
FINAL ADOPTION OF SCHEME AMENDMENT NO.5 TO TPS NO.4 – LOT 62 CROYDEN ROAD, ROLEYSTONE

A late agenda item dealing with the Special Meeting of Electors held on 5th October 2006 is circulated separately and needs to be considered by the Committee ahead of this report.

WARD : JARRAH
DATE : 24 September 2006
REF : IM
RESPONSIBLE MANAGER : EDDS
APPLICANT : Dykstra and Associates
LANDOWNER : Enchanted Valley Development Pty Ltd
SUBJECT LAND : Lot 62 Croyden Road, Roleystone
Property size 33.7440 ha
Map 27-06
ZONING MRS / TPS No.4 : Rural / Rural Living X

In Brief:

- An amendment to restrict the use of Lot 62 to a holiday accommodation resort was advertised for public comment for 8 weeks in June and July 2006.
- 105 submissions were received as well as a petition of 1321 signatures and 8 late submissions.
- The submissions have been analysed and recommended upon in the attached Schedule.
- Additional conditions and safeguards are recommended to be imposed on the future development, however it is considered that the amendment is appropriate and should be supported. In the absence of the amendment the proposal could proceed without the controls and requirements listed in the amendment.
- Recommend that Council adopt the amendment with modifications and request that the Hon Minister for Planning & Infrastructure grant final approval to the amendment.

Tabled Items

Nil.

Officer Interest Declaration

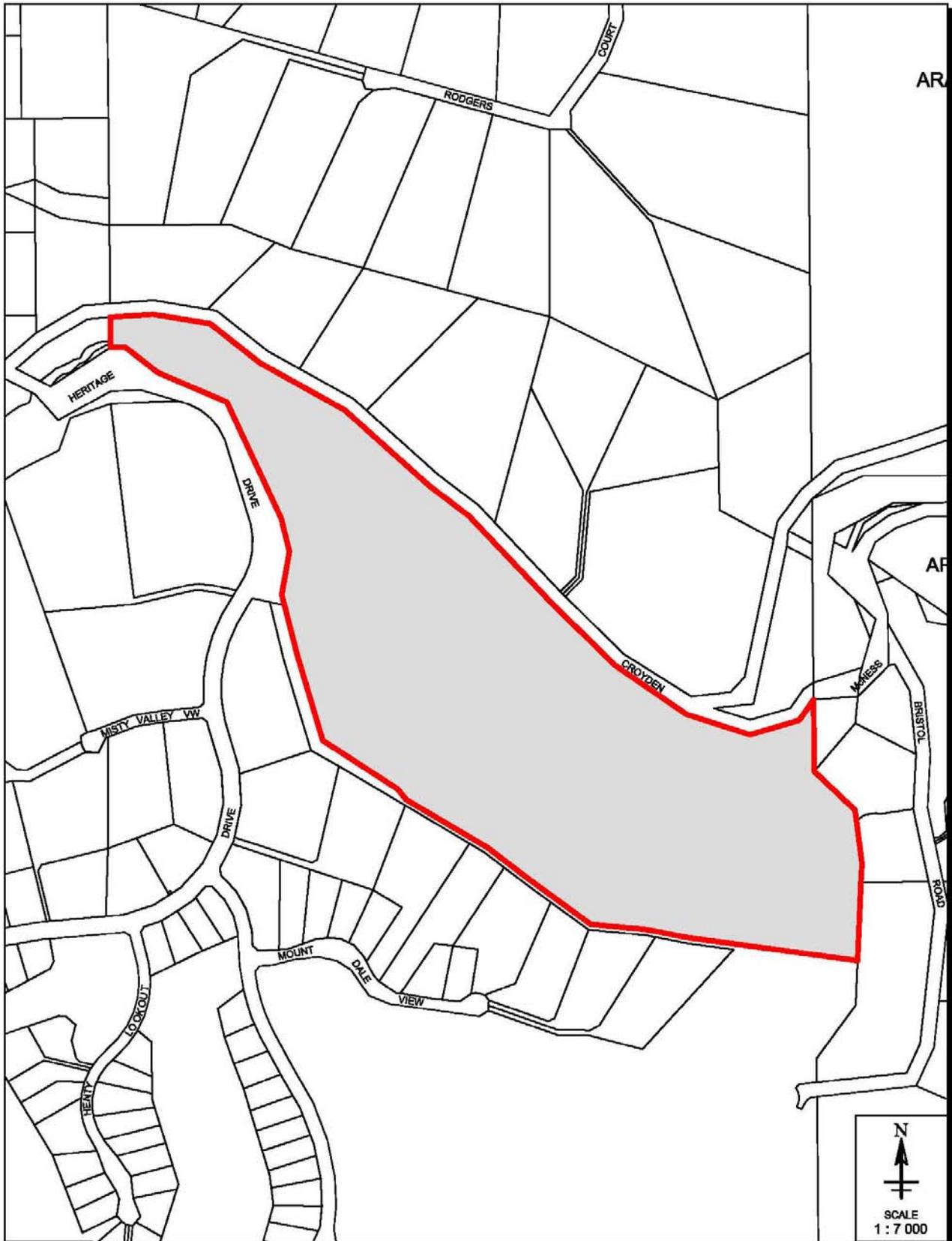
Nil.

Strategic Implications

Developing our City “balance the needs of development with sustainable economic, social and environmental objectives”.

Legislation Implications

Planning and Development Act 2005
Town Planning Scheme No.4
Metropolitan Region Scheme



**LOCATION PLAN
LOT 62 CROYDEN ROAD, ROLEYSTONE**

Council Policy / Local Law Implications

Local Planning Strategy 2005

PLN 2.5 - Erosion Prevention and Sediment Control

PLN 2.6 - Water Sensitive Design

PLN 2.7 - Environmental Management and Improvement Policy for Development of Constrained Land

Budget / Financial Implications

There may be budgetary implications associated with the provision of alternative access to the Araluen Estate, should this be preferred. However, such an initiative would not be a necessary consequence of the proposed development.

Consultation

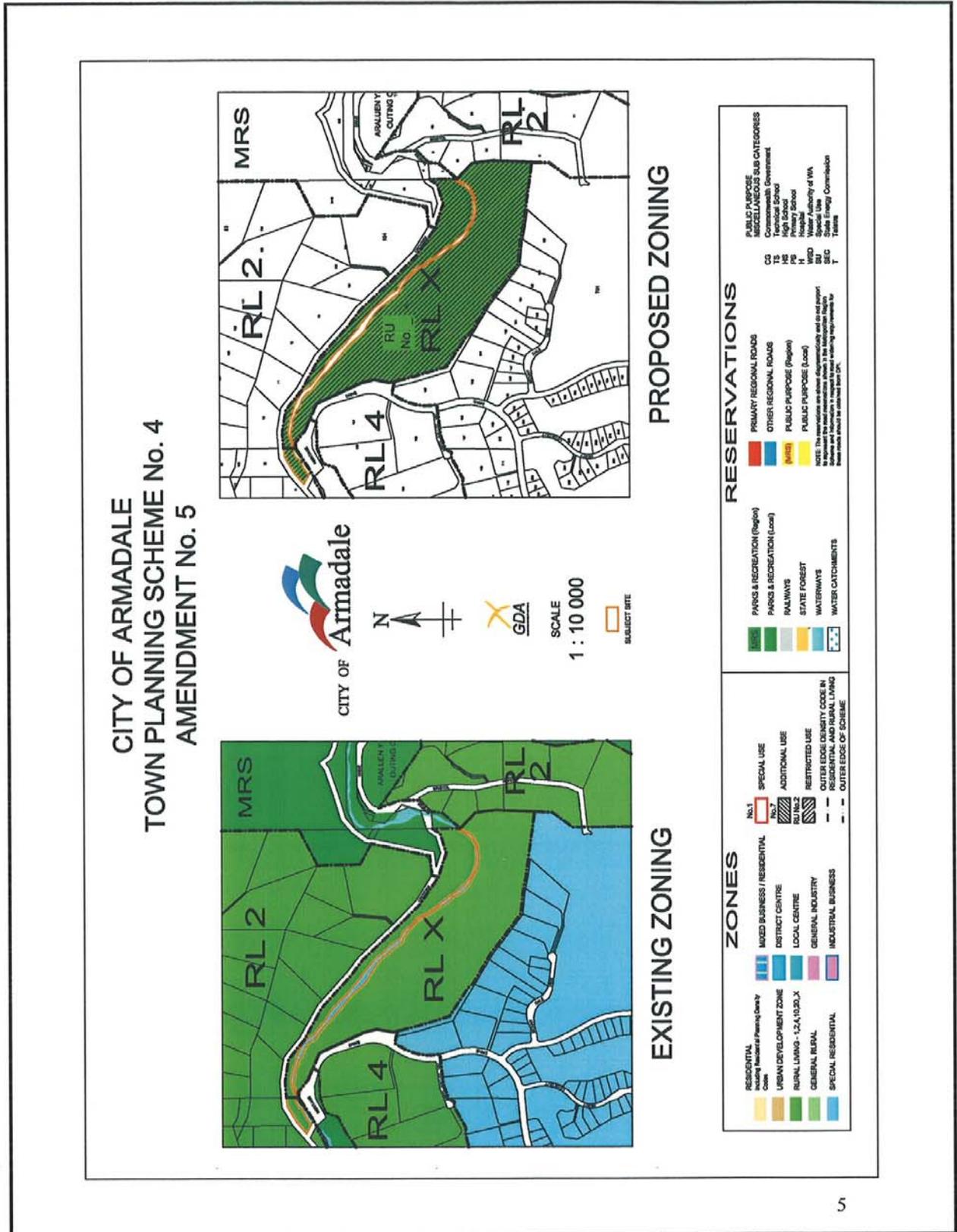
- ◆ Development Control Unit.
- ◆ Advertising was carried out by way of a sign on-site, notification to relevant Government agencies, advertisements in the “Western Australian” newspaper and local community newspapers and letters to affected and nearby landowners.
- ◆ Public meeting in Roleystone Hall on 22nd June 2006.
- ◆ Special Electors Meeting – 5 October 2006.

BACKGROUND

Lot 62 Croyden Road Roleystone is a 33.744 hectare vacant lot through which the Canning River traverses. The land is partially covered by trees and bushes but includes a number of cleared areas where the land has a history of grazing uses. The land occupies a 1200 metre frontage of the Canning River (the dimensions of Lot 62 being 1350m by 370m) and generally slopes down from the 160m contour in the south to the Canning River at between the 101m contour in the east to the 95m contour in the west.

Lot 62 was excluded from Amendment No.79 to Town Planning Scheme No.2 which permitted the development of the Araluen Residential Estate. However, the negotiations between the City, the State Government and the developer (Sangora Holdings) resulted in the commitment being made that Lot 62 would not be subdivided without the City’s consent. The legal agreement between the City and the developer confirmed this constraint, although there was no specified restriction on the development of the land. As part of the further negotiations the then Minister for Planning required that land between the Canning River and Croyden Road be given up as a foreshore reserve, however, the State appears to have approved the subdivision of the Araluen Estate without requiring this to occur.

Over the past decade the Araluen Estate has developed as a prime residential estate with approximately half of the potential 340 lots being developed with a house. A further amendment (No.119) was finalised in 1997 allowing for the development of 50 holiday accommodation chalets in the eastern valley of the Araluen Estate. In August 2000 approval was issued for chalet development, however this was never acted on and has since lapsed.



In September 2004 discussions between the owners of Lot 62 and the City's Planning Department resulted in the submission of a request to amend TPS No.2 to permit a Holiday Accommodation Resort. Additional technical information in support of the proposal was sought and received in May 2005 by which time TPS No.4 was nearing finalisation. Accordingly the proposed amendment was delayed and considered by Council upon gazettal of TPS No.4 in November 2005. At its meeting Council agreed that the amendment be advertised for public comment subject to the consent of the WAPC and the environmental assessment of the EPA.

The proposed Amendment would result in the Rural Living X zoning of Lot 62 Croyden Road being modified to include 'Restricted Use' provisions that would specifically allow for the construction of a holiday accommodation resort in stages (subject to the submission of a detailed Planning Application). The majority of the land uses normally associated with the Rural Living zone would not be permitted with only Holiday Accommodation, Dam construction, Reception Centre, Recreation Private, and Restaurant being permitted with Council approval. A range of requirements were also included in the proposed Amendment relating to the ceding of a foreshore reserve, the need to prepare various studies and plans, undertake works and gain approvals from other agencies.

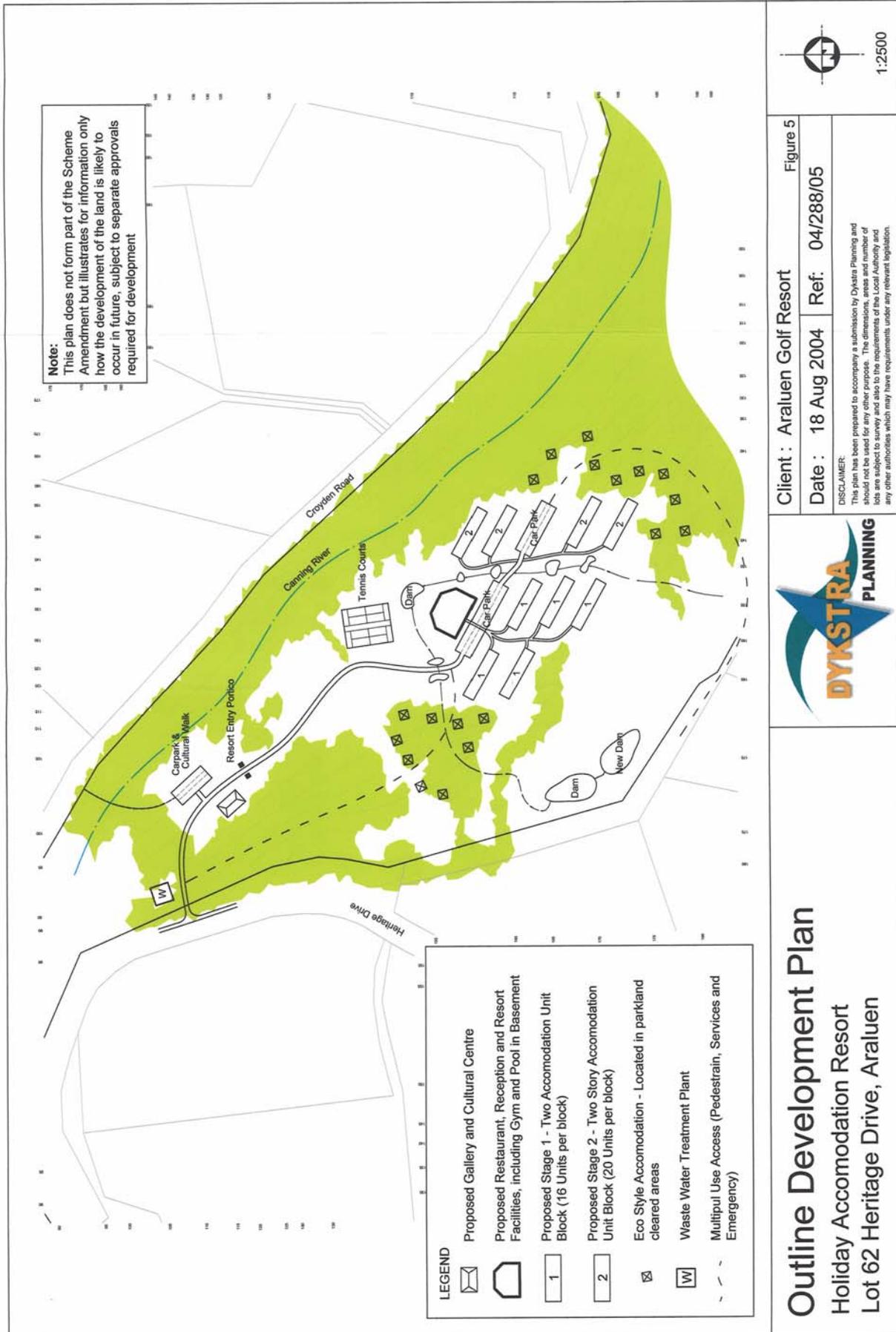
The proposed Amendment was advertised for public comment for 42 days from 7th June 2006 by means of publication in the West Australian and local papers, notification of adjoining and nearby landowners and two signs placed on site. Following a request for an additional time for providing comment, the closure of the submission period was extended from 19th July to 2nd August 2006.

Technical information in support of the proposed Amendment was provided by consultants to the proponent. This was made available on the City's website and included:

- ◆ Scheme Amendment Report summarising the purpose of the amendment and the supporting documents;
- ◆ Consultant overview report prepared by Dykstra and Associates;
- ◆ Geotechnical Report prepared by Infra Tech Pty Ltd;
- ◆ Environmental Report by Infra Tech Pty Ltd and Syrinx Environmental Pty Ltd;
- ◆ Traffic Impact Assessment report by Uloth and Associates;
- ◆ Supplementary information regarding the proposed wastewater treatment plant and stormwater management by Infra Tech Pty Ltd; and
- ◆ Elevations and Perspectives prepared by Arnold Schiebaan.

DESCRIPTION OF PROPOSAL

It is proposed that a high quality international resort be constructed offering up to 160 living units and 19 chalets. The units would be constructed in two stages with five modules containing 16 units in each stage. The modules would be two storeys in height. The last stage would comprise the chalets. In addition it is proposed to construct a resort centre with reception, restaurant, lounge bar, banquet and conference facilities, tennis court, gym, pool and public gallery/cultural centre.



The proposed development would be located predominantly within the area of Lot 62 which has been cleared for grazing purposes. The chalets are shown as located within the areas of bush. Development would occur outside of the 100m flood line and at a distance of over 30m from the Canning River.

Development would not intrude upon the Canning River which traverses the site. As part of the development, a reserve either side of the river would be given up for public use.

Access to the site is proposed via a connection to Heritage Drive at a point where the road straightens as it rises up to the Estate and where sight distances are 116m looking south and 131m looking north.

The development is proposed to be connected to reticulated water and power. The proponent anticipates the need for an on-site waste water treatment plant to manage effluent disposal to the standards required by the EPA and Health Department of WA.

COMMENT

The submissions from government agencies and the public have been summarised, commented and recommended upon and appear in a complete *Schedule of Submissions at Attachment “A1” of the Late Item Agenda*.

Refer to Confidential Attachment “B1” (sheets 1-4) of the Late Item Agenda for location plan of respondents.

State Government Agencies

Agency comments are summarised below.

Department of Environment

The EPA on 22 May 2006 advised that the amendment should not be assessed under Part IV of the EP Act subject to advice relating to:

- ◆ Watercourse – DoE advises that it does not support any development within 30m of minor watercourses and recommends a vegetated buffer be established along the watercourse.
- ◆ Water management – Direct discharge of stormwater into watercourses is not supported. The stormwater management system should be designed to protect the water quality and ecology of the downstream surface and groundwater receiving environment.
- ◆ Remnant vegetation – Native vegetation should be preserved so far as practicable. Measures should be taken to ensure the identification, protection and management of any significant vegetation. Clearing native vegetation is prohibited unless authorised and revegetation is supported.
- ◆ Wastewater treatment plant – The scheme provision requiring on-site wastewater treatment plant approval of DoE and Department of Health is supported.



**AERIAL PHOTOGRAPH
LOT 62 CROVDEN ROAD, ROLEYSTONE**

Western Australian Planning Commission (WAPC)

WAPC advised of no objection to advertising the amendment on 3rd January 2006. While the City would normally have the ability to advertise the amendment without seeking WAPC approval, the City opted to seek WAPC approval in case there was any dispute regarding the consistency of the Amendment with the Metropolitan Region Scheme, the Act or any Statement of Planning Policy. The WAPC advised on 3rd January 2006 that the Amendment was consistent with the requirements.

Department for Planning and Infrastructure (DPI)

DPI advised that in view of the Amendment affecting the river and the river foreshore it is considered desirable that a foreshore reserve be ceded free of cost. Unless topography or some other site circumstances dictates otherwise, a minimum 30 metre wide foreshore reserve should be provided. The reserve should be provided for in the Scheme Amendment.

Swan River Trust

The Swan River Trust advised in a submission that:

- a) While the proposal is within a sensitive locality where intensive development would not normally be supported the proposal is supported in view of the wider benefits arising from tourist development subject to:
- b) Need to define “Holiday Accommodation Resort”;
- c) Including Single Bedroom dwelling, Single House, Multiple Dwelling and Grouped Dwelling as ‘X’ uses;
- d) Ceding free of cost a minimum 30m foreshore reserve either side of the river;
- e) The preparation of the following in addition to the plans already included in the amendment:
 - ◆ Sedimentation and Erosion Management Plan,
 - ◆ Construction Management Plan,
 - ◆ Vegetation survey and a Conservation Plan,
 - ◆ Landscaping Management and Planting Plan and
 - ◆ Visual Landscape Impact Assessment.
- f) The limitation of units to 120;
- g) Each unit to be limited to use as short-stay holiday accommodation (not more than one month occupancy per year);
- h) Development to be managed as holiday accommodation by one management body; and
- i) If developed in stages, the common facilities to be provided in the first stage.

Western Power

No objections.

Department of Indigenous Affairs

The Department advised of the omission from consideration of at least one Aboriginal site. The Scheme Report should address the Aboriginal heritage values of Lot 62. It was noted that there was a need to seek consent to use the land pursuant to Section 18 of the Aboriginal Heritage Act.

PUBLIC SUBMISSIONS

At the closure of the submission period 105 submissions and a petition containing 1,321 signatures had been received. An additional 8 submissions were received after the closure of the submission period. Late submissions were accepted up to 25 August 2006.

The overwhelming majority of submissions objected to or expressed concerns regarding the proposed Amendment. The main issues and concerns raised in the submissions are discussed below.

ISSUES ARISING FROM SUBMISSIONS

The following most significant issues were identified during the analysis of submissions and these are discussed and commented on as appropriate.

Statutory planning matters – procedural issues

Town Planning Scheme No.4 – 11 submissions

A number of submissions raised concern that the proposed amendment was contrary to the provisions and objectives of TPS No.4 which was gazetted in November 2005.

The purpose of the amendment is to alter TPS No.4 so it would not be surprising if it was contrary to the current provisions. Indeed, Council has, within the first year of the operation of TPS No.4, initiated 28 scheme amendments.

The Scheme objectives for the Rural Living zone (RL) are:

- ◆ to provide for a variety of rural living environments based on defined lot sizes, land form and natural environmental characteristics;
- ◆ to provide for a range of associated compatible development, consistent with the environmental opportunities and constraints applicable to individual sites;
- ◆ to ensure development is sited, designed and managed in harmony with the natural environment and so as to protect the rural landscape and amenity.

Given appropriate conditions and management, the proposal could be compatible with the Scheme objectives in view of the size of the land parcel and the extent of clearing.

Moreover, the proposal is in a number of respects consistent with TPS No.4 in view of the following uses being permitted at Council's discretion in the Zoning Table for the RLX zone:

- ◆ Holiday Accommodation "A",
- ◆ Dam construction "D",
- ◆ Reception Centre "A",
- ◆ Recreation Private "A",
- ◆ Restaurant "A".

The Amendment has been initiated to provide public input regarding the possibility of the whole site being allocated to resort development – which was not contemplated under the RLX zone. It is acknowledged that resort development could conflict with the objectives sought by the community for the locality – however, it is possible that a resort development could provide considerable community benefit and the opportunity for many to enjoy a Rural Living environment without detrimentally impacting upon in.

It should be noted that in the event of the amendment not proceeding, as the uses proposed are approvable under the existing Scheme provisions, a development application could be submitted and considered for the proposal and following a 14 day advertising period could be determined either by Council or the State Administrative Tribunal without the necessity of applying the conditions that would be required under the Amendment. Therefore, the City's view is that far from the Amendment being contrary to the Scheme, it provides safeguards and restrictions on future development that would not otherwise be available.

Local Planning Strategy – 10 submissions

A number of submissions were concerned that the proposed amendment indicated uses which would be contrary to the City's Rural Planning Strategy.

It is acknowledged that the proposal could be in part inconsistent with the City's Rural Planning Strategy (1999), this was a reason for undertaking a Scheme amendment to introduce Restricted Use provisions. However, it could be argued that by ensuring that a foreshore reserve will be given up as part of the development and the development will be restricted to already cleared areas while the majority of the 33 hectare lot will remain as bush, the proposal is consistent with the objectives of the Rural Strategy.

