

July 2012

Metropolitan Region Scheme Amendment 1215/41



Cardup Industrial Precinct

Report on Submissions
Submissions
Transcript of Hearings

Shire of Serpentine-Jarrahdale

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Amendment 1215/41**

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Introduction to Metropolitan Region Scheme major amendments

The Western Australian Planning Commission (WAPC) is responsible for keeping the Metropolitan Region Scheme (MRS) under review and initiating changes where they are seen as necessary.

The MRS sets out the broad pattern of land use for the whole Perth metropolitan region. The MRS is constantly under review to best reflect regional planning and development needs.

A proposal to change land use reservations and zones in the MRS is regulated by the *Planning and Development Act 2005*. That legislation provides for public submissions to be made on proposed amendments.

For a substantial amendment, often referred to as a major amendment (made under section 41 of the Act), the WAPC considers all the submissions lodged, and publishes its recommendations in a report on submissions. This report is presented to the Minister for Planning and to the Governor for approval. Both Houses of Parliament must then scrutinise the amendment before it can take legal effect.

In the process of making a substantial amendment to the MRS, information is published as a public record under the following titles:

Amendment report

This document is available from the start of the public advertising period of the proposed amendment. It sets out the purpose and scope of the proposal, explains why the amendment is considered necessary, and informs people how they can comment through the submission process.

Environmental review report

The Environmental Protection Authority must consider the environmental impact of an amendment to the MRS before it can be advertised. Should it require formal assessment, an environmental review is undertaken and made available for information and comment at the same time as the amendment report.

Report on submissions

The planning rationale, determination of submissions and the recommendations of the WAPC for final approval of the amendment, with or without modification, is documented in this report.

Submissions

This document contains a reproduction of all written submissions received by the WAPC on the proposed amendment.

Transcript of hearings

A person who has made a written submission may also choose to appear before a hearings committee to express their views. The hearings proceedings are recorded and transcribed, and the transcripts of all hearings are reproduced in this volume.

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Submissions

Transcript of Hearings

Report on submissions

Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

Report on Submissions

1 Introduction

At its August 2011 meeting, the Western Australian Planning Commission (WAPC), resolved to proceed with this amendment to the Metropolitan Region Scheme (MRS) in accordance with the provisions of Section 41 of the *Planning and Development Act 2005*.

2 The proposed amendment

The amendment proposal was described in the previously published *Amendment Report*, and description of the proposal is repeated below.

The purpose of the amendment is to transfer approximately 169 ha of Rural zoned land to the Industrial zone in the MRS, generally bounded by the South Western Highway, rail reservation, Norman Road and Cardup Siding Road.

The proposed Industrial zoning will allow for primarily general / service industrial development of the land following a local scheme amendment, detailed structure planning and subdivision approval.

3 Environmental Protection Authority Advice

The proposed amendment was referred to the Environmental Protection Authority (EPA) for advice on whether environmental assessment would be required. The EPA advised that the proposed amendment does not require formal assessment under Part IV of the *Environmental Protection Act*. The EPA provided advice and recommendations on the following issues: wetlands, remnant vegetation and fauna, acid sulfate soils, management of water quality and quantity, contamination, impacts on sensitive landuses and Aboriginal and European heritage.

A copy of the notice from the EPA was included in the previously published Amendment Report.

4 Call for submissions

The amendment was advertised for public submissions from 4 October 2011 to 20 January 2012.

The amendment was made available for public inspection free of cost during ordinary business hours at:

- i) Western Australian Planning Commission, 140 William Street, Perth;
- ii) Cities of Perth, Fremantle, Armadale and the Shire of Serpentine-Jarrahdale; and
- iii) the State Reference Library, Northbridge.

During the public inspection period, notice of the amendment was published in the *West Australian* and the *Sunday Times* newspapers and relevant local newspaper/s circulating in the locality of the amendment.

5 Submissions

Twenty-one submissions (includes one late submission) were received on the amendment. An alphabetic index of all the persons and organisations lodging submissions is at Schedule 1.

Five submissions supported the amendment, one submission objected to the amendment and 15 submissions contained neutral comments, non-objections or general comments on the amendment.

