise events above 60 decibels across an average night.</p> <p>A summary of Guideline A is provided in the table below, and the applicable requirements for the subject proposal are highlighted:</p> <table border="1" data-bbox="514 971 1087 1195"> <thead> <tr> <th></th> <th>Within ANEF 20 contour</th> <th>Within 50+ N65 contour</th> <th>Within 6+ N60 contour</th> </tr> </thead> <tbody> <tr> <td>Rezoning Greenfield areas from Rural to Residential</td> <td>Prohibit</td> <td>Avoid permitting</td> <td>Avoid permitting</td> </tr> <tr> <td rowspan="2">Rezoning Brownfield areas</td> <td>Require Insulation</td> <td>Require Insulation</td> <td>Require Insulation</td> </tr> <tr> <td>Require Notification on Title</td> <td>Require disclosure to future residents</td> <td>Require disclosure to future residents</td> </tr> <tr> <td rowspan="2">Development Applications for existing Residential zoned land</td> <td>Require Insulation</td> <td>Require Insulation</td> <td>Require Insulation</td> </tr> <tr> <td>Require Notification on Title</td> <td>Require disclosure to future residents</td> <td>Require disclosure to future residents</td> </tr> </tbody> </table>		Within ANEF 20 contour	Within 50+ N65 contour	Within 6+ N60 contour	Rezoning Greenfield areas from Rural to Residential	Prohibit	Avoid permitting	Avoid permitting	Rezoning Brownfield areas	Require Insulation	Require Insulation	Require Insulation	Require Notification on Title	Require disclosure to future residents	Require disclosure to future residents	Development Applications for existing Residential zoned land	Require Insulation	Require Insulation	Require Insulation	Require Notification on Title	Require disclosure to future residents	Require disclosure to future residents	Noted.
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No.	Submitter	Summary of Submission	Officer Comment
		<p>17.7 The subject site will experience up to 60 N60 night-time aircraft noise events, which meets the trigger within NASF Guideline A and therefore insulation is recommended. Further, current/prospective landowners should be made aware of the location of the area within certain aircraft noise contours. This is particularly relevant to the N60 metric as the evening is when people are generally more sensitive to noise disturbances and up to 50 noise events is the highest contour Perth Airport models for the N60. The impact of this high N60 reading has influenced Perth Airport's recommendation.</p>	<p>As the lots are not located within the 20+ ANEF contour, the City cannot apply the requirements (i.e. notification on title and/or noise mitigation) of State Planning Policy 5.1 – Land use planning in the vicinity of Perth Airport.</p>
		<p>17.8 As outlined in the amendment documentation, 52 Hay Road contains significant drainage infrastructure that bisects the lot.</p> <p>The airport drain services drainage along Fauntleroy Avenue and at the Fauntleroy/Great Eastern Highway intersection and thus services the City's drainage regime. Perth Airport and the City of Belmont have shared correspondence over a number of years regarding this infrastructure. The proposed amendment will facilitate the development of land surrounding this infrastructure. Perth Airport has no objection to this, providing this infrastructure continues to be protected.</p>	<p>Noted.</p>
		<p>17.9 Perth Airport as the lessee of the Commonwealth owned property known as 52 Hay Road, together with the Commonwealth have no desire to dispose of the property given its critical drainage function.</p>	<p>Noted.</p>

No.	Submitter	Summary of Submission	Officer Comment
		<p>17.10 Should the City resolve to approve the proposal, Perth Airport recommends the following:</p> <ul style="list-style-type: none"> • Condition 1: Dwellings are to be constructed with insulation to meet Australian Standard AS2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction. • Condition 2: Existing drainage infrastructure located within and in the vicinity of 52 Hay Road, shall be protected. • Condition 3: Perth Airport shall be notified in writing and provided an opportunity to assess risks to airport infrastructure, prior to any works being undertaken in the vicinity of 52 Hay Road. • Advice i: The subject area is located within the 10-20 N65 and 20-50 N60 contours. For further information on aircraft noise the applicant/owner may contact Perth Airport’s Infrastructure Planning team on 9478 888 or planning@perthairport.com.au or visit Perth Airport’s Aircraft Noise Portal. 	<p>As the land the subject of this amendment is not located within an ANEF Contour it is not considered necessary or appropriate to require dwellings to be constructed with insulation to meet Australian Standard AS2021:2015.</p> <p>Any development proposed within the vicinity of drainage infrastructure within 52 Hay Road, Ascot can be referred to Perth Airport for comment and will be required to protect existing drainage infrastructure.</p>
		<p>17.11 Given the above, Perth Airport neither supports nor objects to the proposal subject to the advice provided.</p>	<p>Noted.</p>
<p>18.</p>	<p>Department of Biodiversity, Conservation and Attractions</p> <p>Locked Bag 104 Bentley Delivery</p>	<p>18.1 It is understood that as part of the proposed Local Planning Scheme amendment a Local Development Plan will be required to guide any vacant lot subdivision in the subject area in the absence of a development approval. DBCA looks forward to working with the City of Belmont on any future Local Development Plan for the subject area.</p>	<p>Noted.</p>

No.	Submitter	Summary of Submission	Officer Comment
	Centre Western Australia 6983	18.2 The DBCA has no objections to the subject scheme amendment.	Noted.