It should also be noted that the Rural Planning Strategy has no statutory status and was never adopted by the Council. The Strategy was an input into the Local Planning Strategy, which has been adopted as part of the Scheme. Appendix 3 of the Local Planning Strategy includes the Planning Objective for the Canning Valley "To preserve and enhance the scenic and environmental quality of the Canning Valley and to permit sensitive development of suitable upland areas," and to "promote public access where appropriate." Subject to the conditions relating to the design and management of the proposed development and its size in the context of the land on which it would be located, it is considered that the proposal would be consistent with the Strategy objectives.

Prefer existing chalet site – 14 submissions

A number of submissions expressed the view that development of the type proposed would be preferable on the site already approved. The town planning scheme (at Schedule 2 Number 30) specifies that holiday accommodation, restaurant and reception centre be permitted on Lot 701 (the golf course land) and “Holiday Accommodation shall be limited to a maximum of 50 Holiday Accommodation chalets or equivalent as determined by the City.” Some submissions expressed concern that the current proposal, if approved, would facilitate the development of two chalet/resort areas with potentially 229 units. The submitters argue that the general understanding in the past has been that the chalets would be located near to the Club House.

There is no obligation on the landowner to construct chalets in the locations allowed under the Scheme and proposals, such as the proposed amendment, need to be considered on their merits. While the applicant initially indicated that the current proposal superseded the original chalet proposal, it is now understood that it is desired to retain the option to develop chalets near to the Club House. Accordingly in view of the traffic assessment not having taken account of the impact of the existing chalet site it would be appropriate to reduce the number of units associated with the proposed development of Lot 62 by an equivalent number to those located near the Club House. This should be affected by including a specific condition in the Restricted Use Table to restrict the number of accommodation units on Lot 62.

The proposal is inconsistent with previous plans – 8 submissions

Some submissions expressed concern that the resort proposal was contrary to the expectations the community had for the use of Lot 62 which are variously considered to be commitments by Council or at least the landowner. Prior to the current application there has not been any proposal for specific development of Lot 62 and those who have enjoyed the open view of the land have understandably expressed a view that the current situation should continue.

It is possible that statements may have been made, or intentions expressed, by previous owners regarding the future development of Lot 62. While the earliest plans indicated its inclusion, Lot 62 was not included in Amendment 79 to TPS No.2 which created the Golf Course Estate. The submission on which the amendment was based noted in June 1991 that “Lot 62 is proposed to remain undeveloped and will continue to be used for light grazing purposes and does not form part of the project or the rezoning proposal.” A brochure used to promote the estate by the Estate developers indicated that it was the intention that little development would be observable from Croyden Road and that the scarp would be relatively undeveloped.

Within the legal agreements signed between the developer and the City commitments were made to construct a gravel pedestrian and cycle path on Lot 62 from Bevan Road to Bristol Road (since renamed Armenti Road) and it was agreed that Lot 62 not be subdivided without the consent of the City. While it can be assumed that the subdivision restriction related to concerns that Lot 62 should not be subdivided in a manner similar to the rest of the Estate for various, if unstated, reasons and the community may have believed that the undeveloped nature of Lot 62 would continue, the only restrictions are those laid down in the Scheme and legal agreement. These restrictions relate to the provisions of the Rural Living X zone, and the title restrictions restricting the subdivision of Lot 62. Accordingly, whatever statements may have been made by previous landowners, the current potential use of the land is guided by the provisions of the town planning scheme.

Design concerns about the specific development

Visual Impact – 16 submissions

Many submissions based their concern on the belief that the development would be visually intrusive.

It would be unlikely that much of the development would be seen by drivers along Croyden Road (as much of the development would be hidden by trees and the topography). The proponent has indicated that the development will be located in the lower areas of the site, sufficiently screened from view, with minimal removal of vegetation during construction. Given the slope and the landform of the site and its surrounds, the resort will be largely screened from view from surrounding rural residential properties. Moreover, the land on which the development is proposed is a large lot with dimensions of 1350m by 370m. Further, the design attributes and building materials of the resort will be required to be in harmony with the surrounding environment and strategic tree planting will provide additional screening where necessary.

It should be noted that the indicative designs provided by the applicant to illustrate the likely visual impact of the proposal were drawn from the point of most prominence – not from Croyden Road from where most people would view the development. While the visual impact would be a matter of particular attention at the development approval stage it may be appropriate to specify within the amendment guidance regarding height, bulk and even the total size of the development with the inclusion of a Scheme provision to specify: “The design, in particular height, colour and texture, and positioning of the buildings shall have regard to the natural landscape and views from public vantage points”. It should also be noted that Scheme provisions are proposed in respect of landscaping and planting requirements and these will assist in minimising visual impact.

Resort is too large – 4 submissions

Some submissions objected to the scale of the development.

While the avowed intention of the proponent is to develop in two 80 unit stages, plus 19 chalets, the proposed Amendment places no specific limit on the number of units to be permitted on site. It may be appropriate to consider such a restriction, particularly in view of the existence of an area of potential chalet development near the Club House. Certainly there are areas within Lot 62 which are particularly sensitive to development, although it is a large parcel of land. The proposed development generally avoids the sensitive locations, with the exception of the western-most cluster of nine chalets which would be located within an area of some bush and close to a minor watercourse.

If the proponent’s intended ultimate development of 179 units were averaged out over the property the density would equate to one unit for every 1,885m². This is certainly not high density particularly when it is noted that holiday accommodation would not have a comparable impact with single housing development – the latter often having ten times the area of the former.

If the concern at the size of the development is due to the impacts which are largely from traffic, then a logical basis for reducing the number of permitted units could be to seek to reduce the total number of units in view of the traffic assessment not having taken account of the potential 50 chalets near the Club House. It is noted that the Swan River Trust has recommended that the number of units on Lot 62 be reduced to 120 although no basis for this number has been put forward and it is probably more logical to require the unit numbers to be reduced on Lot 62 or near the Club House on the grounds of traffic than the use of an arbitrary figure.

It is recommended that the amendment include a provision to specify the maximum number of accommodation units taking into account the potential total number of units on the Araluen Estate – this could be specified in terms of a resort containing 120 rooms and ten self contained chalets, with the buildings being confined to a single development node on the site.

Soil Stability – 9 Submissions

A number of submissions expressed concern at the possibility that development on Lot 62 in the manner proposed would fail due to the geological nature of the land and the tendency of run off to destabilise future development.

The requirements of a geotechnical report for a rezoning are different to the requirements at the development application stage. It is conceded that the report prepared is a preliminary one and that detailed investigations will be required at the next stage. Geotechnically the site has clays perched on the shallow dolerite formations and once the location plans and structures are determined, the appropriate foundations can be designed. It is likely that the foundations will be founded on sound shallow rock.

With regard to slope instability, with proper surface and sub-surface drainage any hazards will be addressed and development adequately designed. There are similar situations in the Hills which have been developed without risk and it is considered that the site can be similarly developed, however undoubtedly more detailed studies will be required to be undertaken at the appropriate stage of the development process. It should also be noted that substantial residential development already exists on similar ground along Croyden Road.

If there was doubt regarding the developer's consultant's report, or should the Council seek further assurances, it would be appropriate for the City to commission and the developer to fund a peer review of the developer's consultant geotechnical report.

Effluent Disposal – 24 submissions

A number of submissions raised concerns regarding the proposed effluent disposal system, variously stating that the proposal was untested, may fail, would pollute the Canning River, and would overflow during power cuts.

It should be noted that these concerns are foreshadowed in the proposed scheme provisions which require the proposed on-site wastewater treatment plant to be approved by the Department of Health WA and the Department of Environment. It is not possible to achieve certain approvals within the scheme amendment process, as the Health Department has advised the applicant that it will not provide an assessment of the proposed system unless it is a firm proposal – as demonstrated by the finalisation of the scheme amendment. In the EPA's advice this provision has been supported.

The applicant will have to clearly demonstrate to the Health Department, Department of Environment and Conservation, and Department of Water that the proposal will not have any detrimental effect on either the river or the environment. Each of these departments would be expected to endeavour to ensure that there was minimal risk of pollution to the water or environment as a result of this proposal. It is probable that the Health Department would require a holding capacity of say 24 hours, which would permit effluent tank storage for 24 hours in the event of a power failure. In addition back-up pumps (run by generators so that they may operate in the event of a power failure) would be required.

The proposed scheme will require either Class D (for irrigation of the golf course) or Class A (for release to the Canning River) level of treatment. The developer has indicated amongst other things that the design will have 100% redundancy principle for all the moving parts, emergency storage capacity for at least three days of peak wastewater generation, the technology used is able to deliver higher class effluent than the proposed end use application requires according to the Department of Health guidelines and monitoring is undertaken by third parties and placed in the public domain.

Some submissions expressed concern that advice from the EPA in the early 1990s stressed the need to avoid pollutants from effluent disposal entering the waterways. While this sentiment will no doubt continue, there is a growing awareness of the benefit of water recharging waterways, subject to specified criteria being met, as intended in the proposal. It is considered that the ability of the developer to satisfy the necessary authorities that effluent disposal meets prescribed standards is a separate matter to the issue of whether Lot 62 should be used for a Holiday Accommodation Resort.

Stormwater and erosion – 18

A number of submissions expressed concern at the possibility that the development of Lot 62 would result in soil erosion and silting of the Canning River.

Development will include mechanisms to control drainage and runoff from the site and provide footings to prevent interception of groundwater flows as proposed in the Consultants Reports. The overall effect will be managed drainage on the land which has been accepted with additional requirements by the Swan River Trust. The Consultants (Infra Tech) have concluded that the resort and the measures proposed will actually decrease the natural run-off from the catchment and significantly reduce the natural erosion taking place at the site and in addition the drainage system and features of the resort such as roads and garden beds will intercept and direct the remaining natural flow through gross pollutant and hydrocarbon traps to the storage dams.

To provide greater certainty it is proposed that a Sedimentation and Erosion Management Plan be prepared and implemented to ensure that no increase in the level of sediments entering the Canning River occur and a Nutrient and Irrigation Management Plan be prepared and implemented to ensure that during and following development there is no increase in the level of pollutants (including nitrogen and phosphorus) entering the Canning River from the site. In addition the amendment requires the preparation of a plan to maximise the retention of existing trees and vegetation – this plan should also provide for the planting of species – thereby further assisting in the management of run off.

Fire issues – 12 Submissions

It is acknowledged that fire risk is of concern in Roleystone in general and Araluen in particular. A number of submittees articulated this concern.

The proposed Scheme Amendment requires, under the Restricted Use Table, the preparation of a Fire Risk/Management Plan. It is reasonable for this to be prepared as a condition of development rather than a condition of the rezoning as the plan would need to respond to the specific issues associated with the design of the development which may not be known at the scheme amendment stage. However, the plan should be prepared and implemented prior to the occupation of the development. The City's Senior Ranger has provided preliminary advice relating to firebreaks, emergency exits, standard of walkways, fire hydrants and low fuel buffer zones.

One matter raised in some submissions regarding fire risk relates to the need for additional access in the case of emergency. While access in emergency can already be provided via a gate which exists on Wymond Road, consideration of the advantages of providing alternative access through Thompson Road, should also include some consideration of the merit of the proposal from the perspective being able to provide alternative evacuation in case of fire.

Impact of the development on the local environment

Environmental Impact – 18 submissions

A number of submissions expressed concern that the proposal would result in environmental impact in a general sense.

An environmental report was prepared in support of the proposal by Infra Tech and Syrinx Environmental. This report documented the environmental issues associated with the site. The consultants concluded that the site lends itself favourably to the proposed eco-resort development noting that:

- ◆ There are no high conservation biodiversity values associated with the land to be developed, however the values associated with the river foreshore should be protected by the preparation of a foreshore management plan and as many existing trees as feasible should be retained on site following a tree survey;
- ◆ There are risks associated with surface and groundwater flows (relating to contamination of the river, erosion and interception of flows) which should be minimised by the use of raised footings or footings installed perpendicular to the slope to prevent interception of subsurface flows and the preparation of a nutrient and water management plan;
- ◆ Buildings should be designed to minimise visual impact and integrate as much as possible with the natural environment;
- ◆ There is a high fire risk due to the proximity to forest and the desire to retain existing vegetation. A fire management plan should be prepared to address the issues.

The EPA has advised that the amendment should not be assessed under Part IV of the EP Act but provided advice regarding:

- ◆ The need to avoid development within 30m of minor watercourses and a vegetated buffer is recommended;
- ◆ Direct discharge of stormwater into watercourses is not supported. A nutrient irrigation management plan is required to be prepared and implemented;
- ◆ Native vegetation should be preserved so far as practicable during and after clearing for site works and services to accommodate the proposed resort development. Portions of the subject land area are classified as being environmentally sensitive and a clearing permit will be required from the DoE unless exempt. Revegetation is supported and the program should ensure the full revegetation with indigenous species along drainage lines and areas of remnant vegetation disturbed during construction.

The Scheme provisions and subsequent development approvals will take account of this advice to ensure that any development meets all environmental requirements. Similarly the advice of the Swan River Trust in respect of managing the impacts on the Canning River will be taken into account in modifying the scheme amendment.

Canning River Pollution – 30 submissions

Various concerns have been raised in submissions relating to the belief that the proposed development will result in the Canning River's siltation, pollution, or contamination, or it would reduce or increase water flows to the river.

The proposed amendment requires the preparation of a Foreshore Management Plan and a Nutrient and Irrigation Management Plan. The design of the development anticipates the provision of dams, swales and detention basins to reduce the nutrient load of stormwater and to ensure stormwater collection points do not overflow directly into the river. The Foreshore Management Plan itself will address the management of stormwater and the minimisation of nutrients and sedimentation by the construction and maintenance of stormwater collection facilities and the strategic planting of native vegetation to improve soil stability and nutrient stripping.

The Swan River Trust, the body primarily responsible for the health of the Canning River, has advised that it has no objection to the proposed amendment subject to various additional requirements relating to additional foreshore reserves and the preparation of a Sedimentation and Erosion Management Plan and Construction Management Plan. It is recommended that the Swan River Trust's comments which impact on the water quality of the Canning River should be reflected in modifications to the Scheme Amendment.

Flora and fauna – 11 submissions

A number of submissions raised the concern that the development would jeopardise local flora and fauna.

Lot 62 is not in a pristine state and is heavily influenced by past agricultural/pastoral management of the land including clearing, fertilisation, irrigation, cropping and rural grazing, all of which would have altered native fauna habitat. Some concern has been expressed as to native birds and mammals associated with the river water course and native trees. These are the elements of the landscape under threat all along the Canning River. The appropriate action to protect flora and fauna associated with the Canning River is to secure a proper foreshore reserve as is proposed under the amendment through the ceding of a foreshore reserve to the Crown and the preparation of a foreshore management plan. The introduction of cats accompanying urban development has resulted in a serious threat to fauna, however the proposed holiday accommodation would not attract users with cats.

Noise – 14 submissions

A number of submissions raise the issue of noise arising from the building of the resort, the activities held in the resort and the additional traffic generated from the resort. Some submissions contend that noise issues are exacerbated in the Valley through the “amphitheatre effect” as noise levels appear to be heightened within the enclosed valley.

It would not be expected that most the uses would generate high noise levels, (exhibition centre or holiday accommodation) however, there is some potential from the other uses that may be permitted (reception centre, recreation private and restaurant) to generate noise and some investigation into and management or control of this would be appropriate.

It is recommended that the applicant be required to prepare and implement a Noise Management Plan to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997 as a means of addressing the public concerns in respect of noise.

Impact of the development on the wider locality

Rural Amenity- 48 submissions

One of the most common concerns in submissions related to the loss of rural amenity posed by the amendment.

Certainly the City has considered the issue of rural amenity to be paramount. It is noted that the reason for the proposed Amendment with the associated public consultation was in part to gauge the extent to which the use was compatible with local amenity – the uses themselves being permissible in the Rural Living zone. The amendment process allowed greater consideration of the appropriateness of the use in the context of the locality and conditions were included in the Restricted Use table relating to retention of significant vegetation on-site and vegetation screening of parking areas, in acknowledgement of the need to maintain amenity. It may be appropriate to further refine or add to the conditions to ensure that the amenity of the locality is not compromised.

Rural amenity is an ill-defined concept but is usually associated with a relatively lack of urban development and a relative occurrence of natural vegetation or farming activities. The subject land is over 33 hectares in extent, within which a certain amount of development could be accommodated in accordance with most people's expectations of rural amenity. The development within the Canning River Valley could not be regarded as fully rural in view of the preponderance of properties used for no other use than residential (as would be expected in the Rural Living zone), however, the low density (generally lots of two hectares – except for the Araluen estate itself with its 2000-4000m² lots) is clearly a characteristic. It would be expected that holiday accommodation be found in rural locations, such as the Karri Lodge near Pemberton or the growing number of tourist facilities in the South West of the State. In rural planning policies designed to limit urban type of activities it is often the case that tourist accommodation may be permitted as it is appreciated that such uses do not constitute permanent settlement but offer the opportunity for visitors to enjoy, rather than destroy, the rural amenity.

Notwithstanding this, the possible excessive bulk and visibility of holiday accommodation and the associated resort activities could give rise to concern if particularly visible or dominant. While the development of uses such as those proposed should not be regarded as necessarily contrary to rural amenity, there is a need to limit the scope and scale of the development allowed by the amendment in keeping with expectations of the community. Accordingly some clear size and design restrictions would be appropriate.

Traffic Issues – 84 mentions – 77 submissions

b) Traffic issues

The largest body of submissions raised one or more traffic issue. These ranged from concern that the proposal would increase traffic on Heritage Drive, Croyden Road and Brookton Highway and this would result in additional noise, disturbance, congestion and safety issues to the concern about the growing difficulty in exiting particular Croyden Road properties as a direct result of the additional traffic generated.

Consultants Uloth and Associates had estimated for the original submission that the proposed resort would increase traffic on Heritage Drive and Croyden Road by 1400-1900 vehicles per day depending on the method of calculation. This was based on there being 179 units on Lot 62. However, following receipt of submissions raising concern about the size of the proposed development and the fact that the Scheme already allowed for 50 chalets near the Club House, the consultant was asked to reassess the traffic estimates for a smaller resort on Lot 62 and taking account of chalets being developed near the Club House. The calculations below relate to the modified (reduced) proposal.

The calculations were also made to take account of the total future traffic from all sources assuming the full development of the Araluen Estate (currently less than half of the potential lots at the Araluen Estate are developed). This would add a further 1450 vehicles per day (vpd) on Heritage Drive south of Croyden Road and 1300 on Croyden Road west. The total worst case for traffic flows according to the traffic consultant would be 3740 on Heritage Drive and 4320 on Croyden Road as shown in Table 1. These traffic volumes are somewhat less than the estimates provided when the amendment was advertised due to the reduced number of accommodation units on Lot 62 from 179 to 130.

Table 1 – Estimated Traffic Volumes (VPDs) – Modified Resort proposal

	Heritage Drive	Croyden Road west
Existing Traffic (Feb 05)	1,050	1,900
Plus Traffic from Resort	+1,050	+945
Plus traffic from chalets at Club House	+190	+170
Total with proposed Development	2,290	3,015
Plus Full Development of Araluen Estate	+1,450	+1,305
	3,740	4,320

Source: Uloth and Associates

The consultant’s conclusion is that the worst case traffic estimates would be within the acceptable limits for Croyden Road (as a District Distributor (B) road it is generally regarded as capable of carrying over 6000vpd) and for Heritage Drive (a local distributor without frontage access (at its northern end) and therefore capable of carrying up to 6000 vpd). Much of the concern apparent from submissions was derived from the realisation that traffic on Croyden Road could nearly triple in the future. However, as demonstrated in Table 1, a sizable portion of this predicted traffic growth would be the result of other development already approved rather than the result of the proposed resort.

Clearly additional traffic will affect the amenity of properties abutting Croyden Road (through all the matters associated with traffic – noise, the need to exercise greater care for pedestrians and other drivers, and emissions).

Both Croyden Road and Heritage Drive are designed for the projected traffic – the question is whether the loss to amenity is sufficiently significant to outweigh this fact or whether the additional traffic justifies particular road works to enable traffic management and safety issues to be more closely managed. Certainly the amendment anticipates, and the traffic consultant confirms, that certain road works could be undertaken to minimise safety concerns – particularly along Croyden Road and in the vicinity of the various residential driveways. The amendment documents foreshadowed the need to consider the upgrading of Croyden Road, treatments to the intersection of Croyden Road and Heritage Drive and the clearing of vegetation to improve sight lines. Further investigation has established that three significant accidents have been recorded at the intersection over a five year period.

An additional concern of a number of submissions beyond Croyden Road was the impact the development would have on Brookton Highway which was considered to be too busy already. In particular the intersection with Croyden Road was deemed by some to be unsuited for additional traffic. Accident data has been reviewed for this intersection. Two accidents have been registered over the five year period, however this is not sufficient to justify any modification or treatment according to Main Roads WA criteria. Brookton Highway itself is a major road under the jurisdiction of Main Roads WA and the standards are set and maintained for relatively high traffic flows. It is unlikely that the proposal itself would be legitimately forestalled on the grounds of its detrimental impact on the operation of Brookton Highway.

To a certain extent submissions objecting to the proposal were objecting to the whole concept of additional development in the Hills area mirroring the sentiments of those seeking to stop the continual growth in Perth's population. While this is an understandable sentiment, in the broader context the rejection of the proposal on the grounds that it contributes its part in the seemingly inexorable City growth is not a sufficient argument in itself.

In response to submissions the City negotiated with the developer for a reduction in the number of units on site. Such a reduction would lead to an associated lesser traffic impact resulting from the development.

A few submissions suggested introducing a lower speed limit for Croyden Road to ameliorate the safety issues associated with increasing traffic. This suggestion may appear to have some merit, however, as a District Distributor B the appropriate limit is 60kph and the road is designed for that speed.

In view of the reduced number of accommodation units to be permitted on Lot 62 with the associated reduced projected traffic flows, and the standard of the current road system, it is considered that the proposed amendment should not be rejected on traffic grounds.

It is recommended that the developer be required to undertake works necessary to improve access arrangements for those properties accessing Croyden Road where visibility is impaired and undertake treatments to the intersection of Croyden Road and Heritage Drive.

Alternative Access – 8 submissions

Some submissions expressed the view that there was a need for an additional access to the Araluen Estate other than the current Croyden Road/Heritage Drive access which is claimed to be not suited for the additional traffic.

When the original Araluen Amendment No.79 to TPS No.2 was considered in 1992 it was noted in response to objections from landowners in Thompson Road that "access to the site will be shared between Thompson Road and Croyden Road, thus minimising impact on traffic." This was subsequently enshrined in a legal agreement between the owner of the Araluen estate and the City whereby it is now a requirement for the City to upgrade Thompson Road and its intersection with Brookton Highway in the event of the developer extending Old Albany Lane to link with Thompson Road.

The possible opening of a Thompson Road link was investigated by the traffic consultants for the current proposal and it was concluded that it would be more appropriate to increase traffic flows on Croyden Road than to construct a new access to Thompson Road in view of the designated function of Croyden Road. This view is confirmed by the advice of the City's Technical Services. Therefore there is no absolute reason to provide the alternative access on the basis of the ability of Croyden Road, or indeed Heritage Drive, to handle the projected traffic flows. The works are not programmed in the Five Year Works Program, but could be accommodated by some reprogramming.

However, the provision of an alternative access would have benefits in terms of emergency access and in assisting to distribute traffic flows which would provide relief to Croyden Road residents and users. The applicant's Traffic report has noted that the opening of Thompson Road to through traffic future would reduce traffic flows on Heritage Drive south of Croyden Road to 2,200 vpd (in the worst case) while traffic flows on Croyden Road west of Heritage Drive would only reach 2,770 vpd (compared with 3,740 and 4,320 vpd respectively without a Thompson Road connection). Table 2 estimates the worst case for traffic on Heritage Drive and Croyden Road for Thompson Road being open or closed and with the Araluen Estate being fully developed (including chalets near the Club House) and the proposed resort on Lot 62 containing 130 units.