The main issues raised in the submissions are discussed further in Section 7 below - "Main Issues Raised in Submissions". A summary of each submission with WAPC comments and determinations is at Schedule 2. A complete copy of all written submissions is contained in this publication.

6 Hearings

Section 46 of the *Planning and Development Act 2005* provides that each person who makes a submission is to be offered the opportunity of being heard by a Committee formed by the WAPC for that purpose. The Committee comprised:

- . Ms Elizabeth Taylor, Member of the Statutory Planning Committee.
- . Cr Henry Zelones, representative of the South-East Districts Planning Committee.
- . Dr Bruce Hamilton, as an independent member with environmental and waterways knowledge.

All persons who made submissions were invited to present their submission to the Hearings Committee.

One hearing of general comment was requested and this occurred on 28 March 2012. The Hearings Committee also undertook a site inspection on 23 March 2012.

7 Main issues raised in submissions

7.1 Exclusion of Bush Forever Site 361 from Industrial Zone

The proponent has requested that Bush Forever Site 361 be included within the amendment area (and Industrial zone) to better facilitate its protection through a Bush Forever Negotiated Planning Solution. The protection and retention of the Bush Forever site could occur by rezoning the site to "Conservation" under the Local Planning Scheme and subject to a structure planning process.

Modification of the amendment to incorporate Bush Forever Site 361 is not considered to warrant readvertising of the amendment as it is 'minor' in nature.

WAPC Response

State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region (SPP 2.8) identifies five Bush Forever site implementation categories for all Bush Forever areas. Bush Forever area 361 is identified as 'Rural Lands' implementation category which complements the current Rural zoning under the MRS and does not allow for a industrial, urban or urban deferred Bush Forever Negotiated Planning Solution (NPS). A rezoning of a Bush Forever area to Industrial under the MRS does not change the implementation category in SPP 2.8.

SPP 2.8 supports a general presumption against future urban, industrial or resource development in areas not already subject to an existing planning or environmental commitment, approval or policy. The rezoning of a Bush Forever area from Rural to Industrial under the MRS is inconsistent with the policy objective of SPP 2.8 as industrial land uses are not compatible with bushland protection and/or provide for an improved environmental outcome.

The Bush Forever Policy sets out guidelines for all site implementation categories including complementary mechanisms for the protection of bushland for Rural zoned lands these include:

- *Retaining land in private ownership or local government ownership with conservation management agreements through the Department of Environment and Conservation (DEC) or legally binding nature conservation covenants arranged through the DEC, National Trust of Australia or the Department of Agriculture and Food. Conservation management agreements such as Land for Wildlife, may be linked to incentives and grant programs. Nature conservation covenants can provide stewardships and tax incentives and money for fencing and other management measures.*
- *Establishment of a suit of complementary 'off reserve' mechanisms for land such as formal and informal land management agreements, assistance, advice and financial incentives, existing Town Planning Schemes (TPS) provisions and controls. The TPS can enforce bushland protection and management measures in their provisions including fencing, bushfire management, access and hard edge interface.*
- *Reservation of the Bush Forever area to Parks and Recreation under the MRS by the State Government, which would result in the acquisitions of the Bush Forever area either through compensation or as a result of ceding free of cost at the time of subdivision.*

The two vegetation complex's within Bush Forever area 361 are classified as Forrestfield and Guildford, of which both vegetation complex's are identified as under-represented on the Swan Coastal Plain Portion of the Perth Metropolitan Region, with 5% and 3% proposed for protection respectively. The vegetation within Bush Forever area 361 also contains a Threatened Ecological Community (TEC). SPP 2.8 seeks to avoid unacceptable losses, which includes a presumption against clearing bushland, or other degrading activities, for vegetation complexes with less than 10% remaining on the Swan Coastal Plain portion of the Perth Metropolitan Region and for TEC's.

The vegetation within Bush Forever area 361 is identified as potential Carnaby's Black Cockatoo feeding habitat which is listed as endangered under the federal Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Cardno consultants have also mapped significant tree habitats for the Carnaby's Black Cockatoo. The majority of the tree habitats are located outside Bush Forever area 361 within the land proposed to be rezoned to industrial. The clearing of potential Carnaby's Black Cockatoo habitat may trigger

the EPBC Act and a referral to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities for assessment may be required.