Table 2 –

Estimated Traffic Volumes* – Thompson Road open – reduced accommodation on Lot 62

	Thompson Rd. closed	Thompson Rd. open
Heritage Drive	3740	2200
Croyden Road	4320	2770
Thompson Road	140	1550

* Assuming Estate fully developed and occupied and Holiday Accommodation Resort fully developed.
Source: Uloth and Associates

In short, the provision of a Thompson Road link would relieve traffic on Croyden Road by a considerable amount due to the more direct route offered to many residents of the Araluen Estate and the chalets near the Club House. Although there may be some advantages in terms of providing alternative access in the event of fire, if the City had not previously made a commitment to open Thompson Road as an alternative access to the Araluen Estate, it would probably be difficult to justify the imposition of the channelling of significant vehicle numbers down the otherwise low traffic road, when Croyden Road is designated as a road designed to accommodate over 6000vpd. In addition there would need to be significant clearing on Thompson Road to provide safe use of the road for the projected traffic.

In view of the previous commitment the current proposal could provide a potential trigger, should the developer construct Old Albany Lane, for the provision of the link at least as an option for Council to consider.

Providing for Pedestrians – 4 submissions

A number of submissions raised the impact the proposal could have on pedestrians who currently enjoy access to the site and the possibility that there will be a greater need to plan for pedestrians on Heritage Drive, Croyden Road and along the Canning River. The need to accommodate pedestrian parking needs was also raised in some submissions.

Currently pedestrians use the firebreak on the boundary of Lot 62 to walk between Heritage Drive and Armenti Road and this access will not be affected by the proposed development. The proposal provides for an exhibition area immediately off Heritage Drive and this would include a public parking area which would accommodate the parking needs of pedestrians. A narrow pedestrian path is provided along Croyden Road and a link exists between Thompson Road and Heritage Drive as a consequence of the 1992 Agreement between the Araluen Estate developers and the City.

The Amendment process required that consideration be given to the upgrading of the bridge on Heritage Drive to accommodate pedestrians. The consultant's report noted that the pedestrian routes around the Canning River could be addressed as part of the Foreshore Management Plan. It is agreed that pedestrian issues need to be addressed in respect of Heritage Drive as currently there is no provision for pedestrians on Heritage Drive and in the event of a tourist facility being developed on Lot 62 there will be a need to connect the facility with the rest of the path network. A pedestrian route along the Canning River would be a desirable facility to provide between Heritage Drive and McNess Drive or Armenti Road. Indeed the City's Strategic Trails Route plan shows a trail between Soldiers Road and Thompson Road and from the Thompson Road Bridge to Heritage Drive and then on the south side of the Canning River to McNess Road near its junction with Armenti Road. While the pedestrian routes could be clarified within the Foreshore Management Plan a requirement to provide or upgrade a dual use path on the north or south side of the Canning River between the Thompson Road bridge and McNess Drive and the provision of a pedestrian crossing of the Canning River could be identified as a specific Scheme requirement.

There is significant vehicle/pedestrian conflict in the vicinity of the Heritage Drive bridge over the Canning River. Pedestrian amenity and safety needs to be addressed and it is probable that the most appropriate place for a segregated pedestrian crossing between the Thompson Road and McNess Drive crossings would be on the Heritage Drive bridge.

SUSTAINABILITY ASSESSMENT

While sustainability assessment is yet to become a formal requirement of the planning process it may clarify the decision making process to consider the possibility of applying a triple bottom line assessment to the proposal. It is noted that some submissions did make the point that the proposal was not presented with any assessment of the economic and social impacts or impacts on the wider community.

Sustainability assessment is a process to enable policy makers to integrate their decision making on projects, plans, policies and programs so that they are consistent with sustainability principles. While sustainability assessment involves considering environmental, social and economic factors separately, as in triple bottom line (TBL) assessment, it is desirable to consider these aspects in an integrated way to minimize trade offs.

It is becoming more common to evaluate projects in the light of their likely impacts against a range of criteria such as these used in South Australia:

- ◆ *Sustained economic growth*
- ◆ *Better job opportunities*
- ◆ *High-quality services*
- ◆ *Strategic infrastructure*
- ◆ *Investment in science and research*
- ◆ *Health and wellbeing*
- ◆ *Safe environment*
- ◆ *Engaging communities*
- ◆ *Cultural heritage*
- ◆ *Social equity*
- ◆ *Resource use, allocation and management (incl. water, land, energy, biodiversity)*

(Source:

http://www.environment.sa.gov.au/sustainability/sustainability_assessment.html#susassess)

The Western Australian Planning Commission published a Scorecard in 2005 and is currently refining this, following submissions. The Armadale Redevelopment Authority has developed a scorecard to be applied to development within its Redevelopment areas.

From a review of various assessment techniques it is concluded that a number are more applicable for developments of State significance, such as a new mine site. It is also difficult to apply scorecards developed for development approval processes to a Scheme Amendment as many of the detailed elements (such as solar design) are yet to be determined.

However, it is instructive to attempt to apply criteria such as those listed above to a project such as the proposed resort and in doing so it is apparent that most of the criteria are met but some are not met completely.

For instance, from the simple criteria listed above, most of the economic criteria are met either completely or in most part or (in the case of investment in science and research) the criteria is not applicable). The development would be important to local, and possibly regional, tourism, would facilitate local economic growth and employment and provide a more secure future for the Golf Course estate. The social criteria would appear to be met in respect of social and environmental improvements, but not met in view of public opposition and the consequences of the development generating more traffic and activity. Similarly the environmental criteria are met with respect to the proposed waste treatment process, stormwater management, replanting and foreshore protection, however there will be increased energy consumption and resource use implicit in the development which would not occur, or would occur elsewhere, if the development did not proceed.

Accordingly it is considered that the proposed amendment can be seen as providing net benefits across the triple bottom line – although in the end, a judgment has to be made.

PROPOSED SCHEME AMENDMENT

Following consideration of the submissions the following conditions shown in italics are recommended to be included in the Amendment. A rationale for the condition and an explanation for any modifications from the conditions advertised with the Amendment is provided with each condition.

Condition 1. *All other use classes in the base Rural Living zone shall be D (discretionary) in the Restricted Use Area.*

No change proposed. This effectively means that the only uses that can be approved are: Holiday Accommodation “A”, Dam construction “D”, Reception Centre “A”, Recreation Private “A”, Restaurant “A”.

Condition 2. *An ancillary structure to house the reception area and communal facilities for the resort may be permitted.*

No change proposed.

Condition 3. *The City shall impose conditions and require proposed developments to specifically address the following issues:*

- ♦ *The ceding of a minimum 30 metres wide foreshore reserve to the Crown, free of cost, along both sides of the Canning River (measured from the outer edge of the water course) within the lot and to include all the land between the Canning River and the Croyden Road reserve.*

The advertised Amendment indicated the requirement to cede a maximum 30m reserve either side of the River. This has been extended to include a minimum 30m reserve and to ensure that all the land between the River and Croyden Road, which in places is over 100m, is included in the public reserve. The wording has also been modified to clarify the intent that the minimum 30m reserve be required on both sides of the River. Following the giving up of the foreshore, it would be appropriate to reserve the land for Parks and Recreation (Local) under the Scheme.

- ♦ *Approval from the Department of Health Western Australia and Department of Environment and Conservation in respect of the use of an on-site wastewater treatment plant.*

This provision is to affirm that without the approval of the responsible State agencies for what is agreed to be a critical if novel component of the proposed development, the project will not proceed.

- ♦ *A Foreshore Management Plan for the foreshore reserve shall be prepared and implemented to the satisfaction of the City upon the advice of the Swan River Trust prior to the first occupation of any portion of the development. The Plan shall provide for the installation of a dual use path between Heritage Drive and McNess Drive.*

The Foreshore Management Plan is a critical component of the development which will ensure that the Canning River is protected from impacts and provide for the appropriate development of the foreshore for ease of long-term management and a public dual use path on one side of the River.

- ♦ *A Fire Risk Management Plan shall be prepared and implemented prior to the first occupation of any portion of the development.*

While such a plan was advertised as a requirement, it is proposed that the clause be amplified to clarify the timing of its preparation and implementation.

- ♦ *A Nutrient and Irrigation Management Plan shall be prepared and implemented to the satisfaction of City on advice of the Swan River Trust, such that during and following development of the site there is no increase in the level of pollutants (including nitrogen and phosphorus) entering the Canning River from the site.*

This condition was advertised in the Amendment but has been amplified at the request of the Swan River Trust to provide greater certainty that the development will not detrimentally impact on the Canning River.

- ◆ *A Sedimentation and Erosion Management Plan shall be prepared and implemented to the satisfaction of City on advice of the Swan River Trust, such that no increase in the level of sediments entering the Canning River shall occur during either construction or operation of the development.*

This condition was not advertised but has been requested by the Swan River Trust to provide additional certainty regarding the management of impacts on the Canning River.

- ◆ *Prior to commencement of development a Construction Management Plan shall be prepared to the satisfaction of the City on advice from the Swan River Trust to minimise the impacts of construction on and off the site including the Canning River.*

This condition was not advertised but has been requested by the Swan River Trust to provide additional certainty regarding the management of impacts on the Canning River.

- ◆ *The following works be undertaken to the satisfaction of the Executive Director Technical Services:*

The widening and channelisation treatment to the intersection of Heritage Drive and Croyden Road;

Works to properties on Croyden Road where the crossovers have clearly demonstrated visibility issues when being accessed from Croyden Road;

The clearing of vegetation to improve site lines;

The upgrading of the bridge on Heritage Drive to accommodate pedestrians.

This condition broadly reflects the conditions identified in the proposed Amendment as advertised.

- ◆ *Car parking areas shall be landscaped and screened from public vantage points to the satisfaction of City.*

Apart from the wording being modified to indicate more certainty, the clause is as advertised.

- ◆ *A Landscaping Management and Planting Plan, maximising the use of locally native species, shall be prepared and implemented to the satisfaction of the City.*

This condition has been extended from that advertised in response to submissions of concern regarding preference of local species and the desire to institute planting.

- ◆ *The design, in particular height, colour and texture, and positioning of the buildings shall have regard to the natural landscape and views from public vantage points.*

This additional condition is in response to a number of submissions expressing concern at the impact on the visual amenity of the locality.

- ◆ *The maximum number of accommodation units on the site shall be one hundred and twenty (120) in addition to ten self-contained chalets.*

This additional condition reflects the concern in submissions that there is a need for a limit to be specified and that the proposal as indicated on the Concept Plan submitted with the proposed Amendment was too large and included development within 30m of a minor watercourse.

- ◆ *If the Holiday Accommodation Resort is to be developed in stages, all facilities such as reception, pool, restaurant and caretaker's residence are to be constructed as part of the first stage and completed prior to occupation of any accommodation.*

This is a new condition required to ensure that accommodation facilities are not provided without access to the necessary associated facilities.

- ◆ *A Noise Management Plan shall be prepared and implemented to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997.*

This additional condition is in response to a number of submissions concerned that the development would detrimentally impact on the relative tranquillity of the Valley.

- ◆ *The development shall at all times operate and be managed as a cohesive tourist accommodation facility, with a minimum requirement that at all times there shall be an appropriate management agreement to cover, but not be limited to resort reception, security, maintenance, caretaking, refurbishment, marketing and other services.*

This additional requirement is in response to a submission expressing concern that the development should always be operated and managed as a cohesive tourist accommodation facility.

Modification to correct error:

A drafting error on the Map accompanying the advertised amendment included Lot 2, 185 Croyden Road within the proposed area to be subject to the Restricted Use provisions. The text did not include Lot 2. It is proposed that the Scheme Amendment not include this lot in the final documents as it was never intended to be part of the Resort or subject to the accompanying land use restrictions.

Additional amendment to Scheme Map

Modify the Amendment to include the foreshore as Reservation for Parks and Recreation (Local).

OPTIONS

1. Council may resolve to adopt the amendment with modifications and request that the Hon. Minister for Planning and Infrastructure grant final approval to the amendment.
2. Council may resolve to adopt the amendment with modifications subject to the proponent ensuring that arrangements are in place to widen and extend old Albany Lane to link with the existing sealed portion of Thompson Road prior to the construction of the first or second stage of development, with the necessary provision being made for the costs of upgrading Thompson Road within the appropriate City annual budget, and request that the Hon. Minister for Planning and Infrastructure grant final approval to the amendment.
3. Council may resolve to not adopt the amendment giving reasons and request that the Hon. Minister for Planning and Infrastructure refuse to approve the amendment.

CONCLUSION

The proposed Amendment has drawn almost universal opposition from those making submissions. The concerns expressed reflect a view that development of the type proposed would not be appropriate within the Canning Valley and adjacent to the Canning River. These concerns have their root in fear that the rural amenity and the local environment would be compromised.

The extent to which the proposed resort would increase traffic on the road system (particularly Croyden Road) was the issue of concern to most submittees. However, the main cause of future traffic growth will be the Araluen Residential Estate (which is currently only half developed) and if the resort was located elsewhere at Araluen its ability to generate traffic on Croyden Road would be the same as from Lot 62.

Quite a large proportion of submittees were in favour of a resort, it was just the location on Lot 62 that caused objection.

Misleading and incorrect information has circulated in Roleystone and this has fuelled local concerns.

The Amendment seeks to establish controls and limits on the development of the resort. The Amendment is to restrict the use of Lot 62. If the Amendment does not proceed the applicant could continue with the proposal by the submission of a development application without the further restrictions and community benefits imposed by the Scheme. This is a key issue that has not been appreciated by the submittees.

The Amendment has provided an additional opportunity for public input and consideration of the use – but the details of the development would still need to be demonstrated at the development application stage. Some submissions focused on the lack of evidence that the development could be built in the location or could be serviced – while the proponent provided some information in respect of these issues, more detailed information would be required should the proposal proceed to a development application.

In response to submissions additional conditions are proposed to be included in the Amendment. In particular it is recommended that the number of units be specified and reduced from that originally proposed – decreasing the accommodation units by 50 and the chalets by 9. Other requirements are also proposed to ensure that no detrimental impacts on the Canning River during construction or long term occur and that the development is designed in harmony with the local environment and actually results in revegetation.

There is an argument that the proposed development will place an additional burden on Croyden Road and that this is a convenient opportunity to open an alternative access to the Araluen Residential Estate from Thompson Road. While this is presented as an option for Council to consider as there are advantages in providing access alternatives, it is not justified entirely on traffic grounds as Croyden Road is designed with ample capacity to accommodate the projected increases. Accordingly Option 1 is recommended.

Special Meeting of Electors

At the Special Meeting of Electors held on 5th October 2006 the proposed Amendment No.5 was considered in some detail. All five resolutions adopted at the meeting have been considered in the separate item. A number of the concerns underlying the resolutions have been more fully discussed in the above report and attachment and have not lead to the need for further modification to the report or recommendations listed below. There is one matter that could result in an additional recommendation in respect of the request that Lot 62 be acquired for public purposes by the State Government. This recommendation has been addressed in the item on the Special Meeting of Electors.

RECOMMEND

That Council resolves to:

1. **In pursuance to Part 5 of the Planning and Development Act 2005, adopt the modified form of Amendment No.5 to Town Planning Scheme No.4 to:**
 - a) **Amend the Scheme Map to show Lot 62 Croyden Road, Roleystone as ‘Restricted Use – Holiday Accommodation Resort’;**
 - b) **Modify the Amending documents to exclude Lot 2, 185 Croyden Road from the area subject to the Restricted Use provisions;**
 - c) **Amend the Scheme Text by inserting a new entry in appropriate numerical order into the Schedule 3 – Restricted Uses table as follows;**

No.	Description of land	Restricted Use	Conditions
	Lot 62 Croyden Road, Roleystone	The Rural Living zone (Restricted) acknowledges that the subject lot is to be used solely for a Holiday Accommodation Resort. The following uses potentially permissible in the Rural Living zone shall be uses that are Not Permitted (X) in the Restricted	<ol style="list-style-type: none"> 1. All other use classes in the base Rural Living zone shall be D (discretionary) in the Restricted Use Area. 2. An ancillary structure to house the reception area and communal facilities for the resort may be permitted. 3. The City may impose conditions and require proposed developments to specifically address the following issues:

No.	Description of land	Restricted Use	Conditions
		<p>Use Area:</p> <ul style="list-style-type: none"> • Agriculture – Extensive • Agriculture – Intensive • Agroforestry • Ancillary Accommodation • Animal Husbandry – Intensive • Bed and Breakfast • Child Care Premises • Civic Use • Club Premises • Commercial Vehicle Parking • Community Purpose • Consulting Rooms • Display Home Centre • Educational Establishment • Family Day Care • Fuel Depot • Garden Centre – Retail • Home Business • Home Occupation • Home Office • Hospital • Industry – Cottage • Industry – Rural • Occasional Uses • Place of Worship • Plantation • Recreation – Domestic • Recreation – Public • Residential Building • Rural Pursuit • Storage • Telecommunications Infrastructure • Veterinary Centre • Winery 	<ul style="list-style-type: none"> ♦ The ceding of a minimum 30 metres wide foreshore reserve to the Crown, free of cost, along both sides of the Canning River (measured from the outer edge of the water course) within the lot and to include all the land between the Canning River and the Croyden Road reserve. ♦ Approval from the Department of Health Western Australia and Department of Environment and Conservation in respect of the use of an on-site wastewater treatment plant. ♦ A Foreshore Management Plan for the foreshore reserve shall be prepared and implemented to the satisfaction of the City upon the advice of the Swan River Trust prior to the first occupation of any portion of the development. The Plan shall provide for the installation of a dual use path between Heritage Drive and McNess Drive. ♦ A Fire Risk Management Plan shall be prepared and implemented prior to the first occupation of any portion of the development. ♦ A Nutrient and Irrigation Management Plan shall be prepared and implemented to the satisfaction of City on advice of the Swan River Trust, such that during and following development of the site there is no increase in the level of pollutants (including nitrogen and phosphorus) entering the Canning River from the site. ♦ A Sedimentation and Erosion Management Plan shall be prepared and implemented to the satisfaction of City on advice of the Swan River Trust, such that no increase in the level of sediments entering the Canning River shall occur during either construction or operation of the development. ♦ Prior to commencement of development a Construction Management Plan shall be prepared to the satisfaction of the City on advice from the Swan River Trust to minimise the impacts of construction

No.	Description of land	Restricted Use	Conditions
			<p>on and off the site including the Canning River.</p> <ul style="list-style-type: none"> ◆ The following works be undertaken to the satisfaction of the Executive Director Technical Services: <ul style="list-style-type: none"> - The widening and channelisation treatment to the intersection of Heritage Drive and Croyden Road; - Works to properties on Croyden Road where the crossovers have clearly demonstrated visibility issues when being accessed from Croyden Road; - The clearing of vegetation to improve site lines; - The upgrading of the bridge on Heritage Drive to accommodate pedestrians. ◆ Car parking areas shall be landscaped and screened from public vantage points to the satisfaction of City. ◆ A Landscaping Management and Planting Plan, maximising the use of locally native species, shall be prepared and implemented to the satisfaction of the City. ◆ The design, in particular height, colour and texture, and positioning of the buildings shall have regard to the natural landscape and views from public vantage points. ◆ The maximum number of accommodation units on the site shall be one hundred and twenty (120) in addition to ten (10) self contained chalets. ◆ If the Holiday Accommodation Resort is to be developed in stages, all facilities such as reception, pool, restaurant and caretaker’s residence are to be constructed as part of the first stage and completed prior to occupation of any accommodation. ◆ A Noise Management Plan shall be prepared and implemented to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997. ◆ The development shall at all times operate and be managed as a cohesive tourist accommodation facility, with a

No.	Description of land	Restricted Use	Conditions
			<p>minimum requirement that at all times there shall be an appropriate management agreement to cover, but not be limited to resort reception, security, maintenance, caretaking, refurbishment, marketing and other services.</p>

2. **Authorise the Mayor and Chief Executive Officer to executive the Amendment documents.**
3. **Forward the amendment documentation to the Western Australian Planning Commission for its consideration and request the Hon Minister for Planning and Infrastructure grant final approval to the amendment.**
4. **Endorse the comments made in this report and in *Attachment "A1"*, regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission.**
5. **Advise the submitters and the applicants of its decision.**

Moved Cr _____
 Carried/Lost ()

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
1	Gregg and Lorraine Pearce 12 Kurrjong St. Roleystone 6111	<p style="text-align: center;">SUMMARY OF SUBMISSION</p> <p>a) Detrimental aesthetically and environmentally. b) Concerns regarding road safety on Brookton Highway, particularly at the Croyden Road turnoff and on Croyden Road itself.</p> <p style="text-align: center;">RURAL AMENITY</p> <p>a) Rural Amenity Upheld in part. A number of submissions objected to the loss of rural amenity posed by the amendment. Certainly the City has considered the issue of rural amenity to be paramount. It is noted that the reason for the proposed Amendment with the associated public consultation was in part to gauge the extent to which the use was compatible with local amenity – the uses themselves being permissible in the Rural Living zone. The amendment process allowed greater consideration of the appropriateness of the use in the context of the locality and conditions were included in the Restricted Use table relating to retention of significant vegetation on-site and vegetation screening of parking areas, in acknowledgement of the need to maintain amenity. It may be appropriate to further refine or add to the conditions to ensure that the amenity of the locality is not compromised. Rural amenity is an ill-defined concept but is usually associated with a relatively lack of urban development and a relative occurrence of natural vegetation or farming activities. The subject land is over 33 hectares in extent, within which a certain amount of development could be accommodated in accordance with most people's expectations of rural amenity. The development within the Canning River Valley could not be regarded as fully rural in view of the preponderance of properties used for no other use than residential (as would be expected in the Rural Living zone), however, the low density (generally lots of two hectares – except for the Araluen estate itself with its 2000-4000m² lots) is clearly a characteristic. It would be expected that holiday accommodation be found in rural locations, such as the Karri Lodge near Pemberton or the growing number of tourist facilities in the South West of the State. In rural planning policies designed to limit urban type of activities it is often the case that tourist accommodation may be permitted as it is appreciated that such uses do not constitute permanent settlement but offer the opportunity for visitors to enjoy, rather than destroy, the rural amenity. Notwithstanding this, the possible excessive bulk and visibility of holiday accommodation and the associated resort activities could give rise to concern if particularly visible or dominant. While the development of uses such as those proposed should not be regarded as necessarily contrary to rural amenity, there is a need to limit the scope and scale of the development allowed by the amendment in keeping with expectations of the community. Accordingly some clear size and design restrictions would be appropriate.</p>

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	<p>b) Traffic issues</p> <p>Upheld in part – works required. The largest body of submissions raised one or more traffic issues. These ranged from concern that the proposal would increase traffic on Heritage Drive, Croyden Road and Brookton Highway and this would result in additional noise, disturbance, congestion and safety issues to the concern about the growing difficulty in exiting particular Croyden Road properties as a direct result of the additional traffic generated.</p> <p>Consultants Uloth and Associates had estimated for the original submission that the proposed resort would increase traffic on Heritage Drive and Croyden Road by 1400-1900 vehicles per day depending on the method of calculation. This was based on there being 179 units on Lot 62. However, following receipt of submissions raising concern about the size of the proposed development and the fact that the Scheme already allowed for 50 chalets near the Club House, the consultant was asked to reassess the traffic estimates for a smaller resort on Lot 62 and taking account of chalets being developed near the Club House.</p> <p>The calculations were also made to take account of the total future traffic from all sources assuming the full development of the Araluen Estate (currently less than half of the potential lots at the Araluen Estate are developed). This would add a further 1450 vpd on Heritage Drive south of Croyden Road and 1300 on Croyden Road west. The total worse case for traffic flows according to the traffic consultant would be 3740 on Heritage Drive and 4320 on Croyden Road as shown in Table 1. These traffic volumes are somewhat less than the estimates provided when the amendment was advertised due to the reduced number of accommodation units on Lot 62 from 179 to 130.</p>

Table 1 – Estimated Traffic Volumes (VPDs) – Modified Resort proposal

	Heritage Drive	Croyden Road west
Existing Traffic (Feb 05)	1,050	1,900
Plus Traffic from Resort	+1,050	+945
Plus traffic from chalets at Club House	+190	+170
Total with proposed Development	2,290	3,015
Plus Full Development of Araluen Estate	+1,450	+1,305
	3,740	4,320