It is recommended all vegetation within Bush Forever area 361 and all significant tree habitats outside Bush Forever area 361 be protected from any direct or indirect impacts as a result from industrial development. The Hearings Committee notes that vegetation mapping undertaken by the proponent indicates potential roosting / foraging sites for Carnaby's Cockatoos outside area 361. This will need to be taken into account in the subsequent planning stages in accordance with the requirements of the Environmental Protection and Biodiversity Conservation Act 1999.

The WAPC also considers that the modification of the amendment to include additional land within the Industrial zone is a major modification, requiring re-assessment by the EPA and the Minister for Planning's consent to advertise prior to re-advertising of the amendment. Therefore, such a modification is not within the scope of this amendment.

Submission dismissed

7.2 Regional and Local Road Issues

The proponent advises that the extension of Tonkin Highway will be an important part of the development of the site. In the absence of the Tonkin Highway extension, in the short to medium term, the widening of the South Western Highway to a 4-lane road will be required. The construction of at least one primary access point from the amendment onto the South Western Highway and at least two lower order access points are required to optimise vehicle accessibility into and out of the site.

Access to the South Western Highway will primarily be obtained via Cardup Siding Road. As Cardup Siding Road has only been constructed to a rural standard, an upgrade of Cardup Siding Road, including the intersection of Cardup Siding Road / South Western Highway will be required. The intersection of Cardup Siding Road / Soldiers Road may also require signalisation due to the projected high traffic volumes and proximity to the existing rail crossing.

The proponent advises that the construction of Robertson Road will be required in order to minimise the impact of local traffic on the South Western Highway. The construction of Robertson Road as a local distributor will assist in providing north-south permeability between Mundijong Road and Cardup Siding Road. A minimum of two T-intersections from the amendment area onto Robertson Road will be required to optimise vehicle accessibility into and out of the amendment area.

Norman Road is likely to require some minor widening to accommodate the projected traffic volumes from the amendment. Norman Road should remain open and be widened to provide efficient road linkages to the South Western Highway and Soldiers Road. It is recognised that the resolution of environmental issues associated with access through Bush Forever site 350 will be required in order to achieve the above road widening and access requirements.

WAPC Response

The WAPC has noted the various regional and local road access requirements for the precinct. In accordance with standard practice, road improvements occur at various stages when the need for such improvements are generated and are subject to Main Roads WA (MRWA) and local government approval and funding requirements. There is also a need to take into consideration existing and future urban areas and the potential impact of industrial

development and associated traffic impacts, including north-south and east-west movements.

In relation to the regional road network, MRWA has no objections to the amendment. MRWA has advised the developer that only one access will be permitted from the subject land to the South Western Highway. The location of this access is still to be determined. All other access will be from Cardup Siding and Norman Roads.

MRWA advises that it may be some time before upgrading of the South Western Highway to a four lane dual carriageway occurs. Therefore, a significant upgrade at the intersection of the South Western Highway / Cardup Siding Road may be required earlier due to the traffic impacts from the amendment. All costs associated with the upgrade are to be funded by the developer.

MRWA requests that the amendment be modified by the exclusion of land required for the South Western Highway / Cardup Siding Road intersection upgrade. In accordance with MRWA's recommendation, the amendment has been modified by excluding the area identified for road widening at the intersection of the South West Highway / Cardup Siding Road. A future MRS amendment will reserve this land (and the land to the north of the amendment) as Primary Regional Roads reservation.

In relation to the local road network, the Shire of Serpentine-Jarrahdale has approved Local Planning Policy 44 – Cardup Business Park Planning Framework to guide the future planning and development of the site. In this regard, the local planning policy states that a comprehensive traffic assessment is to be undertaken at the detailed structure planning stage. This assessment will determine the local road network requirements for the subject land including Soldiers Road and will be advertised as part of the local structure plan.

Submissions noted

8 Modifications

The amendment is to be modified by excluding that area at the intersection of South Western Highway / Cardup Siding Road as MRWA has identified this land for future road widening purposes. Re-advertising of the amendment is not required as the modification is minor in nature and no new components are being added to the amendment.