Source: Uloth and Associates

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		<p>The consultant's conclusion is that the worst case traffic estimates would be within the acceptable limits for Croyden Road (as a District Distributor (B) road it is generally regarded as capable of carrying over 6000vpd) and for Heritage Drive (a local distributor without frontage access (at its northern end) and therefore capable of carrying up to 6000 vpd). Much of the concern apparent from submissions was derived from the realisation that traffic on Croyden Road could nearly triple in the future. However, as demonstrated in Table 1, a sizable portion of this predicted traffic growth would be the result of other development already approved rather than the result of the proposed resort.</p> <p>Clearly additional traffic will affect the amenity of properties abutting Croyden Road (through all the matters associated with traffic – noise, the need to exercise greater care for pedestrians and other drivers, and emissions).</p> <p>Both Croyden Road and Heritage Drive are designed for the projected traffic – the question is whether the loss to amenity is sufficiently significant to outweigh this fact or whether the additional traffic justifies particular road works to enable traffic management and safety issues to be more closely managed. Certainly the amendment anticipates, and the traffic consultant confirms, that certain road works could be undertaken to minimise safety concerns – particularly along Croyden Road and in the vicinity of the various residential driveways. The amendment documents foreshadowed the need to consider the upgrading of Croyden Road, treatments to the intersection of Croyden Road and Heritage Drive and the clearing of vegetation to improve sight lines. Further investigation has established that three significant accidents have been recorded at the intersection over a five year period.</p> <p>An additional concern of a number of submissions beyond Croyden Road was the impact the development would have on Brookton Highway which was considered to be too busy already. In particular the intersection with Croyden Road was deemed by some to be unsuited for additional traffic. Accident data has been reviewed for this intersection. Two accidents have been registered over the five year period, however this is not sufficient to justify any modification or treatment according to Main Roads WA criteria. Brookton Highway itself is a major road under the jurisdiction of Main Roads WA and the standards are set and maintained for relatively high traffic flows. It is unlikely that the proposal itself would be legitimately forestalled on the grounds of its detrimental impact on the operation of Brookton Highway.</p> <p>To a certain extent submissions objecting to the proposal were objecting to the whole concept of additional development in the Hills area mirroring the sentiments of those seeking to stop the continual growth in Perth's population. While this is an understandable</p>

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2	<p>Gerry and Sharon Baylee 9 Andreas Road, Roleystone 6111</p> <p>a) Assurances were formerly given that Lot 62 would remain rural with restricted building.</p> <p>b) Proposal is visually unsightly and out of context, and will adversely affect local amenity.</p> <p>c) It will result in noise due to traffic and the amphitheatre effect.</p> <p>d) Proposal will make Croyden Road more dangerous.</p> <p>e) Proposal will have adverse effect on wildlife and pollution of Canning River.</p>	<p>sentiment, in the broader context the rejection of the proposal on the grounds that it contributes its part in the seemingly inexorable City growth is not a sufficient argument in itself.</p> <p>In response to submissions the City negotiated with the developer for a reduction in the number of units on site. Such a reduction would lead to an associated lesser traffic impact resulting from the development.</p> <p>A few submissions suggested introducing a lower speed limit for Croyden Road to ameliorate the safety issues associated with increasing traffic. This suggestion may appear to have some merit, however, as a District Distributor B the appropriate limit is 60kph and the road is designed for that speed.</p> <p>In view of the reduced number of accommodation units to be permitted on Lot 62 with the associated reduced projected traffic flows, and the standard of the current road system, it is considered that the proposed amendment should not be rejected on traffic grounds.</p> <p>It is recommended that the developer be required to undertake works necessary to improve access arrangements for those properties accessing Croyden Road where visibility is impaired and undertake treatments to the intersection of Croyden Road and Heritage Drive.</p> <p>a) Contrary to plans for Lot 62 Dismiss. Some submissions expressed concern that the resort proposal was contrary to the expectations the community had for the use of Lot 62 which are variously considered to be commitments by Council or at least the landowner. Prior to the current application there has not been any proposal for specific development of Lot 62 and those who have enjoyed the open view of the land have understandably expressed a view that the current situation should continue. It is possible that statements may have been made, or intentions expressed, by previous owners regarding the future development of Lot 62. While the earliest plans indicated its inclusion, Lot 62 was not included in Amendment 79 to TPS No. 2 which created the Golf Course Estate. The submission on which the amendment was based noted in June 1991 that "Lot 62 is proposed to remain undeveloped and will continue to be used for light grazing purposes and does not form part of the project or the rezoning proposal." A brochure used to promote the estate by the Estate developers indicated that it was the intention that little development would be observable from Croyden Road and that the scarp would be relatively undeveloped.</p>

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	<p>f) Proposal will increase bush fire risk,</p> <p>g) Undermine property values</p>	<p>Within the legal agreements signed between the developer and the City commitments were made to construct a gravel pedestrian and cycle path on Lot 62 from Bevan Road to Bristol Road and it was agreed that Lot 62 not be subdivided without the consent of the City. While it can be assumed that the subdivision restriction related to concerns that Lot 62 should not be subdivided in a manner similar to the rest of the Estate for various, if unstated, reasons and the community may have believed that the undeveloped nature of Lot 62 would continue, the only restrictions are those laid down in the Scheme and legal agreement. These restrictions relate to the provisions of the Rural Living X zone, and the title restrictions restricting the subdivision of Lot 62. Accordingly, whatever statements may have been made by previous landowners, the current potential use of the land is guided by the provisions of the town planning scheme.</p> <p>b) As per No. 1a (Rural amenity).</p> <p>c) Noise Upheld in part. A number of submissions raise the issue of noise arising from the building of the resort, the activities held in the resort and the additional traffic generated from the resort. Some submissions contend that noise issues are exacerbated in the Valley through the "amphitheatre effect" as noise levels appear to be heightened within the enclosed valley. It would not be expected that most the uses would generate high noise levels, (exhibition centre or holiday accommodation) however, there is some potential from the other uses that may be permitted (reception centre, recreation private and restaurant) to generate noise and some investigation into and management or control of this would be appropriate. It is recommended that the applicant be required to prepare and implement a Noise Management Plan to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997 as a means of addressing the public concerns in respect of noise.</p> <p>d) As per No. 1b (Traffic issues).</p> <p>e) Canning River pollution Upheld in part. Various concerns have been raised in submissions relating to the belief that the proposed development will result in the Canning River's siltation, pollution, or contamination, or it would reduce or increase water flows to the river.</p>

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		<p>The proposed amendment requires the preparation of a Foreshore Management Plan and a Nutrient and Irrigation Management Plan. The design of the development anticipates the provision of dams, swales and detention basins to reduce the nutrient load of stormwater and to ensure stormwater collection points do not overflow directly into the river. The Foreshore Management Plan itself will address the management of stormwater and the minimisation of nutrients and sedimentation by the construction and maintenance of stormwater collection facilities and the strategic planting of native vegetation to improve soil stability and nutrient stripping.</p> <p>The Swan River Trust, the body primarily responsible for the health of the Canning River, has advised that it has no objection to the proposed amendment subject to various additional requirements relating to additional foreshore reserves and the preparation of a Sedimentation and Erosion Management Plan and Construction Management Plan. It is recommended that the Swan River Trust's comments which impact on the water quality of the Canning River should be reflected in modifications to the Scheme Amendment.</p> <p>f) Fire issues Upheld in part. It is acknowledged that fire risk is of concern in Roleystone in general and Araluen in particular. A number of submittees articulated this concern.</p> <p>The proposed Scheme Amendment requires, under the Restricted Use Table, the preparation of a Fire Risk/Management Plan. It is reasonable for this to be prepared as a condition of development rather than a condition of the rezoning as the plan would need to respond to the specific issues associated with the design of the development which may not be known at the scheme amendment stage. However, the plan should be prepared and implemented prior to the occupation of the development. The City's Senior Ranger has provided preliminary advice relating to firebreaks, emergency exits, standard of walkways, fire hydrants and low fuel buffer zones.</p> <p>One matter raised in some submissions regarding fire risk relates to the need for additional access in the case of emergency. While access in emergency can already be provided via a gate which exists on Wymond Road, consideration of the advantages of providing alternative access through Thompson Road, should also include some consideration of the merit of the proposal from the perspective being able to provide alternative evacuation in case of fire.</p>

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3	Geoff and Veronica Kirkman 101 Convine Road Karragullen 6111	<p>g) Property Values Dismiss. Some submissions raised the concern that the proposed amendment would result in a loss in property values in the locality. No evidence for such a pattern was provided in the submissions. It could be equally argued that the development would increase property values by exposing more people to the charms of the Canning Valley. It would be expected that the development resulting from the amendment and the conditions imposed by the subsequent development approval would be of a high standard and it would be maintained at a high standard to secure custom and thereby attract additional investors to the locality.</p> <p>a) Dismiss – Council has not decided to approve the development already.</p> <p>b) Noted. Performance of developers will be addressed by conditions on development.</p> <p>c) Dismiss - Who would use the development is not a planning consideration – however the development would not restrict access to certain people.</p> <p>d) Noted. However, provisions within the Amendment would ensure that any development was sufficiently separated from the River with a foreshore reserve with additional setbacks taking account of the views of the EPA and Swan River Trust.</p> <p>e) As per No. 1b (Traffic issues).</p> <p>f) Prefer existing chalet site Noted. A number of submissions expressed the view that development of the type proposed would be preferable on the site already approved. The town planning scheme (at Schedule 2 Number 30) specifies that holiday accommodation, restaurant and reception centre be permitted on Lot 701 (the golf course land) and "Holiday Accommodation shall be limited to a maximum of 50 Holiday Accommodation chalets or equivalent as determined by the City." Some submissions expressed concern that the current proposal, if approved, would facilitate the development of two chalet/resort areas with potentially 229 units. The general understanding in the past has been that the chalets would be located near to the Club House.</p> <p>There is no obligation on the landowner to construct chalets in the locations allowed under the Scheme and proposals, such as the proposed amendment, need to be considered on their merits. While the applicant initially indicated that the current proposal superseded the original chalet proposal it is now understood that it is desired to retain the option to develop</p>
		<p>a) Concern that the Council has decided to approve the proposal already.</p> <p>b) Concern that the estate owners have not put anything into it since purchase.</p> <p>c) Concern that the proposal will be for international tourists not locals.</p> <p>d) Object to location on the river</p> <p>e) Concern with the creation of traffic problems.</p> <p>f) Would support smaller development at original site.</p> <p>g) Could create white elephant like El Cabello Blanco.</p>

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		chalets near to the Club House. Accordingly in view of the traffic assessment not having taken account of the impact of the existing chalet site it would be appropriate to reduce the units associated with the proposed development of Lot 62 by an equivalent number to those located near the Club House. This should be affected by including a specific condition in the Restricted Use Table to restrict the number of accommodation units on Lot 62 (see response to Submission No. 32c – Resort too large).
4	J A Gameau 6 Coachmans Place Roleystone	<p>a) Support the proposal. Satisfied that the Council will ensure that nothing will proceed without appropriate conditions being met. Support development of a high class tourist destination in this location. Support development on river front as it will assist in clearing up what is currently an eyesore.</p> <p>b) Suggest provision of a bridge over the river from Croyden Road to the resort.</p>
5	Mr and Mrs Williams 48 Croyden Road Roleystone 6111	<p>a) Object to the amendment as it would adversely affect existing residents due to increased traffic,</p> <p>b) Increased effluent,</p> <p>c) Damage to landscape and scenery and detriment to wildlife.</p>

g) **Resort may fail**
Dismiss. The fear that a proposal may not be viable or may fail is not a planning consideration.

a) Support for proposal noted.

b) As per No. 14b (Alternative access).

a) As per No. 1b (Traffic issues).

b) **Effluent disposal.**
Dismiss.

A number of submissions raised concerns regarding the proposed effluent disposal system, variously stating that the proposal was untested, may fail, would pollute the Canning River, and would overflow during power cuts.

It should be noted that these concerns are foreshadowed in the proposed scheme provisions which require the proposed on-site wastewater treatment plant to be approved by the Department of Health WA and the Department of Environment. It is not possible to achieve certain approvals within the scheme amendment process as the Health Department has advised the applicant that it will not provide an assessment of the proposed system unless it is a firm proposal – as demonstrated by the finalisation of the scheme amendment. In the

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		<p>EPA's advice this provision has been supported.</p> <p>The applicant will have to clearly demonstrate to the Health Department, Department of Environment and Conservation, and Department of Water that the proposal will not have any detrimental effect on either the river or the environment. Each of these departments would be expected to endeavour to ensure that there was minimal risk of pollution to the water or environment as a result of this proposal. It is probable that the Health Department would require a holding capacity of say 24 hours, which would permit effluent tank storage for 24 hours in the event of a power failure. In addition back-up pumps (run by generators so that they may operate in the event of a power failure) would be required.</p> <p>The proposed scheme will require either Class D (for irrigation of the golf course) or Class A (for release to the Canning River) level of treatment. The developer has indicated amongst other things that the design will have 100% redundancy principle for all the moving parts, emergency storage capacity for at least three days of peak wastewater generation, the technology used is able to deliver higher class effluent than the proposed end use application requires according to the Department of Health guidelines and monitoring is undertaken by third parties and placed in the public domain.</p> <p>Some submissions expressed concern that advice from the EPA in the early 1990s stressed the need to avoid pollutants from effluent disposal entering the waterways. While this sentiment will no doubt continue, there is a growing awareness of the benefit of water recharging waterways, subject to specified criteria being met, as intended in the proposal. It is considered that the ability of the developer to satisfy the necessary authorities that effluent disposal meets prescribed standards is a separate matter to the issue of whether Lot 62 should be used for a Holiday Accommodation Resort.</p>
6	Western Power 85 Princep Road Jandakot 6164	<p>c) As per No.20d (Visual impact) and No. 20c (Flora and fauna). Note no objections.</p> <p>No objections to proposed amendment.</p>
7	Anthony Spanjers PO Box 302 Gosnells	<p>Note support for proposal.</p> <p>Support the proposed amendment.</p>
8	Dept of Indigenous Affairs PO Box 7770 Cloisters Sq	<p>Noted need to address the Aboriginal heritage values and seek consent for the development under S.18 of the AHA.</p> <p>The Scheme Report should address the Aboriginal</p> <p>While the proponent needs to be aware of DIA's advice, it is noted that the proposal would</p>

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	Perth 6850	result in land on the Canning River being given up to be vested in the Crown and the Foreshore Management Plan will consider such matters as the manner in which Aboriginal sites will be protected.
9	Elizabeth Jorgensen 24 Urch Road Roleystone 6111	<p style="text-align: center;">SUMMARY OF SUBMISSION</p> <p>heritage values of Lot 62. Need to seek consent to use the land pursuant to S. 18 of the AHA.</p> <p>Do not support the proposed development.</p> <p>a) Concern at environmental impact and will not serve to preserve and enhance the scenic quality of the valley.</p> <p style="text-align: center;">Environmental impact.</p> <p>Noted.</p> <p>A number of submissions expressed concern that the proposal would result in environmental impact in a general sense.</p> <p>An environmental report was prepared in support of the proposal by Infra Tech and Syrinx Environmental. This report documented the environmental issues associated with the site. The consultants concluded that the site lends itself favourably to the proposed eco-resort development noting that:</p> <ul style="list-style-type: none"> • There are no high conservation biodiversity values associated with the land to be developed, however the values associated with the river foreshore should be protected by the preparation of a foreshore management plan and as many existing trees as feasible should be retained on site following a tree survey; • There are risks associated with surface and groundwater flows (relating to contamination of the river, erosion and interception of flows) which should be minimised by the use of raised footings or footings installed perpendicular to the slope to prevent interception of subsurface flows and the preparation of a nutrient and water management plan; • Buildings should be designed to minimise visual impact and integrate as much as possible with the natural environment; • There is a high fire risk due to the proximity to forest and the desire to retain existing vegetation. A fire management plan should be prepared to address the issues. <p>The EPA has advised that the amendment should not be assessed under Part IV of the EP Act but provided advice regarding:</p> <ul style="list-style-type: none"> • The need to avoid development within 30m of minor watercourses and a vegetated buffer is recommended; • Direct discharge of stormwater into watercourses is not supported. A nutrient irrigation management plan is required to be prepared and implemented; • Native vegetation should be preserved so far as practicable during and after clearing for site works and services to accommodate the proposed resort development. Portions of the subject land area are classified as being environmentally sensitive and a clearing permit will be required from the DoE unless exempt. Revegetation is supported and the program should ensure the full revegetation with indigenous species along drainage lines and areas of remnant vegetation disturbed during construction.

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		The Scheme provisions and subsequent development approvals will take account of this advice to ensure that any development meets all environmental requirements. Similarly the advice of the Swan River Trust in respect of managing the impacts on the Canning River will be taken into account in modifying the scheme amendment.
10	Andrea Van de Sande 24 Urch Road Roleystone 6111	Do not support the proposed development. a) Environmental impact unacceptable. b) Contrary to Canning River amenity and scenic quality.
11	Adoree and Stuart Williams 48 Croyden Road Roleystone 6111	a) Object to proposal as it will adversely affect residents of Croyden Road due to increased traffic. b) Increased effluent. c) Damage to landscape and scenery and impact on wildlife.
12	Ita Goldberger-Amram 124 Croyden Road Roleystone 6111	a) Already too much traffic on Croyden Road. Increasing vehicle numbers four times will make matters far worse. b) Area is rural and should remain so.
13	James Dawson 67 Amenti Road Roleystone 6111	a) Concern about increase in traffic. b) Concern that lack of footpaths make the road dangerous.
14	Phil and Nissa Aked 12 Protector Grove Roleystone 6111	a) Proposed Heritage Drive entry is in dangerous position due to poor visibility, steep hill, bend. Particularly bad for heavy vehicles. b) Need for second entry to estate whether resort built or not – second access should be built prior to the resort.
		a) As per No. 9a (Environmental impact). b) As per No. 1a (Rural amenity).
		a) As per No. 1b (Traffic issues). b) As per No. 5b (Effluent Disposal). c) As per 20d (Visual impact) and 20c (Flora and fauna).
		a) As per No. 1b (Traffic issues). b) As per No. 1a. (Rural amenity).
		a) As per No. 1b (Traffic issues). b) Noted. This presumably refers to the need for footpaths on Heritage Drive as a footpath has been constructed on Croyden Road. Regarding the needs of pedestrians generally – As per No. 32b (Pedestrian issues).
		a) As per No. 1b (Traffic issues). b) Alternative access. Dismissed. Some submissions expressed the view that there was a need for an additional access to the Araluen Estate other than the current Croyden Road/Heritage Drive access which is claimed to be not suited for the additional traffic. When the original Araluen amendment No. 79 to TPS No. 2 was considered in 1992 it was noted in response to objections from landowners in Thompson Road that "access to the site

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		<p>will be shared between Thompson Road and Croyden Road, thus minimising impact on traffic." This was subsequently enshrined in a legal agreement between the owner of the Araluen estate and the City whereby it is now a requirement for the City to upgrade Thompson Road and its intersection with Brookton Highway in the event of the developer extending Old Albany Lane to link with Thompson Road.</p> <p>The possible opening of a Thompson Road link was investigated by the traffic consultants for the current proposal and it was concluded that it would be more appropriate to increase traffic flows on Croyden Road than to construct a new access to Thompson Road in view of the designated function of Croyden Road. This view is confirmed by the advice of the City's Technical Services. Therefore there is no absolute reason to provide the alternative access on the basis of the ability of Croyden Road, or indeed Heritage Drive, to handle the projected traffic flows. The works are not programmed in the Five Year Works Program, but could be accommodated by some reprogramming.</p> <p>However, the provision of an alternative access would have benefits in terms of emergency access and in assisting to distribute traffic flows which would provide relief to Croyden Road residents and users. The applicant's Traffic report has noted that the opening of Thompson Road to through traffic future would reduce traffic flows on Heritage Drive south of Croyden Road to 2,200 vpd (in the worst case) while traffic flows on Croyden Road west of Heritage Drive would only reach 2,770 vpd (compared with 3,740 and 4,320 vpd respectively without a Thompson Road connection). Table 2 estimates the worst case for traffic on Heritage Drive and Croyden Road for Thompson Road being open or closed and with the Araluen Estate being fully developed (including chalets near the Club House) and the proposed resort on Lot 62 containing 130 units.</p> <p>Table 2 – Estimated Traffic Volumes* – Thompson Road open – reduced accommodation on Lot 62</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;">Thompson Rd. closed</th> <th style="text-align: center;">Thompson Rd. open</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Heritage Drive</td> <td style="text-align: center;">3740</td> <td style="text-align: center;">2200</td> </tr> <tr> <td style="text-align: center;">Croyden Road</td> <td style="text-align: center;">4320</td> <td style="text-align: center;">2770</td> </tr> <tr> <td style="text-align: center;">Thompson Road</td> <td style="text-align: center;">140</td> <td style="text-align: center;">1550</td> </tr> </tbody> </table> <p>* Assuming Estate fully developed and occupied and Holiday Accommodation Resort fully developed. Source: Uloth and Associates</p>		Thompson Rd. closed	Thompson Rd. open	Heritage Drive	3740	2200	Croyden Road	4320	2770	Thompson Road	140	1550
	Thompson Rd. closed	Thompson Rd. open												
Heritage Drive	3740	2200												
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	<p>SUMMARY OF SUBMISSION</p> <p>c) Croyden Road cannot accommodate 5000 vpd. Could access be built to avoid Heritage Drive?</p> <p>Brookton Hwy/Croyden Rd junction is dangerous.</p> <p>d) Need to retain the footpath across the property and parking.</p> <p>River bridge at Heritage Drive is dangerous for pedestrians.</p> <p>e) Concern at impact of noise from traffic, water treatment plant and building works.</p> <p>f) Concern at loss of dam on property which is breeding ground for species of frogs.</p> <p>g) Need to preserve trees on site.</p> <p>h) Only plant native plants.</p> <p>i) There are advantages of the proposal including employment, facilities for local people, desirable image and high class accommodation.</p>													

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	SUMMARY OF SUBMISSION	<p>In short, the provision of a Thompson Road link would relieve traffic on Croyden Road by a considerable amount due to the more direct route offered to many residents of the Araluen Estate and the chalets near the Club House. Although there may be some advantages in terms of providing alternative access in the event of fire, if the City had not previously made a commitment to open Thompson Road as an alternative access to the Araluen Estate it would probably be difficult to justify the imposition of the channelling of significant vehicle numbers down the otherwise low traffic road when Croyden Road is designated as a road designed to accommodate over 6000vpd. In addition there would need to be significant clearing on Thompson Road to provide safe use of the road for the projected traffic.</p> <p>In view of the previous commitment the current proposal could provide a potential trigger, should the developer construct Old Albany Lane, for the provision of the link at least as an option for Council to consider.</p> <p>c) As per No. 1b (Traffic issues).</p> <p>d) As per No. 32b (Pedestrian issues).</p> <p>e) As per No. 2c (Noise).</p> <p>f) Dismiss. A dam exists on the southern side of Lot 62 which is proposed to be complemented by the construction of another small dam, and together these dams would play a part in the possible wastewater treatment process. While the consultant's environmental report has not identified the environmental value of the dam as a breeding place for frogs, it is likely that this habitat would not be detrimentally affected.</p> <p>g) Upheld. The amendment requires that the retention of existing trees and vegetation be maximised.</p> <p>h) Only plant natives. Upheld in part. The Amendment should be modified to specify the need for a landscaping management and planting plan to maximise use of locally native species. The amendment requires the preparation of a plan and text to maximise the retention of existing trees and vegetation. This condition could be expanded to specifically mention the need for replanting and that this replanting maximises the use of locally native species.</p> <p>i) The advantages of the proposal should be noted.</p>

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No.	SUBMITTER	RECOMMENDATION/COMMENTS
15	Peter and Gill Baddley 75 Butcher Road Roleystone 6111	<p style="text-align: center;">SUMMARY OF SUBMISSION</p> <p>a) Concern at increase in traffic by 5000 vpd.</p> <p>b) Object to the possible opening of Wymond Road as it would be of detriment to the Soldiers Road valley.</p> <p>c) The 160 bed hotel would be contrary to the local amenity and rural character. The land has low capability and is unsuitable for the proposed use.</p> <p>d) Concern that the wastewater treatment plant will not work and will have detrimental impact on the river.</p> <p>e) Proposal is contrary to TPS No. 4</p>
		<p>a) As per No. 1b (Traffic issues).</p> <p>b) There is no proposal that Wymond road be opened as a result of this amendment, although there has been an understanding from the Council that a second access via the nearby Thompson Road may be required in the future.</p> <p>c) As per No. 1a. (Rural amenity).</p> <p>d) As per No. 5b (Effluent Disposal).</p> <p>e) Contrary to TPS No. 4. Dismiss.</p> <p>A number of submissions raised concern that the proposed amendment was contrary to the provisions and objectives of TPS No. 4 which was gazetted in November 2005. The purpose of the amendment is to alter TPS No. 4 so it would not be surprising if it was contrary to the current provisions. Indeed, Council has, within the first year of the operation of TPS No.4, initiated 28 scheme amendments.</p> <p>The Scheme objectives for the Rural Living zone are:</p> <ul style="list-style-type: none"> • to provide for a variety of rural living environments based on defined lot sizes, land form and natural environmental characteristics; • to provide for a range of associated compatible development, consistent with the environmental opportunities and constraints applicable to individual sites; • to ensure development is sited, designed and managed in harmony with the natural environment and so as to protect the rural landscape and amenity. <p>Given appropriate conditions and management, the proposal could be compatible with the Scheme objectives in view of the size of the land parcel and the extent of clearing.</p> <p>Moreover, the proposal is in a number of respects consistent with TPS No. 4 in view of the following uses being permitted at Council's discretion in the Zoning Table for the RLX zone:</p> <ul style="list-style-type: none"> • Holiday Accommodation "A", • Dam construction "D", • Reception Centre "A", • Recreation Private "A", • Restaurant "A". <p>The amendment has been initiated to provide public input regarding the possibility of the whole site being allocated to resort development – which was not contemplated under the RLX zone. It is acknowledged that resort development could conflict with the objectives sought by the community for the locality – however, it is possible that a resort development</p>

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		could provide considerable community benefit and the opportunity for many to enjoy a Rural Living environment without detrimentally impacting upon it. It should be noted that in the event of the amendment not proceeding, as the uses proposed are approvable under the existing Scheme provisions, a development application could be submitted and considered for the proposal and following a 14 day advertising period could be determined either by Council or the State Administrative Tribunal without the necessity of applying the conditions that would be required under the Amendment. Therefore, the City's view is that far from the Amendment being contrary to the Scheme, it provides safeguards and restrictions on future development that would not otherwise be available.
16	Alex Cooper 17 Croyden Road Roleystone 6111	a) Concern that traffic has gradually increased due to Botanic Park and Golf Course Estate – proposal will exacerbate problem and result in greater hazard, and difficulties in parking. Resort would be acceptable except that it would impact on residents. b) Suggest opening Thompson Road to through traffic – access issue must be solved prior to resort commencing.
		a) As per No. 1b (Traffic issues). b) As per No. 14b (Alternative access).
17	M P Home 14 Kurrajong Street Roleystone 6111	a) The resort will exacerbate fire issues which are already critical and result in risk to life. b) Croyden Road is not suited to the proposed increase in traffic. Traffic would impact on amenity of residents – also to those on Thompson Road should this be opened up. Need to study impact of additional traffic on Brookton Highway – particularly the blind intersection with Croyden Road. c) Concern at increase in die-back which would be worsened by the proposal. d) Concern at proposal effect on tree removal. e) Proposal is on the edge of a drinking water catchment. f) Concern at impact on fauna such as the
		a) As per No. 2f (Fire issues). b) As per No. 1b (Traffic issues). c) As per No. 52d (Dieback). d) Tree removal Noted. Lot 62 has been substantially cleared for grazing in the past and the proposed development will be located in these cleared areas. The proposed amendment requires the preparation of a plan and text to maximise retention of existing trees and vegetation and the screening of and/or landscaping of car parking areas from public vantage points. e) Dismiss. While the Water Catchment is to the east of the property, it is downstream and any pollution resulting from the development, if such occurred, would not impact on public water supply. f) As per No. 20c (Flora and fauna).

SCHEDULE OF SUBMISSIONS		RECOMMENDATION/COMMENTS
No.	SUBMITTER	SUMMARY OF SUBMISSION
18	Cam Clay Armadae Gosnells Landcare Inc	<p>Nankeen, Crimson Tailed Black Cockatoos, kangaroos, and bandicoots.</p> <p>g) Concern that effluent disposal system may fail.</p> <p>a) Support the proposal to undertake weed control adjacent to the Canning River and to revegetate with native species.</p> <p>b) Concern that the land will not be in public ownership – recommend land to be given back to the Crown in manageable state.</p> <p>c) Recommends Council consider ongoing management with appropriate resources.</p> <p>d) Concern at environmental degradation during and after construction.</p> <p>e) Concern that the proposed intense earthworks and development will be unable to withstand the extreme run off and this will result in severe silting of the Canning River.</p> <p>f) Concern that the effluent treatment plant may fail.</p>
		<p>g) As per No. 5b (Effluent Disposal).</p> <p>a) Noted that the proposal to undertake weed control adjacent to the Canning River and to revegetate with native species is supported.</p> <p>b) Noted. The amendment requires the ceding of a foreshore reserve to the Crown along either side of the Canning River.</p> <p>c) Noted. The management of the reserve will need to be considered as required under the Amendment – a Foreshore Management Plan is required to be prepared.</p> <p>d) Upheld. The scheme provisions should include the requirement to undertake, prior to development, a Construction Management Plan to minimise the impacts of construction on and off the site including the Canning River.</p> <p>e) Stormwater and erosion. Upheld in part. A number of submissions expressed concern at the possibility that the development of Lot 62 would result in soil erosion and silting of the Canning River. Development will include mechanisms to control drainage and runoff from the site and provide footings to prevent interception of groundwater flows as proposed in the Consultants Reports. The overall effect will be managed drainage on the land which has been accepted with additional requirements by the Swan River Trust. The Consultants (Infra Tech) have concluded that the resort and the measures proposed will actually decrease the natural run-off from the catchment and significantly reduce the natural erosion taking place at the site and in addition the drainage system and features of the resort such as roads and garden beds will intercept and direct the remaining natural flow through gross pollutant and hydrocarbon traps to the storage dams. To provide greater certainty it is proposed that a Sedimentation and Erosion Management Plan be prepared and implemented to ensure that no increase in the level of sediments entering the Canning River occur and a Nutrient and Irrigation Management Plan be prepared and implemented to ensure that during and following development there is no increase in the level of pollutants (including nitrogen and phosphorus) entering the Canning River from the site. In addition the amendment requires the preparation of a plan to maximise the retention of existing trees and vegetation – this plan should also provide for</p>

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		RECOMMENDATION/COMMENTS
		the planting of locally native species – thereby further assisting in the management of run off.
19	Max and Laurel Smith 8 Timbreil Way Leeming 6149	<ul style="list-style-type: none"> a) Concern at increase in traffic due to safety. b) Concern that there is no proper sewage system and the area is environmentally sensitive.
20	Ian and Jennifer Brown 6 Mount Dale View Roleystone 6111	<ul style="list-style-type: none"> a) Concern about increase in traffic on Croyden Road and Heritage Drive. b) Concern that noise will travel up the valley sides. c) Concern at impact on flora and fauna. d) Concern at visual impact on the valley of the development.
		<ul style="list-style-type: none"> f) As per No. 5b (Effluent Disposal). a) As per No. 1b (Traffic issues). b) As per No. 5b (Effluent Disposal). a) As per No. 1b (Traffic issues). b) As per No. 2c (Noise). c) Flora and fauna. Noted. A number of submissions raised the concern that the development would jeopardise local flora and fauna. <p>Lot 62 is not in a pristine state and is heavily influenced by past agricultural/pastoral management of the land including clearing, fertilisation, irrigation, cropping and rural grazing, all of which would have altered native fauna habitat. Some concern has been expressed as to native birds and mammals associated with the river water course and native trees. These are the elements of the landscape under threat all along the Canning River. The appropriate action to protect flora and fauna associated with the Canning River is to secure a proper foreshore reserve as is proposed under the amendment through the ceding of a foreshore reserve to the Crown and the preparation of a foreshore management plan. The introduction of cats accompanying urban development has resulted in a serious threat to fauna, however the proposed holiday accommodation would not attract users with cats.</p> <ul style="list-style-type: none"> d) Visual impact. Noted. Many submissions based their concern on the belief that the development would be visually intrusive. <p>It would be unlikely that much of the development would be seen by drivers along Croyden Road (as much of the development would be hidden by trees and the topography). The proponent has indicated that the development will be located in the lower areas of the site, sufficiently screened from view, with minimal removal of vegetation during construction. Given the slope and the landform of the site and its surrounds, the resort will be largely</p>

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No.	SUBMITTER	SUMMARY OF SUBMISSION	RECOMMENDATION/COMMENTS
21	Andrea Howard and Shane Davie 64a Croyden Road Roleystone 6111	a) Croyden Road is not wide enough for extra 5000 vpd and access to and from property is not possible with more traffic.	screened from view from surrounding rural residential properties. Moreover, the land on which the development is proposed is a large lot with dimensions of 1350m by 370m. Further, the design attributes and building materials of the resort will be in harmony with the surrounding environment and strategic tree planting will provide additional screening where necessary.
22	AR, BR and AG Pilkington 312 Croyden Road Roleystone 6111	a) Traffic studies by Uloth and Associates is flawed as traffic counts not conducted to cover events in Araluen Botanic Park and Young Australia League and prior to the public announcement of Park to expand its events. Also need to take account of touring car clubs using Croyden Road. b) Pumping sewage into the river is not desirable. c) Noise from the resort would conflict with the rural ambience. Already noise in valley caused community concern – eg February 2006 concert. d) The resort may impact on operation of horticultural business (bird scaring, chemicals, machinery use).	It should be noted that the indicative designs provided by the applicant to illustrate the likely visual impact of the proposal were drawn from the point of most prominence – not from Croyden Road from where most people would view the development. While the visual impact would be a matter of particular attention at the development approval stage it may be appropriate to specify within the amendment guidance regarding height, bulk and even the total size of the development with the inclusion of a Scheme provision to specify: "The design, in particular height, colour and texture, and positioning of the buildings shall have regard to the natural landscape and views from public vantage points." It should also be noted that Scheme provisions are proposed in respect of landscaping and planting requirements and these will assist in minimising visual impact.
21		a) As per No. 1b (Traffic issues).	
22		a) Dismiss. While it is recognised that occasionally special events do result in considerable traffic being attracted to Croyden Road, roads are generally not designed on the basis of such events. In extreme situations, it may be necessary to put in place a traffic management plan to ensure that traffic safety and accessibility is maintained – as indeed does occur during Araluen Botanic Park events. b) As per No. 5b (Effluent Disposal). c) As per No. 2c (Noise). d) Noted. Normal horticultural operations will need to meet the same standards relating to noise and spraying that they do now. No additional constraints would be imposed as a result of the resort. It is possible that the permanent residents already residing in the locality would be a source of more complaints relating to horticultural operations than would occasional users of the resort.	

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No.	SUBMITTER	SUMMARY OF SUBMISSION
23	Mr and Mrs B Nejad 38 Croyden Road Roleystone 6111	Visit the location.
RECOMMENDATION/COMMENTS		
Note request that the site should be visited.		
24	Glen and Petra Martin 47 Contour Road Roleystone 6111	<p>a) The proposal contravenes TPS No. 4's rural zoning.</p> <p>b) The proposal contravenes the Rural Strategy objectives as it will not "preserve and enhance the scenic and environmental qualities of the Canning River."</p> <p>c) Will the increased traffic on Brookton Highway and Croyden Road the character of the roads will change and the intersections will become more dangerous.</p>
<p>a) As per No. 15(e) (Contrary to TPS 4).</p> <p>b) Contrary to rural strategy. Dismiss. A number of submissions were concerned that the proposed amendment indicated uses which would be contrary to the City's Rural Planning Strategy.</p> <p>It is acknowledged that the proposal could be in part inconsistent with the City's Rural Planning Strategy (1999), this was a reason for undertaking a Scheme amendment to introduce Restricted Use provisions. However, it could be argued that by ensuring that a foreshore reserve will be given up as part of the development and the development will be restricted to already cleared areas while the majority of the 33 hectare lot will remain as bush, the proposal is consistent with the objectives of the Rural Strategy.</p> <p>It should also be noted that the Rural Planning Strategy has no statutory status as it was never adopted by the Council. The Strategy was an input into the Local Planning Strategy, which has been adopted as part of the Scheme – Appendix 3 of the Local Planning Strategy includes the Planning Objective for the Canning Valley "To preserve and enhance the scenic and environmental quality of the Canning Valley and to permit sensitive development of suitable upland areas," and to "promote public access where appropriate." Subject to the conditions relating to the design and management of the proposed development and its size in the context of the land on which it would be located, it is considered that the proposal would be consistent with the Strategy objectives.</p>		
25	Jeremy and Debra-Ann Henderson 179 Croyden Road Roleystone 6111	<p>Live opposite Heritage Drive – directly affected by proposal.</p> <p>a) The proposal will affect the peace and quiet of property particularly from traffic</p> <p>b) It is urgent to develop alternative access to the golf course estate.</p> <p>c) 5 significant accidents on Heritage Drive in past 18 months. Serious concern that traffic would increase from 1900 to 5300vpd. Concern that proposed scheme requirement</p>
<p>c) As per No. 1b (Traffic issues).</p> <p>a) As per No. 1b (Traffic issues).</p> <p>b) As per No. 14b (Alternative access).</p> <p>c) As per No. 1b (Traffic issues).</p>		

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	SUMMARY OF SUBMISSION RECOMMENDATION/COMMENTS
		that City may require road works and alternative access not sufficient. Should not consider amendment until alternative access is established and then only for a smaller and well managed development.
26	Adoree and Stuart Williams 48 Croyden Road Roleystone 6111	<p>a) Oppose the amendment as it would adversely affect the residents of Croyden Road due to increased traffic,</p> <p>b) Increased effluent,</p> <p>c) Damage to landscape and scenery</p> <p>d) Impact on wildlife.</p> <p>a) As per No. 1b (Traffic issues).</p> <p>b) As per No. 5b (Effluent Disposal).</p> <p>c) As per No. 20d (Visual amenity).</p> <p>d) As per No. 20c (Flora and fauna).</p>
27	DW and EJ Kalagow 23 Heritage Drive Roleystone 6111	<p>a) Object as the proposal is contrary to the zoning and Rural Living Strategy,</p> <p>b) It will increase population, and increase traffic on Croyden Road and Heritage Drive and create safety issues.</p> <p>c) Proposal will result in loss of natural amenity due to earthworks.</p> <p>d) Environmental assessments have not fully addressed soil waste, stormwater, noise or economic benefit.</p> <p>e) Proposal will impact on migrating bird life.</p> <p>Dismiss. Studies undertaken by Infra Tech and Syrnix Environmental supported by advice from the EPA and Swan River Trust have adequately addressed the environmental issues. Additional requirements will be imposed through modifications to the amendment recommended by the authorities and in response to submissions.</p> <p>a) As per No. 15e and 24b (Contrary to TPS 4 and Contrary to Rural Strategy).</p> <p>b) As per No. 1b (Traffic issues).</p> <p>c) As per No. 1a (Rural amenity).</p>
28	Sheila and Brian D'Arcy 20 Barnes Road Roleystone 6111	<p>Object to the proposal.</p> <p>a) Inconsistent with rural strategy objective.</p> <p>b) Contrary to the peaceful surroundings.</p> <p>c) Object to initiating amendment without public consultation and contrary to community views.</p> <p>a) As per 24(b) (Rural strategy).</p> <p>b) As per No. 1a (Rural amenity).</p> <p>c) Dismiss. Two opportunities for public comment will be provided (rezoning and development). It would be unprecedented to seek public comment on whether to initiate an amendment.</p>
29	Brian Young 73 Tyers Road Roleystone 6111	<p>Concern at prospect of waste entering the river from the proposed development.</p> <p>As per No. 5b (Effluent Disposal).</p>
30	Betty Winder 119 Croyden Road Roleystone 6111	<p>a) Concern regarding traffic,</p> <p>b) Loss of rural amenity from high density holiday accommodation</p> <p>c) Potential river pollution.</p> <p>a) As per No. 1b (Traffic issues).</p> <p>b) As per No.1a (Rural amenity).</p> <p>c) As per No. 2e (Canning river pollution).</p>

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No.	SUBMITTER	SUMMARY OF SUBMISSION
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31	Thomas Darwin 19 Croyden Road Roleystone 6111	Concern that a beautiful country lane will become a busy thoroughfare.
32	Mr and Mrs R. M Grant 10 Horsemans View Roleystone 6111	<p>a) Concerns include increased traffic and safety issues,</p> <p>b) Pedestrian access issues,</p> <p>c) Resort would be too large,</p> <p>d) Storm water disposal issues,</p> <p>e) Effluent discharge, fertilisers discharging into the Canning,</p> <p>f) Maintenance of the resort, issues with current resort management,</p> <p>g) Loss of rural amenity.</p>
<p>As per No. 1b (Traffic issues).</p> <p>a) As per No. 1b (Traffic issues).</p> <p>b) Pedestrian issues. Upheld in part. A number of submissions raised the impact the proposal could have on pedestrians who currently enjoy access to the site and the possibility that there will be a greater need to plan for pedestrians on Heritage Drive, Croyden Road and along the Canning River. The need to accommodate pedestrian parking needs was also raised in some submissions. Currently pedestrians use the firebreak on the boundary of Lot 62 to walk between Heritage Drive and Armenti Road and this access will not be affected by the proposed development. The proposal provides for an exhibition area immediately off Heritage Drive and this would include a public parking area which would accommodate the parking needs of pedestrians. A narrow pedestrian path is provided along Croyden Road and a link exists between Thompson Road and Heritage Drive as a consequence of the 1992 Agreement between the Araluen Estate developers and the City. The Amendment process required that consideration be given to the upgrading of the bridge on Heritage Drive to accommodate pedestrians. The consultant's report noted that the pedestrian routes around the Canning River could be addressed as part of the Foreshore Management Plan. It is agreed that pedestrian issues need to be addressed in respect of Heritage Drive as currently there is no provision for pedestrians on Heritage Drive and in the event of a tourist facility being developed on Lot 62 there will be a need to connect the facility with the rest of the path network. A pedestrian route along the Canning River would be a desirable facility to provide between Heritage Drive and McNess Drive or Armenti Road. Indeed the City's Strategic Trails Route plan shows a trail between Soldiers Road and Thompson Road and from the Thompson Road Bridge to Heritage Drive and then on the south side of the Canning River to McNess Road near its junction with Armenti Road. While the pedestrian routes could be clarified within the Foreshore Management Plan a requirement to provide or upgrade a dual use path on the north or south side of the Canning River between the Thompson Road bridge and McNess Drive and the provision of a pedestrian crossing of the Canning River could be identified as a specific Scheme requirement. There is significant vehicle/pedestrian conflict in the vicinity of the Heritage Drive bridge over the Canning River. Pedestrian amenity and safety needs to be addressed and it is probable that the most appropriate place for a segregated pedestrian crossing between the Thompson Road and McNess Drive crossings would be on the Heritage Drive bridge.</p>		

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		<p>c) Resort too large. Upheld in part. Some submissions objected to the scale of the development.</p> <p>While the avowed intention of the proponent is to develop in two 80 unit stages, plus 19 chalets, the proposed Amendment places no specific limit on the number of units to be permitted on site. It may be appropriate to consider such a restriction, particularly in view of the existence of an area of potential chalet development near the Club House. Certainly there are areas within Lot 62 which are particularly sensitive to development, although it is a large parcel of land. The proposed development generally avoids the sensitive locations, with the exception of the western most cluster of nine chalets which would be located within an area of some bush and close to a minor watercourse.</p> <p>If the proponent's intended ultimate development of 179 units were averaged out over the property the density would equate to one unit for every 1,885m². This is certainly not high density particularly when it is noted that holiday accommodation would not have a comparable impact with single housing development – the latter often having ten times the area of the former. If the concern at the size of the development is due to the impacts which are largely from traffic, then a logical basis for reducing the number of permitted units could be to seek to reduce the total number of units in view of the traffic assessment not having taken account of the potential 50 chalets near the Club House. It is noted that the Swan River Trust has recommended that the number of units on Lot 62 be reduced to 120 although no basis for this number has been put forward and it is probably more logical to require the unit numbers to be reduced on Lot 62 or near the Club House on the grounds of traffic than the use of an arbitrary figure.</p> <p>It is recommended that the amendment include a provision to specify the maximum number of accommodation units taking into account the potential total number of units on the Araluen Estate – this could be specified in terms of a resort containing 120 rooms and ten self contained chalets, with the buildings being confined to a single development node on the site.</p> <p>d) As per No. 18e (Stormwater and erosion). e) As per No. 5b (Effluent Disposal). f) As per No. 34j (Maintenance of resort) g) As per No. 1a (Rural amenity).</p>

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No.	SUBMITTER	RECOMMENDATION/COMMENTS
33	Bill Scott 71 Wymond Roleystone 6111	<p style="text-align: center;">SUMMARY OF SUBMISSION</p> <p>a) Concern that the developer has not met previous requirements. Council should prepare a summary of what the developer can do under present restrictions.</p> <p>b) Concern that the clay slopes are intrinsically unstable as shown in previous UWA research. Further information is provided explaining the way in which the formation of the local geology accounts for the likelihood of slippage with the swelling clays. Need to maintain vegetation to prevent slips.</p> <p>c) The Canning River should be given up to the City for control with a continuing maintenance program with funding from the developers.</p> <p>d) Concern that treated sewage will go directly into the river. This is not the place to experiment with new effluent disposal systems. Author's concerns arise from specific experience in water balance study before 1992 and continuing monitoring particularly of groundwater.</p> <p style="text-align: center;">RECOMMENDATION/COMMENTS</p> <p>a) The submission does not specify the requirements not undertaken by the developer. The developer of the Araluen Estate (Sangora Holdings) undertook by agreement with the City (entered into in April 1992 and supported by Bank Guarantees or Bonds) the following:</p> <ul style="list-style-type: none"> - to construct a golf course and club house, - ensure that the golf course is open to the public within a year after subdivision, - create residential lots, - keep the course in good condition, - monitor water quality, - upgrade Croyden Road between Brookton Highway and Bevan Road, - construct or upgrade portions of Bevan Road and Bristol Road, - construct a pedestrian and cycle path along the foreshore of the Canning River from Bevan Road to Thompson Road and on Lot 62 from Bevan Road to Bristol Road, - prepare a revegetation and landscaping plan, - not subdivide Lot 62. <p>It would appear that these undertakings have been met.</p> <p>b) Soil stability. Dismissed. A number of submissions expressed concern at the possibility that development on Lot 62 in the manner proposed would fail due to the geological nature of the land and the tendency of run off to destabilise future development. The requirements of a geotechnical report for a rezoning are different to the requirements at the development application stage. It is conceded that the report prepared is a preliminary one and that detailed investigations will be required at the next stage. Geotechnically the site has clays perched on the shallow dolerite formations and once the location plans and structures are determined, the appropriate foundations can be designed. It is likely that the foundations will be founded on sound shallow rock. With regard to slope instability, with proper surface and sub-surface drainage any hazards will be addressed and development adequately designed. There are similar situations in the Hills which have been developed without risk and it is considered that the site can be similarly developed, however undoubtedly more detailed studies will be required to be undertaken at the appropriate stage of the development process. It should also be noted that substantial residential development already exists on similar ground along Croyden Road. If there was doubt regarding the developer's consultant's report, or should the Council seek further assurances, it would be appropriate for the City to commission and the developer to</p>

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		RECOMMENDATION/COMMENTS
		<p>fund a peer review of the developer's consultant geotechnical report.</p> <p>c) Noted. It is agreed that the Canning River foreshore should be given up as a condition. The Amendment also required the preparation of a Foreshore Management Plan which would address the management concerns.</p> <p>d) As per No. 5b (Effluent Disposal).</p>
34	Damon Buckley and Robyn Dingjan 216 Croyden Road	<p>a) Not entirely opposed to the resort but the proposed location is inappropriate – should be closer to the club house. No assurance that the previously approved locations would be acted on.</p> <p>b) Proposal would destroy local amenity.</p> <p>c) Concern that soil is unstable and water run-off.</p> <p>d) Concern over traffic and safety on Heritage Drive and Croyden Road and Brookton intersection.</p> <p>e) Concern over noise.</p> <p>f) Concern that alternative access through Thompson road would be expensive and impact on residents.</p> <p>g) Concern over visual impact</p> <p>h) Concern at negative impact on land values.</p> <p>i) Concern over effluent disposal system.</p> <p>j) Concern over ability of owner to manage the property.</p> <p>k) Council should employ independent consultants to assess proposal.</p>
		<p>a) As per No. 3f (Prefer existing chalets site).</p> <p>b) As per No. 1a. (Rural amenity).</p> <p>c) As per No. 33b (Soil stability).</p> <p>d) As per No. 1b (Traffic issues).</p> <p>e) As per No. 2c (Noise).</p> <p>f) As per No. 14b (Alternative road access).</p> <p>g) As per No. 20d (Visual Impact).</p> <p>h) As per No. 2g (Land values).</p> <p>i) As per No. 5b (Effluent Disposal).</p> <p>j) Maintenance of resort Dismiss.</p> <p>There is concern in some submissions regarding the ability of the proponent to manage the property, and some submissions complained that the current development is not managed well as evidence of this. However, this in itself is not a reason to prevent a development occurring, or, in this case, an amendment taking place to allow a development to occur in the future. A number of requirements will be imposed to ensure that the elements of the property are well planned and managed. It is not considered that its failure would result in the City being obliged to continue the operation.</p> <p>k) Independent consultants Dismiss. Some submissions were of the view that it was inadequate for technical advice to be accepted from the proponent's consultants and that Council should engage its own consultants to assess the proposal. Council could certainly engage independent consultants to provide further advice if there are particular matters that need investigation. However, it would not be a good use of ratepayer funds to always seek independent consultant advice when specialist qualified consultants in the employ of the proponent may provide adequate information upon which to base decisions. In addition, the City employs a range of technical officers who are capable of providing advice in a wide range of areas. Where independent consultant advice is warranted such advice could be requested, possibly at the expense of the proponent.</p>

SCHEDULE OF SUBMISSIONS			
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE			
No.	SUBMITTER	SUMMARY OF SUBMISSION	
		RECOMMENDATION/COMMENTS	
35	Sue Williams Email – suwilliams@bigpong.com	Oppose the amendment. Concern at impact on the river due to unstable soil.	As per No. 33b (Soil stability).
36	Murray Barnard 73 Hawkstone Road Roleystone 6111	a) Concern at adverse affect on rural landscape of Canning Valley. b) Proposal is too close to the river and too visible. c) Concern at excess nutrient runoff. d) Concern that traffic will create noise, create safety issues and should remain as a tourist route	a) As per No. 1a (Rural amenity). b) As per No. 20d (Visual impact). c) As per No. 2e (Canning River pollution). d) As per No. 1b (Traffic issues).
37	Water Corporation PO Box 100 Leederville 6902	Lot 62 is outside the WC water reticulation planning area. The area is remote from the sewerage scheme.	Comment on water and sewer availability.
38	Monica Ballinger 15 Trevor Court Roleystone 6111	a) Concern at impact on environment, b) Canning river c) Traffic.	a) As per No. 9a (Environmental impact). b) As per No. 2e (Canning river pollution). c) As per No. 1b (Traffic issues).
39	Mr A and Mrs E Ledger 6 Calliandra Place Roleystone 6111	a) Object due to concern that there is already too much development and the resulting noise and heavy traffic on Brookton Highway, this will be added to on Croyden Road. b) Concern that there will be smell from the river.	a) As per No. 1b (Traffic issues). b) As per No. 2e (Canning River Pollution).
40	Mary and Geoffrey Drew 1 Orchid Drive Roleystone 6111	a) Rural character should be preserved for residents and tourists. b) Proposal will result in more urbanisation of detriment to the environment.	a) As per No. 1a (Rural amenity). b) As per No. 9a (Environmental impact).
41	Anna Fagio 6 Ferguson Road Karragullen 6111	a) Concern about environmental impact. b) Concern at traffic impact. c) Concern that there are enough businesses not doing well in the area already.	a) As per No. 9a (Environmental impact). b) As per No. 1b (Traffic issues). c) Impact on existing business Dismiss. No evidence is presented to support the notion that the proposal should be rejected on grounds that other businesses are not doing well. It is not considered that the proposal would be of detriment to local business and in any event economic competition is not considered to be a legitimate planning consideration.