9 Determinations

The responses to all submissions are detailed in this report. The submissions of objection are recommended to be dismissed. Minor modification to the amendment is to be undertaken as discussed above.

10 Coordination of region and local scheme amendments

Section 126(3) of the *Planning and Development Act 2005* allows for the concurrent amendment of a local planning scheme where land is to be transferred to the Urban zone in the MRS. As no land is being zoned Urban under the MRS, section 126(3) is not applicable.

11 Conclusion and recommendation

This report summarises the background to major Amendment No. 1215/41 and examines the various submissions made on it.

The WAPC, after considering the submissions, is satisfied that the modified amendment as shown generally on Figure 1 in Schedule 4, and in detail on the MRS Amendment Plan listed in Appendix 2 should be approved and finalised.

Having regard to the above, the WAPC recommends that the Minister for Planning presents the modified amendment to His Excellency the Governor for his consideration and approval and subsequently commend the amendment to both houses of Parliament.

Schedule 1

Alphabetical listing of submissions

Alphabetical Listing of Submissions

MRS Amendment 1215/41

Cardup Industrial Precinct

Submission Number	Name
16	CLE (on behalf of Richard Nobel as agent for Cardup Investments P/L)
18	Colli, Peter (Redire Pty Ltd & Silvagold Corp Pty Ltd)
4	Education, Department of
17	Gangemi, Joe (G & G Corp)
13	Hennessy, Ian
12	Hogge, Patricia
1	Indigenous Affairs, Department of
15	Land Insights (on behalf of Austral Bricks)
9	Main Roads Western Australia
8	Mines and Petroleum, Department of
10	O'Neil, Brain John
2	Pawluk, Richard
19	PRS Planning (on behalf of the landowners)
11	Roberts Day (on behalf of Gold Fusion Pty Ltd)
6	Serpentine-Jarrahdale, Shire of
20	Transport, Department of
7	Water Corporation
14	Water, Department of
3	Western Power
5	Yorke, Jennifer
<hr/>	
Late Submissions	Name
	South West Aboriginal Land and Sea Council

Schedule 2

Summary of submissions and determinations

Submission: 1
Submitted by: Department of Indigenous Affairs

Summary of Submission:

COMMENT

A search of the Register of Aboriginal Sites has been undertaken for the area and Department of Indigenous Affairs (DIA) confirms that there are no places currently mapped on the Register of Aboriginal Sites. The *Aboriginal Heritage Act* (AHA) protects all Aboriginal sites in Western Australia whether they are known to the DIA or not.

The proponent is reminded of section 15 of the AHA which requires the disclosure of places suspected to be Aboriginal Heritage sites to the Registrar of Aboriginal Sites. Under the AHA the Aboriginal Cultural Material Committee (ACMC) has the ability to determine an Aboriginal Heritage site.

The proponent will need to act with due diligence according to the nature of the activity undertaken and can involve one or all of the following consultation with relevant Aboriginal groups, search of the Register of Aboriginal Sites and the Aboriginal Heritage Inquiry System, a heritage survey and cultural heritage.

The proponent is encouraged to liaise with the DIA early in the development of the site in order to help identify ways to minimise and avoid damage or disturbance of Aboriginal heritage sites and will assist to avoid delays in the subsequent planning stages.

Planning Comment:

Comments noted. The proponent has been advised of the above comments from the DIA which relate to the subsequent detailed planning stages.

Determination:

Submission noted.

Submission: 2, 5, 10, 12 & 16
Submitted by: Richard Pawluck, Jennifer Yorke, Brian John O'Neil, Patricia Hodge & Chappell Lambert Everett

Summary of Submission:

SUPPORT

The above submitters have supported the amendment as follows:

- The amendment is strategically located between the Byford Urban Cell (to the north) and the Mundijong Whitby Urban Cell (to the south) and will capitalise on a growing employment and customer catchment.

- The amendment is consistent with a range of State Government strategic documents such as the draft *Industrial Land Strategy* and the Shire of Serpentine-Jarrahdale *Plan for the Future*. The amendment facilitates the inclusion of additional industrial land in the south-east corridor.
- The amendment area is ideal for industrial development as it is cleared land and will provide jobs for nearby residents.

Planning Comment:

Support noted.

Determination:

Submissions noted.

Submission: 3

Submitted by: Western Power

Summary of Submission:

COMMENT

Western Power raises no objections the amendment and advises that any changes to the existing power system is the responsibility of the developer/s.

Planning Comment:

Comment noted.

Determination:

Submission noted.

Submission: 4

Submitted by: Department of Education

Summary of Submission:

COMMENT

The Department of Education has no objection to the amendment.

Planning Comment:

Comments noted.

Determination:

Submission noted.

Submission: 6
Submitted by: Shire of Serpentine-Jarrahdale

Summary of Submission:

COMMENT

In summary, the Shire of Serpentine-Jarrahdale has requested clarification regarding the EPA's advice as follows:

1. *Remnant Vegetation and Fauna*

Reference is made to Bush Forever site 350 being located within the amendment area and the proponents' intention to rehabilitate Bush Forever sites. However, no Bush Forever sites are located within the amendment area.

2. *Management of Water Quality and Quantity*

Reference is made to the EPA's statement which supports the retention of Cardup Brook foreshore reserve. No part of the amendment is located within 30 m of Cardup brook so the proponent can not commit to retain the foreshore reserve.

Planning Comment:

The Office of the Environmental Protection Authority (OEPA) acknowledges that Bush Forever sites 350 and 361 do not form part of the amendment area, and expects that management and protective measures for all the Bush Forever sites will be determined at the detailed local structure planning stage. Protective measures should include but not be limited to:

- Fencing;
- Hard surfaces between the Bush Forever site and development such as roads or dual-use paths; and
- Management of declared weeds.

All management measures should occur outside of the Bush Forever boundary.

The OEPA advises that no foreshore reserve was proposed, the OEPA advised that future land uses should take into account the values of the wetland. The OEPA acknowledges that whilst Cardup Brook is not within the amendment area the northern extent of the amendment area is within 30 m of the Brook, it is acknowledged that a road lies between the Brook and the amendment area, however, it is expected that proposed future land uses do not impact on the values of the wetland. It is recommend that the proponent liaise with the OEPA regarding the above requirements.

Determination:

Submission noted.

Submission: 7
Submitted by: Water Corporation

Summary of Submission:

COMMENT

The Water Corporation has provided the following comments:

Water

The Corporation advises that the central portion of the subject land falls outside any current planned water supply scheme and reticulated water supply is not immediately available and will require water supply planning to be undertaken. If the area can be served, it is most likely that additional headworks infrastructure will need to be constructed.

Wastewater

The subject land falls within the Byford sewer district. The permanent pump station that is planned does not exist. A temporary pump station may be an option to serve the area and provision for an odour buffer will be required. Consideration should be given to the location of the pump station and the discharge point.

Urban Water Management

Water strategy and management issues should be in accordance with the State Water Strategy 2003, State Water Plan 2007 and Better Urban Water Management.

Proposed Development / General Comments

Developers are encouraged to liaise with the Water Corporation as the implementation of Water Corporation planning of the provision of infrastructure is dependent on the timing of developments and may require funding of major works by the developer. The Corporation also advises that the developer is expected to provide all water and sewerage reticulation and contribution for water and sewerage headworks may also be required.

Planning Comment:

Comments noted. The proponent has been advised of the Water Corporations comments.

Determination:

Submission noted.

Submission: 8

Submitted by: Department of Mines & Petroleum

Summary of Submission:

COMMENT

The Department of Mines & Petroleum raises no objections to the amendment. It is noted that the industrial zoning would be compatible with the adjacent titanium-zircon resources.

Planning Comment:

Comments noted.

Determination:

Submission noted.

Submission: 9
Submitted by: Main Roads WA

Summary of Submission:

COMMENT

Main Roads WA (MRWA) has no objection to the amendment. MRWA has advised the developer that only one access will be permitted from the subject land to the South Western Highway. The location of this access is still to be determined. All other access will be from Cardup Siding and Norman Roads.