SCHEDULE OF SUBMISSIONS			
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE			
No.	SUBMITTER	SUMMARY OF SUBMISSION	
		RECOMMENDATION/COMMENTS	
42	Margaret Burke maggieb@rec.com.au	<p>a) Concern that the proposal would have a detrimental impact on the Canning river and water supply issues generally.</p> <p>b) Should not have development close to water systems.</p>	<p>a) Water supply – it should be noted that the Canning River below the Canning Dam is not currently used for public water supply.</p> <p>b) As per No. 2e (Canning River pollution).</p>
43	Brad Spaanderman Brad.spaanderman@watercorporation.com.au	<p>a) Cars turning right onto Brookton Hwy from Croyden Road have limited view of cars travelling down the Highway. Increasing traffic will increase risk.</p> <p>Brookton Hwy requires upgrading – potholes need repairing and the situation will get worse with more traffic.</p>	<p>a) As per No. 1b (Traffic issues).</p>
44	Mike Thornber 35 Urch Road Roleystone 6111	<p>a) Too many units for the area to sustain without environmental impact.</p> <p>b) Current TPS must be allowed to function.</p>	<p>a) As per No. 9a (Environmental impact).</p> <p>b) As per No. 15e (Contrary to TPS 4).</p>
45	Gordon Cole 22 Croyden Road Roleystone 6111	<p>a) Traffic concern on Croyden Road.</p> <p>b) Need another access road due to fire hazard and safety.</p> <p>c) Concern that Croyden Road has same speed limit as the lower parts of Brookton highway yet the former is a small winding road.</p>	<p>a) As per No. 1b (Traffic issues).</p> <p>b) As per No. 14b (Alternative access).</p> <p>c) As per No. 1b (Traffic issues).</p>
46	Heather Quinlan 5 Coachmans Place Roleystone 6111	<p>a) Support the proposed development as it will increase employment, draw tourists and increase local business and provide quality accommodation in the area.</p>	<p>a) Note support for proposal.</p>
47	Kerry and Rob Fidock JP 7 Misty Valley View Roleystone 6111	<p>Object to amendment on grounds that:</p> <p>a) It would go against a promise given that the land on the escarpment would remain rural with restricted building.</p> <p>b) Proposal is visually unsightly and out of context.</p> <p>c) Proposal will create noise from functions and vehicle movement – this matter (the amphitheatre effect) not addressed in documentation. Noise abatement issue from entertainment.</p> <p>d) Proposal will make Croyden Road more dangerous.</p>	<p>a) As per No. 2a (Contrary to plans for Lot 62).</p> <p>b) As per No. 1a (Rural amenity) and 20d (Visual Impact).</p> <p>c) As per No. 2c (Noise).</p> <p>d) As per No. 1b (Traffic issues).</p> <p>e) As per No. 20c (Flora and fauna).</p> <p>f) As per No. 2e (Canning river pollution).</p> <p>g) As per No. 2f (Fire issues).</p> <p>h) As per No. 2g (Property values).</p> <p>i) Include as public park Dismiss. The concept of using all of Lot 62 for public recreation instead of permitting development tends to fall on the grounds that it has not been identified as meriting reservation under System 6, the Darling Range Regional Park or other assessments. Already substantial</p>

<p align="center">SCHEDULE OF SUBMISSIONS AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE</p>			
No.	SUBMITTER	SUMMARY OF SUBMISSION	RECOMMENDATION/COMMENTS
		<p>Access from Heritage Drive inappropriate as it is very steep and would require substantial earthworks.</p> <p>e) Adverse impact on wildlife f) Pollution of Canning river. g) Fire risk heightened by smokers. Particularly with only one access. h) Will undermine property values. i) Suggest inclusion of land in Regional Park j) Encourage resort to be located near club house.</p>	<p>regional parkland, including the Araluen Botanic Park, and water catchment forested areas exist to the east of the property. It should be noted that the extent of cleared area and the grazing history of the land would argue against its reservation. The cost to the State of the acquisition of Lot 62 for park purposes would be substantial. It is noted, however, that the Amendment requires the Canning River foreshore to be given up free of cost as a condition of any future development.</p> <p>j) As per No. 3f (Prefer existing chalets site).</p>
48	Walter Young 2 Croyden Road Roleystone 6111	<p>a) Concern at increase in traffic on Croyden Road particularly at the intersection with Brooktron Hwy. b) Concern that access to submittees property will become more difficult. Bends on Croyden Road are dangerous. c) Need for alternative access to the area. Suggest investigation into current conditions and impact of the projected increase in traffic.</p>	<p>a) As per No. 1b (Traffic issues). b) As per No. 1b (Traffic issues). c) As per No. 14b (Alternative access).</p>
49	M & B Lamotte 52A Croyden Road Roleystone 6111	<p>a) Concern that additional traffic on Croyden Road is problematic b) Proposal will adversely affect rural amenity. c)</p>	<p>a) As per No. 1b (Traffic issues). b) As per No. 1a (Rural amenity).</p>
50	Paul and Christine Hanna 33 Armentti Road Roleystone 6111	<p>a) Concern at increased traffic. Croyden Road is too narrow. b) Need clear roads in fire prone areas. c) Proposal is too large.</p>	<p>a) As per No. 1b (Traffic issues). b) Noted. While the roads in the locality have the capacity to accommodate the predicted traffic according to engineering standards, there may be some merit in the additional argument that alternative access opportunities be provided in fire prone areas – see response to Submission 14b (Alternative access). c) As per 32c (Resort too large).</p>
51	John and Susan Howard Mulberry Cottage 60c Croyden Road Roleystone 6111	<p>a) Question the viability of the project – concern about 180 empty chalets. b) Contrary to the original proposed use of Lot 62. c) Concern that traffic volumes on Croyden road will result in accidents at Brooktron</p>	<p>a) Dismiss. Issues associated with the viability of project are not considered to be planning issues. b) As per No. 2a (Contrary to plans for Lot 62). c) As per No. 1b (Traffic issues). d) Crime Dismiss. Crime is frequently cited as a reason for opposing higher density residential development or</p>

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
SUMMARY OF SUBMISSION		
	<p>intersection, be problematic for emergency vehicles and increase noise.</p> <p>d) Increase in criminal activity due to transients in resort.</p> <p>e) Impact on existing business – eg tearooms.</p> <p>f) Impact on river from effluent.</p> <p>g) Storm water run off and erosion.</p> <p>h) Contrary to rural amenity.</p>	<p>certain types and tenures of development. It would be rather unlikely for tourist development of the like proposed by the Amendment to increase crime levels in Roleystone. While the type of crime feared has not been identified in submissions, it is assumed that it is not white collar crime that is assumed to increase with the proposal but property crime. Property crime would generally be associated as being perpetuated by the have-nots (presumably the visitors) on the haves (local property owners). It appears unlikely that those taking advantage of the facility, particularly those from overseas, would fall into the category of "have-nots".</p> <p>e) As per No. 41c (Competition with other businesses).</p> <p>f) As per No. 5b (Effluent Disposal).</p> <p>g) As per No. 18e (Stormwater and erosion).</p> <p>h) As per No. 1a (Rural amenity).</p>
52	<p>Marjorie Vincenti 19-4 Anreas Road Roleystone 6111</p> <p>a) Contrary to rural amenity of area.</p> <p>b) Concern over soil erosion,</p> <p>c) River contamination, impact on river vegetation, d) Dieback due to earth works,</p> <p>e) Traffic issues.</p> <p>The valley should not be developed as proposed.</p>	<p>a) As per No. 1a (Rural amenity).</p> <p>b) As per No. 18e (Stormwater and erosion).</p> <p>c) As per No. 2e (Canning River pollution).</p> <p>d) Dieback Dismiss. Whilst it is asserted that Dieback disease may be assisted in its transport via increased soil disturbance, it seems unlikely that this will be a problem given that the land slopes away from the forest reserves. The areas of trees on the site are possibly at some marginally increased local risk but not in a manner more so than other private forested lands throughout the hills metropolitan area.</p> <p>e) As per No. 1b (Traffic issues).</p>
53	<p>Paul Clune 42 Croyden Road Roleystone 6111</p> <p>Object due to the increase in traffic on Croyden Road as a result of the proposal.</p>	<p>As per No. 1b (Traffic issues).</p>
54	<p>Alfred Stokoe 226 Peet Road Roleystone 6111</p> <p>a) Proposal would detrimentally impact on the lifestyle of the area.</p>	<p>a) As per No. 1a (Rural amenity).</p>
55	<p>David Robinson and Jane Heath 44 Butcher Road Roleystone 6111</p> <p>a) Concern that the development would result in erosion.</p> <p>b) Will exacerbate problems for Canning river – due to less water flow.</p> <p>c) Contrary to Rural Strategy.</p>	<p>a) As per No. 18e (Stormwater and erosion).</p> <p>b) As per No. 2e (Canning river pollution).</p> <p>c) As per No. 24b (Contrary to Rural Strategy).</p> <p>d) Precedent Dismiss. A number of submissions raised the concern that the amendment, if approved, would result in a number of other lots being able to similarly apply for resort development.</p>

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AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
		<p>SUMMARY OF SUBMISSION</p> <p>d) Proposal would set an undesirable precedent</p> <p>e) Contrary to rural amenity.</p> <p>f) Will increase traffic on Croyden Road resulting in need to upgrade.</p> <p>RECOMMENDATION/COMMENTS</p> <p>Precedent in itself is an inappropriate reason for making planning decisions. Each application should be considered on its merits. Certainly if precedent was a persuasive reason for refusing development there would be little opportunity to provide useful activities and services which in themselves would be of benefit but which by proliferating would be monotonous and pervasive.</p> <p>e) As per No. 1a (Rural amenity).</p> <p>f) As per No. 1b (Traffic issues).</p>
56	<p>Brian and Christine Betts 17 Sophia Grove Roleystone 6111</p>	<p>a) Object as contrary to rural amenity.</p> <p>b) Concern that trees will be cleared for proposal.</p> <p>c) Traffic concerns with associated pollution and noise.</p> <p>d) Little economic benefit from the proposal.</p> <p>e) As the standard of maintenance of current golf course concern that proposal will deteriorate.</p> <p>f) Question what happens when sewerage system breaks down – potential impact on Canning river.</p> <p>g) Concerns regarding increased crime from itinerants.</p> <p>a) As per No. 1a (Rural amenity).</p> <p>b) As per No. 17d (Tree removal).</p> <p>c) As per No. 1b (Traffic issues).</p> <p>d) No economic benefit Dismiss.</p> <p>While the question of whether the proposal would result in a net economic benefit would be of concern to the proponent, it is not per se a planning consideration. However, there may be merit in considering during the overall assessment of the proposal whether there is a net economic, social and environmental benefit by way of the application of a sustainability assessment.</p> <p>e) As per No. 34j (Maintenance of resort).</p> <p>f) As per No. 5b (Effluent Disposal).</p> <p>g) As per No. 51d (Crime).</p>
57	<p>Wayne and Katherine Mazzucchelli 12 Croyden Road Roleystone 6111</p>	<p>a) Increase in traffic is unacceptable – Croyden Road already under stress during Araluen Park events.</p> <p>a) As per No. 1b (Traffic issues).</p>
58	<p>Anne Gordon 22 Simons Drive Roleystone 6111</p>	<p>a) Council is acting hypocritically as it proposes using Irymple Road to cope with traffic from the Araluen Park.</p> <p>b) Concern about impact on the environment</p> <p>c) Increase in traffic on Brookton Highway.</p> <p>a) Concern regarding increase in traffic on Croyden Road and Heritage Drive.</p> <p>b) Concern about impact on local flora and fauna.</p> <p>c) Proposal contrary to original plans which required development to have minimal impact on the valley.</p> <p>a) Noted. It should be noted that the proposal to use Irymple road as alternative access to the Park is not a proposal of the City but that of the WAPC.</p> <p>b) As per No. 9a (Environmental impact).</p> <p>c) As per No. 1b (Traffic issues).</p>
59	<p>Jim and June Robinson 64 Ridgehill Rise Roleystone 6111</p>	<p>a) As per No. 1b (Traffic issues).</p> <p>b) As per No. 20c (Local flora and fauna).</p> <p>c) As per No. 2a (Contrary to original plans).</p>

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
60	Linda Young 73 Tyers Road Roleystone 6111	<p style="text-align: center;">SUMMARY OF SUBMISSION</p> <p>a) Concern about visual impact and b) Ecological impact. c) Traffic impact constantly of concern.</p>
61	Mrs Pamela Waldeck 31 Irymple Road Roleystone 6111	<p>a) Dismiss. Ownership is not a matter relevant to a planning decision within the ambit of the Planning and Development Act. b) Dismiss. While it is acknowledged that the proposal would increase traffic on Croyden Road west of Heritage Drive (see 1b Traffic issues), it would not affect the parking issues already associated with the events at Araluen Botanic Park. c) Dismiss. The proposal will not restrict access to local people. There is no onus on a developer to specifically cater for local needs, although it would be expected that it would be in the developer's interest to do so. d) As per No. 24b (Contrary to Rural Strategy).</p>
62	Andrea Howard and Shane Davies 64a Croyden Road Roleystone 6111	<p>a) Croyden Road cannot accommodate the additional 5000 vpd. b) Difficult to egress driveway. c) Contrary to interests of local residents.</p>
63	Fiona White and Peter Treasure 60A Croyden Road Roleystone 6111	<p>a) Adversely affects environment b) Will make Croyden Road more dangerous.</p>
64	Patricia Bestow 134 Peet Road Roleystone 6111	<p>a) Concern at inconsistent Council decision making on rural zoning. b) Risk of degrading bushland. c) Concern of traffic congestion on Croyden Road.</p>

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	SUMMARY OF SUBMISSION
		RECOMMENDATION/COMMENTS
65	Craig Wilson, Naomi Thomas 16 Calliandra Place Roleystone 6111	a) Concern regarding traffic noise b) River pollution from fertilisers and drainage.
		a) As per No. 1b (Traffic issues). b) As per No. 2e (Canning River Pollution).
66	Halinka Grochowski 11 Orchid Drive Roleystone 6111	a) Rural amenity b) Concerns at increase in traffic c) Risk to wild life d) Will result in river pollution
		a) As per No. 1a (Rural amenity). b) As per No. 1b (Traffic issues). c) As per 20c (Flora and fauna). d) As per No. 2e (Canning River Pollution).
67	Trevor Bestow 31 Barnes Road Roleystone 6111	a) Loss of wilderness views b) Impact on environment by reducing woodland habitat c) Increasing nutrient discharges into the river d) Increasing traffic on Croyden Road.
		a) As per No. 20d (Visual impact). b) As per No. 9a (Environmental impact). c) As per No. 2e (Canning river pollution). d) As per No. 1b (Traffic issues).
68	Adrian Choules 46 Roberts Road Kelmscott 6111	a) The Araluen estate resulted in siltation of the river with rocks and gravel and development on Lot 62 will repeat this as soils will erode. b) Even minor development on the hill side will result in erosion into the river. c) Whatever Council's intentions, once the rezoning goes through the hillside will be developed and it will be lost to future generations.
		a) As per No. 2e (Canning river pollution). b) As per No. 18e (Stormwater and erosion). c) Noted. It is a fact that development as envisaged by the amendment would change the character of the land from one of rural pursuit to holiday accommodation. However, it is also noted that the land is currently substantially cleared and it is intended that the natural areas will be protected, particularly the river foreshores.
69	Dawn Mitchell 475 Flora Road Hovea 6011	a) Area should stay as it is. Should not be a tourist development.
		a) As per No. 1a (Rural amenity).
70	Sonja Siroen 11 Protector Grove Roleystone 6111	a) Concern at impact on rural amenity. b) Concern at increase in traffic on Heritage Drive – safety and noise issues. c) Concern at impact on wildlife due to traffic. d) More people will result in more rubbish. Currently the estate is poorly managed. e) Risk to river from development.
		a) As per No. 1a (Rural amenity). b) As per No. 1b (Traffic issues). c) As per No. 20c for the general issue of impact on wildlife. Concerns about the impact of traffic on wildlife are also general concerns relating to all development, rather than that specific to the proposal. d) Dismiss. As per No. 34j (Maintenance of resort). e) As per No. 2e (Canning river pollution).

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
71	Kerob Pty Ltd 1/9 Wygonda Road Roleystone 61111 (Rob and Kerry Fidoek – also see submission 47)	<p>Object to rezoning as land is not capable of supporting holiday resort due to:</p> <p>a) Loss of rural amenity (concern that opening Thompson Road will create undesirable impacts).</p> <p>b) Expert legal opinion (see submission 78) that parking areas are contrary to rural amenity, 179 units will substantially increase use of area, city should commission independent study, it has not been demonstrated why the land should be rezoned, current zoning does not contemplate the development.</p> <p>c) Contrary to the promise of the Golf Club estate owner to sensitively develop the scarp overlooking Croyden Road.</p> <p>d) Narrow roads not capable of handling 5000vpd. Studies have not taken account of Araluen festivals. Traffic safety issue at Brookton Road intersection and general risk in case of fire.</p> <p>e) Croyden Road is bike path and traffic increase will create a hazard to this use.</p> <p>f) Costs to City (ratepayers) of roadworks, expanded City services and enforcement, costs in the event of the business failing, lack of spin-off to other local businesses and devaluation of other properties due to loss of amenity.</p> <p>g) No need for the function centre development in an age of internet use and video conferencing, and due to the current zoning which allows for such a use elsewhere.</p> <p>h) Expansive clay soils on steep slopes creates unstable site. Consultant report inadequate.</p>
		<p>a) As per No. 1a (Rural amenity). It is acknowledged that the opening of Thompson Road to through traffic would change the rural amenity of the road, although the decision that Thompson Road be a second access to the Araluen Estate was made a number of years ago and is not directly linked to the current proposal.</p> <p>b) As per No. 78 n (Claimed "legal opinion").</p> <p>c) As per No. 2a (Previous plans for Lot 62).</p> <p>d) As per No. 1b (Traffic issues).</p> <p>e) Bike path on Croyden Road Upheld in part. It is agreed that additional traffic on Croyden Road will increase conflicts with bike riders. Croyden Road is designated on the City's Bike Plan as having a high priority. While it would be desirable to separate bikes from motor vehicles and in the long term this would be the intention, no funds have been allocated for this purpose to date. Within the constraints a pedestrian path has been provided on Croyden Road but bikes are required to use the road. Alternative arrangements for cyclists were made during the 1992 Amendment relating to the Araluen Estate as a result of which the developer was required to construct a cycle path link between the Thompson Road bridge and Heritage Drive and between Heritage Drive and Arment Road. This could be improved with the inclusion of a cycle path along the Canning River foreshore of Lot 62 (should such a path form part of the required foreshore management plan). Recommended that provision for cyclists and pedestrians be made within the foreshore management plan and that an extension of the bike path be constructed on the northern or southern side of the Canning River over Heritage Drive to link with McNess Drive in accordance with a Foreshore Management Plan.</p> <p>f) Cost to City. Dismiss. The proposed Amendment indicates that road works would be required to be undertaken as a prerequisite of development. These works would be undertaken by the proponent. In the event of works being undertaken on Thompson Road, it would be on the basis that the works are justified even in the absence of the current proposal and as a result of previous undertakings given by the Council. Additional costs of City services and enforcement are not considered to be unusual or onerous upon the City for which the City's administration is equipped. Refer to 2g (Property values) and 41c (Impact on existing business) for other</p>

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
		<p>Summary of Submission</p> <p>Not possible to manage run off while accepting EPA advice on discharge to watercourse.</p> <p>Risk of environmental damage to Canning River due to contamination, saltation, inability of City to ensure compliance particularly of effluent system and resort cannot be built without detrimental environmental impact.</p> <p>It would set an undesirable precedent for development in the Canning River valley as other properties could equally be used for this purpose.</p> <p>Proposal contravenes the scheme zoning and rural strategy.</p> <p>City of Armadale would be financially liable for effluent spill, pollution, site erosion, and legal challenges.</p> <p>Residents would suffer risk in the event of bushfire. The additional development will add to difficulties in event of fire.</p> <p>Insufficient information to permit a proper assessment of the proposal.</p> <p>The development may vary from the concept submitted resulting in more units, different uses, more dams, restaurants and other commercial uses.</p> <p>It would be appropriate to zone Lot 62 for public recreation.</p>
		<p>matters raised.</p> <p>Need for function centre Dismiss. It is a matter of opinion whether face to face contacts will be replaced by video conferencing – certainly there is little evidence to date of this occurring as the range and variety of conferences could be said to be increasing. Refer to submission 3f (Prefer existing chalets site) in respect of the preference for the development to be located on sites near the Club House.</p> <p>As per No. 33b (Soil stability).</p> <p>As per No. 9a (Environmental impact).</p> <p>As per No. 55d (Precedent).</p> <p>As per No. 15e and 24b (Contrary to TPS 4 and Contrary to Rural Strategy).</p> <p>City financially liable Dismiss. The City would not be any more legally liable in respect of this proposal than any other it is bound to deal with during the course of carrying out its duties. The City will need to ensure that it considers all the information before it and acts in accordance with the best technical advice available.</p> <p>As per No. 2f (Bushfire risk).</p> <p>Inadequate information Dismiss. It is unclear what additional information is sought. It should be noted that the proposal is to consider the appropriate use of land and that specific details and studies relating to a development proposal would occur at a subsequent stage. Upheld in part.</p> <p>The amendment specifies what is permitted on site and a necessary development application will provide further specificity. However, it is acknowledged that the number of accommodation units permitted on site should be specified in the town planning scheme.</p> <p>As per No. 47i (Include as public park).</p>

SCHEDULE OF SUBMISSIONS			
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE			
No.	SUBMITTER	SUMMARY OF SUBMISSION	
		RECOMMENDATION/COMMENTS	
72	Gary Palma 45 Urch Road Roleystone 6111	<p>a) Scale far too large for Roleystone. b) Contrary to rural amenity.</p>	<p>a) As per No. 32c (Resort too large). b) As per No. 1a (Rural amenity).</p>
73	Ken McGrail 70 Croyden Road Roleystone 6111	<p>a) Concern at increased traffic on Croyden Road due to safety. b) Traffic is already too much. c) Concern at visual impact and d) Impact on Canning River.</p>	<p>a) As per No. 1b (Traffic issues). b) As per No. 1a (Rural amenity.) c) As per No. 20d (Visual impact). d) As per No. 2e (Canning river pollution).</p>
74	S Riekl 204 Croyden Road Roleystone 6111	<p>a) Contrary to the scenic heritage drive and rural amenity. b) Concern at noise carrying down valley. c) Environmental impact from fragile soils, watercourses and endangered wildlife. d) Contrary to TPS and strategies due to scale, and type of development. e) Any approval would need to be carefully maintained and monitored. f) Lot 62 provides a natural buffer to existing development. g) The development would require buffers. h) Concern at lack of plans for fire emergencies. i) Concern that proposal will impact negatively on tourism and the local community.</p>	<p>a) As per No. 1a (Rural amenity). b) As per No. 2c (Noise). c) As per No. 18e (stormwater and erosion). d) As per No. 15e and 24b (Contrary to TPS 4 and Contrary to Rural Strategy). e) Noted. It is acknowledged that there will be a need to monitor and maintain any future development. f) Noted. It is acknowledged that Lot 62 without development would provide a buffer for surrounding uses. However, there is no obligation on the landowner to provide all of a property for a buffer. g) Noted. Lot 62 is a very large lot of over 33 hectares. Any development will include substantial buffers between it and the lot boundaries. h) As per No. 2f (Fire issues). i) As per No. 41c (Impact on existing business).</p>
75	Clive & Diane Luitman 28 Armenti road Roleystone 6111	<p>a) Contrary to rural zoning and rural amenity. b) In view of the need for a one way system to be used during Araluen Park's activities, will the developer be required to have a traffic management strategy? c) Will a fire management plan be required? d) Increased traffic will conflict with use of bike</p>	<p>a) As per No. 1a (Rural amenity). b) While certain road works will be required, and have been foreshadowed in the Amendment, it is not anticipated that a traffic management plan would be necessary or appropriate. c) As per No. 2f (Fire issues).</p>

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
		<p>path route.</p> <p>e) No need for an additional resort in view of zoning allowing for one already. If resort on Lot 62 is approved what happens to existing approval?</p> <p>f) Terrain and soils are unsuitable for development. Inadequate geotechnical report, stormwater management proposal or assessment of site soils.</p> <p>Submittee lives adjacent and knows the land is unsuited due to difficulty on managing run off without detriment to Canning river.</p> <p>g) Environmental concerns including contamination of Canning River.</p> <p>h) Questions ability of Council to resource necessary monitoring.</p> <p>i) Contravenes TPS and Rural Strategy.</p> <p>j) Concern that Council already is responsible for high level of upkeep in Araluen estate and proposal will result in greater liability with little benefit.</p> <p>k) Propose land to be public recreation reserve.</p>
76	<p>Paul & Dimity Mutton 103 Raeburn Road Roleystone 6111</p>	<p>a) As per No. 1a (Rural amenity). It is acknowledged that the opening of Thompson Road to through traffic will change the rural amenity of the road, although the decision that Thompson Road be a second access to the Araluen Estate was made a number of years ago and is not directly linked to the current proposal.</p> <p>b) As per No. 78 n (Claimed "legal opinion").</p> <p>c) As per No. 2a (Contrary to plans for Lot 62).</p> <p>d) As per No. 1b (Traffic issues).</p>

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No.	SUBMITTER	RECOMMENDATION/COMMENTS
		<p>5000vpd. Studies have not taken account of Araluen festivals. Traffic safety issue at Brookton Road intersection and general risk in case of fire.</p> <p>e) Croyden Road is bike path and traffic increase will create a hazard to this use.</p> <p>f) Costs to City (ratepayers) of roadworks, expanded City services and enforcement, costs in the event of the business failing, lack of spin off to other local businesses and devaluation of other properties due to loss of amenity.</p> <p>g) No need for the function centre development in an age of internet use and video conferencing, and due to the current zoning which allows for such a use elsewhere.</p> <p>h) Expansive clay soils on steep slopes creates unstable site. Consultant report inadequate. Not possible to manage run off while accepting EPA advice on discharge to watercourse.</p> <p>i) Risk of environmental damage to Canning River due to contamination, salination, inability of City to ensure compliance particularly of effluent system and resort cannot be built without detrimental environmental impact.</p> <p>j) It would set an undesirable precedent for development in the Canning River valley as other properties could equally be used for this purpose.</p> <p>k) Proposal contravenes the scheme zoning and rural strategy.</p> <p>l) City of Armadale would be financially liable for effluent spill, pollution, site erosion, and legal challenges.</p> <p>m) Residents would suffer risk in the event of bushfire. The additional development will add to difficulties in event of fire.</p> <p>n) Insufficient information to permit a proper assessment of the proposal.</p>
		<p>e) As per No. 75d (Bike path on Croyden Road).</p> <p>f) As per No. 71f (Cost to City).</p> <p>g) As per No. 71g (Need for function centre).</p> <p>h) As per No. 33b (Soil stability).</p> <p>i) As per No. 9a (Environmental impact).</p> <p>j) As per No. 55d (Precedent).</p> <p>k) As per No. 15e and 24b (Contrary to TPS 4 and Contrary to Rural Strategy).</p> <p>l) As Per No. 71l (City liable).</p> <p>m) As per No. 2f (Fire issues).</p> <p>n) As per No. 71n (Inadequate information).</p> <p>o) Upheld in part. The amendment specifies what is permitted on site and a necessary development application will provide further specificity. However, it is acknowledged that the number of accommodation units permitted on site should be specified in the town planning scheme.</p>

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AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
		<p>SUMMARY OF SUBMISSION</p> <p>o) The development may vary from the concept submitted resulting in more units, different uses, more dams, restaurants and other commercial uses.</p> <p>p) Site closer to Golf Club would be more appropriate.</p> <p>q) Rezoning breaks Council promises on estate whereby during debate on Amendment 79 Lot 62 was recognised as not to be subdivided and Lot 62 was included in the developers plan for calculations relating to impacts and average lot density.</p> <p>r) It would be appropriate to zone Lot 62 for public recreation.</p> <p>s) Subsequent information provided by Mr Mutton showing watercourses identified and mapped by him on Lot 62. This information indicates three minor watercourses in the areas of proposed development.</p>
77	Alice Haning on behalf of Colin Marsh, Chair of Walking WA Committee DPI 441 Murray Street Perth 6000	<p>p) As per No. 3f (Prefer existing chalets site).</p> <p>q) Dismiss. The proposal does not break any commitments regarding subdivision as no subdivision is proposed. No evidence is provided to demonstrate that a commitment has been made regarding the maintenance of Lot 62 as undeveloped land.</p> <p>r) As per No. 47i (Include as public park).</p> <p>s) Dismiss. The City has taken the advice and information provided by the Department of Environment and Conservation on the occurrence of watercourses on Lot 62 and the need for development to be set back from these watercourses. It is acknowledged that additional areas of water may be observed during winter months. In any event the matter of the appropriate set back of development from watercourses would be a matter for consideration at the development application stage.</p>
		<p>SUMMARY OF SUBMISSION</p> <p>Submission from the Walking WA Committee.</p> <p>a) Survey in 2002 indicated walking as the most popular physical activity among adults.</p> <p>b) The current government promotes improved walking environments particularly in natural environments.</p> <p>c) Committee urges City to develop a detailed local transport plan to provide for pedestrians and cyclists.</p> <p>d) Access to the holiday resort needs to be planned for at planning stage rather than development stage.</p> <p>e) Need to establish criteria relating to connectivity, permeability, accessibility and safety.</p>
78	John Hammond Level 2/40 St George's Terrace Perth 6000	<p>a) This refers to Condition 2 of the Amendment "An ancillary structure to house the reception area and communal facilities for the resort may be permitted." As this will require the discretionary approval of Council any structure applied for would have to be compatible with the resort purpose.</p>

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SUMMARY OF SUBMISSION		
	<p>b) Queries what works will be required on Croyden Road.</p> <p>c) Queries whether the full ramifications of the effluent disposal system have been considered.</p> <p>d) Suggests the car parking areas will have detrimental impact on rural amenity.</p> <p>e) The units will substantially increase the use of the subject land and surrounding area.</p> <p>f) One Special Use Zone exists – approval of this amendment will provide a precedent for others.</p> <p>g) The land is Rural Living X which does not contemplate this sort of development and is in stark contradiction to what is permissible.</p> <p>h) The proposal is contrary to the approved land use.</p> <p>i) The proposal is significantly larger than the other Special Use zone ie the Araluen Estate.</p> <p>j) Development is inconsistent with the City's Rural Strategy, namely that the construction of holiday accommodation would not sit well with preserving the scenic and environmental quality of the Canning Valley.</p> <p>k) Likely to be impact on Canning River for which no independent study has been commissioned.</p> <p>There will be substantial impact on the road network and the City should commission independent study.</p>	<p>b) The Amendment requires some upgrading of Croyden Road to the satisfaction of the Executive Director of Technical Services. This has yet to be finalised.</p> <p>c) As per No. 5b (Effluent Disposal).</p> <p>d) As per No. 1a (Rural amenity).</p> <p>e) In view of Lot 62 currently being unused apart from occasional grazing, it is obvious that the proposal will increase the use of the subject land.</p> <p>f) TPS 4 does include one Special Use Zone, but whether other such zones would be undesirable per se, as implied, is an open question. However, the submitter is incorrect in the reference to Special Use Zoning in that the Amendment proposes to include Lot 62 in the Restricted Use table – Schedule 3, not rezone it to Special Use – Schedule 4.</p> <p>g) The land is currently Rural Living X, but contrary to the submission Holiday Accommodation is listed as an "A" use and a number of the uses contemplated could be approved by Council (Dam construction "D", Reception Centre "A", Recreation Private "A", and Restaurant "A").</p> <p>h) What is meant is not clear. Certainly the proposal is contrary to the approved land use if by "approved" is meant uses that are "p" in the Zoning table. As noted in (g) above some of the uses proposed are approvable. The proposal is certainly contrary to the approved land use, if from this is meant that the Council has not previously approved a development on Lot 62.</p> <p>i) This is incorrect. Lot 62 is actually considerably larger (over 33ha) than Fancote Park (1.6 hectares) – which is the only Special Use Zone in TPS No. 4. Possibly the submitter is referring to the provisions of the revoked TPS No. 2.</p> <p>j) It is acknowledged that the proposal could be inconsistent with the City's Rural Strategy (1999) depending on how the development was designed. However, it should be noted that the Strategy has no status and has not been adopted by the Council. The Strategy was an input into the Local Planning Strategy, which has been adopted as part of the Scheme. Appendix 3 of the Local Planning Strategy includes the Planning Objective for the Canning Valley "To preserve and enhance the scenic and environmental quality of the Canning Valley and to permit sensitive development of suitable upland areas," and to "promote public access where appropriate."</p>

SCHEDULE OF SUBMISSIONS AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE			
No.	SUBMITTER	SUMMARY OF SUBMISSION	RECOMMENDATION/COMMENTS
		<p>l) Developer is seeking to delay fire management plan which should not be permitted.</p> <p>m) The City's statement that from preliminary consultation there appears to be no fatal flaw implies there are concerns and that the proposal is being fast tracked.</p> <p>n) The proposal should not proceed as it has not been properly formulated, has not been assessed by independent consultants, offers no benefits to the community and it has not been demonstrated why the land should be rezoned.</p>	<p>k) As per No. 34k (Independent consultants).</p> <p>l) A fire management plan will certainly be prepared. The preparation of the plan prior to details of development may be premature. (As per No. 2f – Fire issues)</p> <p>m) The City does have concerns, this is not disputed, that is why two stages were introduced rather than one (DA) which would have been possible if the City had wished to fast-track the proposal.</p> <p>n) Claimed 'Legal Opinion' Dismiss. Other submissions (submissions 71, 76, 79, 80, and 85) claim that Mr Hammond's submission provides an "expert legal opinion". While Mr Hammond may be a legal practitioner, the submission does not constitute a legal opinion. The submission does not contain any legal analysis concerning the statutory requirements of the scheme amendment process.</p> <p>The submission merely contains Mr Hammond's planning opinions which Council is obliged to consider on their merits. Points (a) to (m) above respond to Mr Hammond's concerns. For the reasons outlined in points (a) to (m) above the scheme amendment should proceed on its planning merits.</p>
79	David Utting 180 Croyden Road Roleystone 6111	<p>a) Land is incapable of supporting resort due to geological and topographical restrictions.</p> <p>b) Other resort site should be rezoned.</p> <p>c) The caveat over the site demonstrates that the Council always wanted to stop development.</p> <p>d) No room for the resort as EPA recommends 80m setback from river and 30m setback from minor watercourse.</p> <p>e) Reports do not specify expected visitor numbers.</p> <p>f) Similar types of development elsewhere in Australia have been identified to assess wastewater generation which would be around 300m³ daily compared with 100m³ proposed for Lot 62.</p>	<p>a) As per No. 33b (Soil stability).</p> <p>b) As per No. 3f (Prefer existing chalets site).</p> <p>c) Caveat specifies no subdivision, no subdivision is intended from the proposal.</p> <p>d) There is no reference to a 80m setback in correspondence from the EPA. The advice received on the proposal requires that no development occur within 30m of minor watercourses and recommends a vegetated buffer along the watercourse. The proposed development would be required to meet these requirements.</p> <p>e) Visitor numbers indicated in Uloth report, but visitor numbers will relate to the development – possibly the amendment could specify numbers.</p> <p>f) In terms of wastewater calculations, the Australian Standards require a calculation of 200 litres (0.2m³) per person per day. A 300m³ plant would therefore be designed for 1500 persons. Infratech have estimated accommodation numbers of 300 persons per day, with</p>

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	<p>g) There should be a risk management assessment plan.</p> <p>h) Council sought independent environmental advice in 1992 and should for the current proposal.</p> <p>i) EPA advised Council in 1991 that all storm water be disposed of into the ground not into creeks and river, yet the proposal shows run off going into creeks and the river.</p> <p>j) No information regarding what would happen in the event of a power cut in terms of sewage. Object to rezoning as land is not capable of supporting holiday resort due to:</p> <p>k) Loss of rural amenity (concern that opening Thompson Road will create undesirable impacts.</p> <p>l) Expert legal opinion (see submission 78) that parking areas are contrary to rural amenity, 179 units will substantially increase use of area, city should commission independent study, it has not been demonstrated why the land should be rezoned, current zoning does not contemplate the development</p> <p>m) Contrary to the promise of the Golf Club estate owner to sensitively develop the scarp overlooking Croyden Road.</p> <p>n) Narrow roads not capable of handling 5000vpd. Studies have not taken account of Araluen festivals. Traffic safety issue at Brookton Road intersection and general risk in case of fire.</p> <p>o) Croyden Road is bike path and traffic increase will create a hazard to this use.</p> <p>p) Costs to City (ratepayers) of roadworks, expanded City services and enforcement, costs in the event of the business failing, lack of spin off to other local businesses and devaluation of other properties due to loss of amenity.</p>	<p>the restaurant allowing for 50 persons per day equivalent. It must be realised that a restaurant is not occupied all day, and does not involve laundry or shower wastewater. Given that a 100m³ plant can cater for 500 persons per day, and in view of this resort amounting to 350 persons per day, the proposed system is of a sensible capacity allowing for contingency.</p> <p>g) Risk assessment is the identification of any event that could have a negative impact on a project. This would appear to have some relevance at a development application or implementation stage, but would not be a reasonable requirement at the amendment stage. In any event, a number of the conditions placed on future development through the amendment, and further added as a result of submissions, address the main environmental risks associated with any future development.</p> <p>h) As per No. 34k (Independent consultants).</p> <p>i) Noted. The EPA's advice on the proposal is that there should be no direct discharge of stormwater into watercourses. The stormwater management system should be designed to protect the water ecology of the downstream surface and groundwater receiving environment. Provisions will be included in the Amendment and by subsequent conditions on the planning application to ensure that this advice is implemented.</p> <p>j) As per No. 5b (Effluent Disposal).</p> <p>k) As per No. 1a (Rural amenity). It is acknowledged that the opening of Thompson Road to through traffic will change the rural amenity of the road, although the decision that Thompson Road be a second access to the Araluen Estate was made a number of years ago and is not directly linked to the current proposal.</p> <p>l) As per No. 78 n (Claimed "legal opinion").</p> <p>m) As per No. 2a (Previous commitments of owner).</p> <p>n) As per No. 1b (Traffic issues).</p> <p>o) As per No. 75d (Bike path on Croyden Road).</p> <p>p) As per No. 71f (Costs to City).</p> <p>q) As per No. 71g (Need for function centre)</p> <p>r) As per No. 33b (Soil stability).</p> <p>s) As per No. 9a (Environmental impact).</p> <p>t) As per No. 55d (Precedent).</p>

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No.	SUBMITTER	RECOMMENDATION/COMMENTS
		<p>SUMMARY OF SUBMISSION</p> <p>q) No need for the function centre development in an age of internet use and video conferencing, and due to the current zoning which allows for such a use elsewhere.</p> <p>r) Expansive clay soils on steep slopes creates unstable site. Consultant report inadequate. Not possible to manage run off while accepting EPA advice on discharge to watercourse.</p> <p>s) Risk of environmental damage to Canning River due to contamination, saltation, inability of City to ensure compliance particularly of effluent system and resort cannot be built without detrimental environmental impact.</p> <p>t) It would set an undesirable precedent for development in the Canning River valley as other properties could equally be used for this purpose.</p> <p>u) Proposal contravenes the scheme zoning and rural strategy.</p> <p>v) City of Armadale would be financially liable for effluent spill, pollution, site erosion, and legal challenges.</p> <p>w) Residents would suffer risk in the event of bushfire. The additional development will result will add to difficulties in event of fire.</p> <p>x) Insufficient information to permit a proper assessment of the proposal.</p> <p>y) The development may vary from the concept submitted resulting in more units, different uses, more dams, restaurants and other commercial uses.</p> <p>z) It would be appropriate to zone Lot 62 for public recreation.</p>
		<p>u) As per No. 15e and 24b (Contrary to TPS 4 and Contrary to Rural Strategy).</p> <p>v) As per No. 71i (City liable).</p> <p>w) As per No. 2f (Fire issues).</p> <p>x) As per No. 71n (Inadequate information).</p> <p>y) Upheld in part. The amendment specifies what is permitted on site and a necessary development application will provide further specificity. However, it is acknowledged that the number of accommodation units permitted on site should be specified in the town planning scheme.</p> <p>z) As per No. 47i (Include as public park).</p>
80	Ian Mayor 27 Armenti Road Leo & Daniella Armenti 64 Armenti Road	<p>a) While it is recognised that occasionally special events do result in considerable traffic being attracted to Croyden Road, roads are generally not designed on the basis of such events. In extreme situations, it may be necessary to put in place a traffic management plan to ensure that traffic safety and accessibility is maintained – as indeed does occur during Araluen Botanic Park events.</p>

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	<p>Gavin & Maria Dawson 67 Armenti Road Mary & Fred Armenti 69 Armenti Road Roleystone 6111</p>	<p>SUMMARY OF SUBMISSION</p> <p>b) Refers to legal opinion (submission 78) in terms of need for independent traffic study, contrary to rural strategy, TPS provisions, impact of development and the lack of benefit.</p> <p>c) Concern that the proposal will exacerbate traffic hazards during special events at Araluen Botanic Park, a hazard will occur for cyclists, the Brookton Hwy intersection is a recognised black spot.</p> <p>d) Widening Thompson Road will destroy its tranquillity.</p> <p>e) The use of Armenti Road will affect amenity.</p> <p>f) The proposal would set an undesirable precedent for similar developments in the Canning Valley.</p> <p>g) The potential would exist for two resorts at Araluen.</p> <p>h) The proposal is contrary to TPS No. 4.</p> <p>i) Council will have to pay for additional road upgrades.</p> <p>j) The resort may fail.</p> <p>k) Proposal will negatively affect property values.</p>
	<p>Pam Crapper Chairperson Araluen Progress Assoc c/- 45 Ridgehill Rise Roleystone 6111</p>	<p>RECOMMENDATION/COMMENTS</p> <p>b) As per No. 78 n (Claimed "legal opinion").</p> <p>c) As noted in the response to submission 22(a) traffic management is necessary during occasional Araluen Botanic Park events but that roads are not designed based upon infrequent special events.</p> <p>d) As per No. 1b (Traffic issues).</p> <p>e) It is acknowledged that the opening of Thompson Road to through traffic will change the rural amenity of the road, although the decision that Thompson Road be a second access to the Araluen Estate was made a number of years ago and is not directly linked to the current proposal.</p> <p>f) Dismiss. The proposal does not anticipate the use of Armenty Road as the access road for the resort proposed for Lot 62.</p> <p>g) As per No. 55d (Precedent).</p> <p>h) As per No. 3f (Prefer existing chalets site).</p> <p>i) As per No.15e (Contrary to TPS 4).</p> <p>j) As per No. 71f (Cost to City).</p> <p>k) As per No. 3g (Resort may fail).</p> <p>l) As per No. 2g (Property values).</p>
81		<p>a) As per No. 3f (Prefer existing chalets site).</p> <p>b) As per No. 1b (Traffic issues).</p> <p>c) It is unclear which traffic study this refers to. The City has undertaken no such traffic study</p> <p>d) Safety Audits are sometimes required to be undertaken for new developments which establish a new road system. In the case of the proposal an existing road system is to be</p>

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		<p>utilised and Croyden Road is a suitably classified road (District Distributor) to carry the estimated future traffic volumes. In the event of the provision on a new link via Thompson Road such an audit may be appropriate as part of the design process.</p> <p>e) As per No. 14b (Alternative access).</p>
		<p>SUMMARY OF SUBMISSION</p> <p>b) Heritage Drive could not safely carry the additional traffic. The road is already dangerous and additional access from the proposal would further compromise safety.</p> <p>c) The consultants traffic study fails to take into account a recent traffic monitoring survey on the road completed in 2005.</p> <p>d) APA has undertaken audit by a Professional Road Safety Auditor which has identified the intersection of the proposal and Heritage Drive and the intersection of Heritage Drive and Croyden Road as requiring attention. A formal Road Safety Audit should be undertaken.</p> <p>e) In the event of proposal being supported request Council to secure with the developer a second access to alleviate traffic pressure on Heritage Drive.</p>
82	Chris Horgan Senior Engineer 5 Mirfield Street Roleystone 6111	<p>Submitter is engineering consultant.</p> <p>a) Concern that the treatment plant could overflow and permanently damage the Canning river and associated wildlife.</p> <p>Concern at risk in view of the treatment plant being untested in WA.</p> <p>Concern at possible high PH levels from treated sewerage which are too high for discharge into the river.</p> <p>Concern with what could happen in the event of power outages.</p> <p>Concern that the consultants used have a vested interest as suppliers of treatment plants.</p> <p>Concern that the issues relating to waste disposal cannot be left to the development application stage.</p> <p>Submission includes photos of river after week of rainfall.</p>
		<p>a) As per No. 5b (Effluent disposal).</p>

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No.	SUBMITTER	SUMMARY OF SUBMISSION	RECOMMENDATION/COMMENTS
83	Craig & Angela Prebble 28 Rubida Rise Roleystone 6111	<p>a) Object to the proposal on grounds of loss of rural amenity,</p> <p>b) Impact on Croyden Road,</p> <p>c) Increased noise,</p> <p>d) Environmental impact on river,</p> <p>e) Visual impact,</p> <p>f) Waste water issues, and</p> <p>g) Impact on vegetation and wildlife.</p>	<p>a) As per No. 1a (Rural amenity).</p> <p>b) As per No. 1b (Traffic issues).</p> <p>c) As per No. 2c (Noise).</p> <p>d) As per No. 2e (Canning River Pollution).</p> <p>e) As per No. 20d (Visual impact).</p> <p>f) As per No. 14b (Effluent disposal).</p> <p>g) As per No. 64b (Bushland retention) and 20c (Flora and fauna).</p>
84	Ken Lake 8 Contour Road Roleystone 6111	<p>a) Object on grounds of visual impact and rural amenity,</p> <p>b) Impact on the Canning (flows disrupted and siltation),</p> <p>c) Soil erosion</p> <p>d) Traffic impact on Croyden Road and Brookton Highway.</p>	<p>a) As per No. 1a (Rural amenity) and 20d (Visual impact)</p> <p>b) As per No. 2e (Canning river pollution).</p> <p>c) As per No. 18e (Stormwater and erosion).</p> <p>d) As per No. 1b (Traffic issues).</p>
85	Denise & Thomas Hardie 17 Calliandra Place Roleystone 6111	<p>Object to rezoning as land is not capable of supporting holiday resort due to:</p> <p>a) Loss of rural amenity</p> <p>b) Concern that opening Thompson Road will create undesirable impacts.</p> <p>c) Expert legal opinion (see submission 78) that parking areas are contrary to rural amenity, 179 units will substantially increase use of area, city should commission independent study, it has not been demonstrated why the land should be rezoned, current zoning does not contemplate the development</p> <p>d) Contrary to the promise of the Golf Club estate owner to sensitively develop the scarp overlooking Croyden Road.</p> <p>e) Narrow roads not capable of handling 5000vpd. Studies have not taken account of Araluen festivals. Traffic safety issue at Brookton Road intersection and general risk in case of fire.</p> <p>f) Croyden Road is bike path and traffic increase will create a hazard to this use.</p> <p>g) Costs to City (ratepayers) of roadworks,</p>	<p>a) As per No. 1a (Rural amenity).</p> <p>b) It is acknowledged that the opening of Thompson Road to through traffic will change the rural amenity of the road, although the decision that Thompson Road be a second access to the Araluen Estate was made a number of years ago and is not directly linked to the current proposal.</p> <p>c) As per No. 78 n (Claimed "legal opinion").</p> <p>d) As per No. 2a (Contrary to plans for Lot 62).</p> <p>e) As per No. 1b (Traffic issues).</p> <p>f) As per No. 75d (Bike path on Croyden Road).</p> <p>g) As per No. 71f (Costs to City).</p> <p>h) As per No. 71g (Need for function centre).</p> <p>i) As per No. 33b (Soil stability).</p>

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AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
		<p>expanded City services and enforcement, costs in the event of the business failing, lack of spin off to other local businesses and devaluation of other properties due to loss of amenity.</p> <p>h) No need for the function centre development in an age of internet use and video conferencing, and due to the current zoning which allows for such a use elsewhere.</p> <p>i) Expansive clay soils on steep slopes creates unstable site. Consultant report inadequate. Not possible to manage run off while accepting EPA advice on discharge to watercourse.</p> <p>j) Risk of environmental damage to Canning River due to contamination, saltation, inability of City to ensure compliance particularly of effluent system and resort cannot be built without detrimental environmental impact.</p> <p>k) It would set an undesirable precedent for development in the Canning River valley as other properties could equally be used for this purpose.</p> <p>l) Proposal contravenes the scheme zoning and rural strategy.</p> <p>m) City of Armadale would be financially liable for effluent spill, pollution, site erosion, and legal challenges.</p> <p>n) Residents would suffer risk in the event of bushfire. The additional development will result will add to difficulties in event of fire.</p> <p>o) Insufficient information to permit a proper assessment of the proposal.</p> <p>p) The development may vary from the concept submitted resulting in more units, different uses, more dams, restaurants and other commercial uses.</p> <p>q) It would be appropriate to zone Lot 62 for public recreation.</p>
		<p>j) As per No. 9a (Environmental impact).</p> <p>k) As per No. 55d (Precedent).</p> <p>l) As per No. 15e and 24b (Contrary to TPS 4 and Contrary to Rural Strategy).</p> <p>m) As per No. 71i (City legally liable).</p> <p>n) As per No. 2f (Fire issues).</p> <p>o) As per No. 71n (Inadequate information).</p> <p>p) Noted. It is important that the Amendment clarifies under the Restricted Use provisions what the limits of the development are – in particular this should include the specification of the maximum number of accommodation units.</p> <p>q) As per No. 47i (Include in public park).</p>

SCHEDULE OF SUBMISSIONS
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE

No.	SUBMITTER	SUMMARY OF SUBMISSION	RECOMMENDATION/COMMENTS
86	Margaret & Michael Bradley McNally 554 Brookton Highway Roleystone 6111	a) Object on grounds of increase in noise pollution b) Rural amenity. c) Impact on the environment from insensitive visitors to the resort.	a) As per No. 2c (Noise). b) As per No. 1a (Rural amenity). c) As per No. 9a (Environmental impact). The resort will need to be managed to ensure that sensitive areas are not at risk from insensitive visitors.
87	David James 134 Commercial Road Forrestdale 6112	a) Object as it will result in similar applications which the Council could not refuse. b) Concern at impact on rural amenity. c) Proposal would damage the Canning River due to sediment, nutrients and pollution. d) Proposal would result in massive increase in traffic on Croyden Road	a) As per No. 55d (Precedent). b) As per No. 1a (Rural amenity). c) As per No. 2e (Canning river pollution). d) As per No. 1b (Traffic issues).
88	Mark Barry 70B Croyden Road Roleystone 6111	a) Concern at health of the Canning River. b) Concern at increase in traffic. c) Should introduce 50 km/hr speed limit on Croyden Road. d) Impact on rural amenity.	a) As per No. 2e (Canning river pollution). b) As per No. 1b (Traffic issues). c) As per No. 1b (Traffic issues). d) As per No. 1a (Rural amenity).
89	Warren & Jody Nieper 525 Brookton Hwy Roleystone 6111	a) Concern at increase in traffic – Brookton Highway will have to be widened resulting in loss of submittees land. b) Concerns over erosion risk c) Impact on river.	a) As per No. 1b (Traffic issues). b) As per No. 18e (Stormwater and erosion). c) As per No. 2e (Canning river pollution).
90	Ingrid Roman 251 Heritage Drive Roleystone 6111	a) Prefer chalets near the Club House. b) Concerned at there being only one access to estate. c) Concern that facilities are being duplicated. d) Concern at risk to the fragile Canning river.	a) As per No. 3f (Prefer existing resort site) b) As per No. 14b (Alternative access). c) Facilities exist at the Club House but the proposal envisages different facilities. d) As per No. 2e (Canning river pollution).
91	Gordon & Karen Cole 22 Croyden Road Roleystone 6111	a) Concern at gradual increase in traffic on Croyden road in recent years. Concern that traffic will increase as Estate fully develops. b) Difficulty accessing own property. c) Suggest reducing speed limit on Croyden Road. Need to address traffic issues as the road is becoming less safe. Road islands are ineffective in slowing traffic.	a) As per No. 1b (Traffic issues). b) As per No. 1b (Traffic issues). c) As per No. 1b (Traffic issues).

SCHEDULE OF SUBMISSIONS		
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No.	SUBMITTER	RECOMMENDATION/COMMENTS
92	L J Howard 4 / 35 Waterston Gdns Hillarys 6025	<p>SUMMARY OF SUBMISSION</p> <p>a) The proposal should be situated at the Golf Club not on rural zoned land.</p>
93	J R Howard 4 / 35 Waterston Gdns Hillarys 6025	<p>SUMMARY OF SUBMISSION</p> <p>a) Incompatible with rural zone. b) Such development should be located in the gold course estate.</p>
94	Diana Auckland 13 Jarrah Road Roleystone 6111	<p>SUMMARY OF SUBMISSION</p> <p>a) Concern at visual impact. b) Damage to the Canning River during construction. c) Effluent disposal close to river of concern. d) Concern at further reduced river flow. e) Croyden Road and Heritage Drive are inadequate to accommodate proposed development f) Bushfire risk - Araluen is a potential death trap.</p>
95	Annette Hondros 194 Croyden Road Roleystone 6111	<p>SUMMARY OF SUBMISSION</p> <p>Concern about loss of rural amenity from development in the Canning Valley.</p>
96	R & J Elliott 43 Butcher road Roleystone 6111	<p>SUMMARY OF SUBMISSION</p> <p>a) Object to change of the residential nature of the area for urban living. b) Concern at environmental impacts along the Canning River.</p>
97	Wendy Till 55 Ridgehill Rise Roleystone 6111	<p>SUMMARY OF SUBMISSION</p> <p>a) Concern at environmental damage to Canning River due to erosion, siltation and contamination. b) Lot 62 intended as a buffer. c) Proposed three fold increase in traffic on Croyden Road of concern. d) Heritage Drive dangerous with history of accidents. e) Croyden Road/Brookton Hwy intersection a dangerous black spot. f) Bush fire risk – roads cannot handle evacuation.</p>

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	SUMMARY OF SUBMISSION
		RECOMMENDATION/COMMENTS
		<p>g) Contrary to rural amenity.</p> <p>h) Use of Thompson Road will reduce tranquility.</p> <p>i) Concern about noise from traffic, construction and the resort.</p>
		<p>f) As per No. 2f (Fire issues).</p> <p>g) As per No. 1a (Rural amenity).</p> <p>h) Noted. As described at submission 14b commitments have previously been made regarding the future use of Thompson Road as an additional access to the Araluen Estate. One consequence of this would be the loss of some of the tranquility currently experienced on Thompson Road.</p> <p>i) As per No. 2c (Noise).</p>
98	Michael C Beilby 50 Valley View Road Roleystone 6111	<p>a) Loss of rural amenity.</p> <p>b) Visual amenity in Canning Valley.</p> <p>c) Site unsuited to more intense development due to steep slopes, and unstable soils.</p> <p>d) Environmental damage to the Canning will be caused by siltation and discharge of effluent.</p> <p>e) The site is not suited to tourism as it is too close to Perth and too far for wealthy residents.</p> <p>f) If the resort fails the maintenance burden will fall on the community.</p>
		<p>a) As per No. 1a (Rural amenity).</p> <p>b) As per No. 20d (Visual impact).</p> <p>c) As per No. 18e (Stormwater and erosion).</p> <p>d) As per No. 2e (Canning river pollution).</p> <p>e) Dismiss. It is a matter of opinion whether tourists will regard the site as too close or too far from Perth. The applicant has made an assessment and the issue for Council relates to the planning implications rather than questions of demand.</p> <p>f) As per No. 34j (Maintenance of resort).</p>
99	Margaret Beilby 50 Valley View Road Roleystone 6111	<p>a) Higher density inappropriate in this location.</p> <p>b) Concern about impact on Canning River from development on unstable soils nearby</p> <p>c) Effluent disposal.</p> <p>d) Use of Thompson Road would interrupt continuity of Roley Pool reserve and walking trail.</p> <p>e) Concern about traffic.</p> <p>f) Bush fire evacuation concern.</p>
		<p>a) As per No. 1a (Rural amenity).</p> <p>b) As per No. 2e (Canning river pollution).</p> <p>c) As per No. 5b (Effluent Disposal).</p> <p>d) Noted. As described at submission 14b commitments have previously been made regarding the future use of Thompson Road as an additional access to the Araluen Estate. One consequence of this would be the loss of some of the tranquility currently experienced on Thompson Road.</p> <p>e) As per No. 1b (Traffic issues).</p> <p>f) As per No. 2f (Fire issues).</p>
100	Stephen & Sue Sneyd 90 Gardiner Road Karragullen 6111	<p>a) Will impact on rural environment.</p> <p>b) Ground unsuited to development due to land slip risk</p> <p>c) Concern about effluent disposal</p> <p>d) Noise concerns from resort.</p> <p>e) Would prefer low rise development</p> <p>f) Concern at lack of scheme water and fear of</p>
		<p>a) As per No. 1a (Rural amenity).</p> <p>b) As per No. 18e (Stormwater and erosion).</p> <p>c) As per No. 5b (Effluent Disposal).</p> <p>d) As per No. 2c (Noise).</p> <p>e) As per No. 32c (Resort too large), in addition, it is acknowledged that the impact of the development, particularly its height will need to be carefully evaluated when a development application is considered.</p>

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	RECOMMENDATION/COMMENTS
SUMMARY OF SUBMISSION		
reliance on water tanks and resulting visual pollution.		f) Dismiss. The development would be connected to Scheme water, as it the rest of the Araluen Estate.
101	Daniel McGill 194 Croyden Road Roleystone 6111	a) Land is steep and its development would result in slippage of soil into the Canning. Lot 62 should remain as a buffer to the Canning. b) Canning Valley is important tourist route c) Proposal would impact on visual amenity.
102	Elizabeth Roberts 22 George Road Roleystone 6111	a) Inconsistent with City focus on bushland and integrity of river. b) Concern as soil instability, c) Spread of dieback, d) Contamination and loss of natural vegetation. e) No demonstrated need or demand for project. f) Loss of amenity due to traffic increase and loss of Visual appeal.
103	Mike Huff 240 Croyden Road Roleystone 6111	Submittee overlooks Lot 62. a) Concern at loss of rural amenity. b) Contrary to Rural Strategy. c) Lot 62 is too steep and comprised on clay soils and therefore unstable. d) Concern that the proposed type and management of the effluent disposal system is uncertain. e) Refers to and attaches EPA 1991 letter in respect of runoff to the Canning River. f) Query whether Swan River Trust really supports the proposal. g) Need independent consultant advice. h) Concern that a 30m buffer from river would be insufficient and contrary to 1991 EPA advice which recommended over 50m. i) Concern with traffic issues particularly on Heritage Drive due to its steepness and it being
		a) As per No. 1a (Rural amenity). b) As per No. 18e (Stormwater and erosion). c) As Per No. 52d (Dieback). d) As per No. 9a (Environmental impact). e) Dismiss. The proponent is not required to demonstrate need to the planning authority. f) As per No. 1b (Traffic issues).
		a) As per No. 1a (Rural amenity). b) As per No. 24b (Rural Strategy). c) As per No. 18e (Stormwater and erosion). d) As per No. 5b (Effluent Disposal). e) The EPA has provided advice on the current project which relates specifically to Lot 62. Any development will be required to comply with these requirements. f) The Swan River Trust has not objected to the proposal, although it has provided advice that would result in some significant modifications to the proposal. g) As per No. 34k (Independent consultants). h) The City will be guided by the advice it receives from the EPA and the Swan River Trust. In respect of the amendment this has recommended a 30m foreshore reserve on either side of the Canning River.

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		
No.	SUBMITTER	SUMMARY OF SUBMISSION
		RECOMMENDATION/COMMENTS
		<p>i) As per No. 1b (Traffic issues).</p> <p>j) While it is recognised that occasionally special events do result in considerable traffic being attracted to Croyden Road, roads are generally not designed on the basis of such events. In extreme situations, it may be necessary to put in place a traffic management plan to ensure that traffic safety and accessibility is maintained – as indeed does occur during Araluen Botanic Park events.</p> <p>k) As per No. 2f (Fire issues).</p> <p>l) As per No. 2a (Contrary to plans for Lot 62).</p> <p>m) As per No. 55d (Precedent).</p> <p>n) As per No. 3f (Prefer existing chalets site).</p>
104	Jonathan & Pamela Crapper 45 Ridgehill Rise Roleystone 6111	<p>j) Traffic figures used by consultants are out of date and do not include Araluen events.</p> <p>k) Concern at lack of fire management plan and concern regarding evacuation in case of bush fire.</p> <p>l) Proposal is contrary to Council's original advice that no dwellings would be seen from Croyden Road. The present proposal is contrary to previous undertakings from Council and developer.</p> <p>m) The proposal would set an undesirable precedent for the district.</p> <p>n) Current zoning allows for a resort and holiday accommodation.</p> <p>a) Concern at proposal when land already suitably zoned for the purpose. Such development should be integrated with the Golf Course.</p> <p>b) Site unsuited due to its slope, need for substantial earthworks.</p> <p>c) Concern at traffic increases and dangerous road conditions on Heritage Drive which has recently seen accidents.</p> <p>d) Concern at effluent disposal.</p> <p>e) Noise pollution.</p> <p>f) Power supply – will underground power be provided?</p> <p>g) Proposal contrary to rural strategy.</p>
105	Terence & Janice Dawson 13 Trevor Court Roleystone 6111	<p>a) Concern at cost to ratepayers from traffic management requirements.</p> <p>b) Risk of pollution from effluent and stormwater on the Canning river.</p> <p>c) Will create a precedent for similar land in Canning Valley to be similarly inappropriately developed.</p>
		<p>a) As per No. 3f (Prefer existing chalets site).</p> <p>b) As per No. 18e (Stormwater and erosion).</p> <p>c) As per No. 1b (Traffic issues).</p> <p>d) As per No. 5b (Effluent Disposal).</p> <p>e) As per No. 2c (Noise).</p> <p>f) Noted. It is acknowledged that overhead power can result in undesirable visual impacts. It is contemplated that the future resort development would have underground power in view of the Araluen Estate having underground power.</p> <p>g) As per No. 24b (Contrary to Rural Strategy).</p> <p>a) As per No. 71f (Cost to City).</p> <p>b) As per No. 2e (Canning river pollution).</p> <p>c) As per No. 55d (Precedent).</p>

SCHEDULE OF SUBMISSIONS		
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE		RECOMMENDATION/COMMENTS
No.	SUBMITTER	SUMMARY OF SUBMISSION
106	<p>Petition signed from 1321 people</p>	<p>Object to the rezoning due to:</p> <p>a) Special visual, social, historic and sensitive environmental amenity of the Canning River Valley which is significant for local and regional population;</p> <p>b) Rezoning for large private resort will result in loss of significant natural asset admired by many.</p>
107	<p>LATE SUBMISSION Rosemary O' Meagher 193 Versteeg Grove Martin 6110</p>	<p>a) Concern about increasing traffic b) Anti-social behaviour and crime. c) Object to clearing of native bushland – as has happened in previous developments in the Hills. d) Loss of wildlife e) General concern about loss of attractive orchards and other aspects of local character in the Roleystone locality. f) Concern at the noise from the development and the functions to be held. g) Concern as risk to water catchment and the Canning River.</p>
108	<p>LATE SUBMISSION David and Denise Ward 50 Croyden Road Roleystone 6111</p>	<p>a) Concern about increasing traffic. b) Concern at the destruction of the stunning untouched piece of land. c) Sewerage will be bad for flora and fauna.</p>

SCHEDULE OF SUBMISSIONS
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE

No.	SUBMITTER	SUMMARY OF SUBMISSION	RECOMMENDATION/COMMENTS
109	LATE SUBMISSION Rod Hughes General Manager Swan River Trust PO Box 6740 Hay Street East Perth 6892	<p>a) While the proposal is within a sensitive locality where intensive development would not normally be supported the proposal is supported in view of the wider benefits arising from tourist development subject to:</p> <p>b) Need to define "Holiday Accommodation Resort";</p> <p>c) Including Single Bedroom dwelling, Single House, Multiple Dwelling and Grouped Dwelling as 'X' uses;</p> <p>d) Ceding free of cost a minimum 30m foreshore reserve either side of the river;</p> <p>e) The preparation of the following in addition to the plans already included in the amendment:</p> <ul style="list-style-type: none"> • Sedimentation and Erosion Management Plan, • Construction Management Plan, • Vegetation survey and a Conservation Plan, • Landscaping Management and Planting Plan and • Visual Landscape Impact Assessment. <p>f) The limitation of units to 120;</p> <p>g) Each unit to be limited to use as short-stay holiday accommodation (not more than one month occupancy per year);</p> <p>h) Development to be managed as holiday accommodation by one management body;</p> <p>i) If developed in stages, the common facilities to be provided in the first stage.</p>	<p>a) Noted. Under its Act the Swan River Trust's functions are to manage and protect its management area and provide advice on reservations and management within this area. The Trust may also give advice on measures to control erosion. Most of the Trust's submission is relevant to its functions, however, it does make comment that goes beyond its formal functions (for instance in making comment on the management and design of the project). While this may be welcome, it is important to separate the general comments that any submitter may make from the comments derived from having a certain authority or specialist expertise.</p> <p>b) There is no need to specifically define "Holiday Accommodation Resort" because its unique meaning is established by the remaining permitted uses and conditions set out in the Restricted Use Table.</p> <p>c) With the exception of Single House, other dwellings are already 'X' in the Rural Living zone. It is reasonable to retain Single House as a permitted use, in the event of the resort not proceeding it is reasonable for a single house to be located on the property to secure the management of the property if nothing else.</p> <p>d) While the proposed amendment indicate a "maximum" 30m foreshore reserve, it would be appropriate to impose a minimum 30m reserve. The SRT's advice may to ambiguous and imply potentially a 60m reserve. This would be excessive and contrary to DPI advice.</p> <p>e) The Sedimentation and Erosion Management Plan along with the Construction Management Plan are relevant in view of the potential impact on the river and should be included as additional Scheme requirements. However the other requirements appear to be of a more general nature not related to the river. It could be seen as unreasonable to require the preparation of a Conservation plan when the development is proposed within predominantly cleared areas. The landscaping management and planting plan and some visual landscape impact assessment may have some merit and it is proposed to amend the Scheme provisions to include an additional requirement as follows: "The design, in particular height, colour and texture, and positioning of the buildings shall have regard to the natural landscape and views from public vantage points."</p> <p>f) The Trust has proposed a limitation on the number of units. It is agreed that the amendment should specify an upper limit and this should take into account the existing Scheme provisions which anticipate chalets being developed near the Club House (As per No. 32c - Resort too large).</p> <p>g) Holiday Accommodation is defined in the Scheme as being "available or is made available for holiday purposes for occupation by persons other than the proprietor". Accordingly the resort would be limited to short stay use through the development approval for Holiday Accommodation and no additional Scheme provision would be necessary.</p>

SCHEDULE OF SUBMISSIONS		RECOMMENDATION/COMMENTS
AMENDMENT NO. 5 - LOT 62 CROYDEN ROAD, ROLEYSTONE	SUMMARY OF SUBMISSION	SUBMITTER
		<p>h) Upheld. It would be appropriate to provide assurance that the development was not fragmented and that it be operated and managed as a cohesive tourist accommodation facility. An additional condition should be included to address this.</p> <p>i) It is reasonable to expect that the proposed facilities would be provided within the first stage of the development and this could be made a requirement by the inclusion of the following additional provision: Common facilities such as reception, pool, restaurant and caretaker's residence are to be completed in the first stage of development.</p>
110	<p>LATE SUBMISSION Amanda Richards 6 Barnes Road Roleystone 6111</p> <p>a) The proposal would spoil the quiet and community spirit. b) The extra traffic would be a burden to our roads,</p>	<p>a) As per No. 1a (Rural amenity). b) As per No. 1b (Traffic issues).</p>
111	<p>LATE SUBMISSION Sandy Anderson 41 Croyden Road Roleystone 6111</p> <p>a) Concern at increased traffic due to safety for pedestrians. b) Risk of soil movement on site and effect on Canning River.</p>	<p>a) As per No. 1b (Traffic issues). b) As per No. 2e (Canning river pollution).</p>
112	<p>LATE SUBMISSION Claudia and Fred Woeljes 21 Contour Channel Road Roleystone 6111</p> <p>a) Concern about increased traffic on Brookton highway</p>	<p>a) As per No. 1b (Traffic issues).</p>
113	<p>LATE SUBMISSION Jeanne Stanley 77 Hawkestone Road Roleystone 6111</p> <p>a) Concern about increased traffic on Croyden Road. b) Concern that the site is unsuitable for development due to erosion risk. c) Development would spoil scenic views of valley.</p>	<p>a) As per No. 1b (Traffic issues). b) As per No. 33b (Soil stability). c) As per No. 20d (Visual impact).</p>
114	<p>LATE SUBMISSION Daphne Taylor 10 Kurrajong Street Roleystone 6111</p> <p>Object to holiday resort on grounds of: a) it will spoil the reason for people living here; b) it will result in more traffic on Brookton Hwy.</p>	<p>a) As per No. 1a (Rural amenity). b) As per No. 1b (Traffic issues).</p>