MRWA advises that it may be some time before the upgrading of South Western Highway to a four lane dual carriageway occurs. Therefore, a significant upgrade at the intersection of South Western Highway / Cardup Siding Road may be required earlier due to the traffic impacts from the amendment. All costs associated with the upgrade are to be funded by the developer.

MRWA requests that the amendment be modified by the exclusion of land required for the South Western Highway / Cardup Siding Road intersection upgrade.

Planning Comment:

Comments noted. Refer to Part 7 of the Report on Submissions.

Determination:

Submission upheld.

Submission: 11
Submitted by: Roberts Day

Summary of Submission:

COMMENT

Roberts Day acts on behalf of Gold Fusion Pty Ltd and raises no objections to the amendment subject to compliance with relevant buffers and separation distances to residential development. Gold Fusion Pty Ltd is progressing the Whiteby Local Structure Plan (to the south of the land) for primarily residential uses.

It is noted that a range of uses are permitted within the proposed Industrial zone and the EPA has advised that proposed uses (and buffers) are to be in accordance with *Guidance Statement No. 3 - Separation Distances between Industrial and Sensitive Land Uses*. It is also noted that further works will be undertaken regarding potential site contamination.

In relation to vehicle access movements it is recommended that Gold Fusion Pty Ltd be included in the development of any strategy, particularly to the west of the site and management of traffic from Whiteby and Cardup.

Planning Comment:

Comments noted. Refer to Part 7 of the Report on Submissions,

A range of uses are permitted within the Industrial zone and the EPA has advised that proposed uses (and buffers) are to be in accordance with *Guidance Statement No. 3 - Separation Distances between Industrial and Sensitive Land Uses*. It is also acknowledged that further detail design of the precinct (including access arrangements) and permissibility of uses will occur in future planning stages, via structure planning and Town Planning Scheme amendments which are subject to public consultation.

Determination:

Submission noted.

Submission: 13
Submitted by: Ian Hennessy

Summary of Submission:

OBJECTION

The submitter does not support the amendment as follows:

1. Compliance with the *Aboriginal Heritage Act* should occur as part of the amendment and is concerned about the cultural sensitivities.
2. The development of the site should not proceed until a road assessment is undertaken and considered by all residents. Will heavy vehicles be banned from Soldiers Road?
3. The proposed Industrial precinct is unnecessary for Byford's viability.
4. Do not support the EPA assessment of the site as having completely degraded vegetation. There is significant vegetation on site and there is a pair of Carnaby's Cockatoo's.
5. The amendment will negatively impact on the amenity and lifestyle of the area having regard to traffic, noise, dust and the loss of open areas.

Planning Comment:

1. A search of the Register of Aboriginal Sites has been undertaken for the area and Department of Indigenous Affairs confirms that there are no places currently mapped on the Register of Aboriginal Sites.

The proponent has confirmed that as a part of future local structure planning, it may be necessary to undertake an ethnographic and archaeological survey. It is may also be necessary to obtain approval from the Minister for Indigenous Affairs under Section 18 of the *Aboriginal Heritage Act 1972*.

The WAPC has entered into a Memorandum of Understanding with the South West Aboriginal Land and Sea Council, and consultation occurs on all MRS amendments that are initiated.

2. Refer to Part 7 of the Report on Submissions.

3. Economic studies were undertaken for the site which has demonstrated the need for employment generating land uses in the area. The *Economic and Employment Lands Strategy: non-heavy industrial* has been approved by the WAPC and recognises the subject land as a "potential industrial area - medium term". Therefore, the subject land is considered an important industrial area for the south-east corridor of the Perth metropolitan region.
4. A flora and vegetation survey was undertaken by the applicant which demonstrates that the subject land has been predominately cleared, with any remaining vegetation being in a degraded to completely degraded condition. The EPA has also considered the amendment and decided to not formally assess the amendment, but has provided advice on remnant vegetation and fauna.

Any areas that are of significance and worthy of retention will be considered in the subsequent structure planning stage and protected in accordance with environmental legislation. It is noted that Bush Forever Sites 350 and 361 do not form part of the amendment.

5. The industrial development of the site is not expected to adversely impact on the amenity of the locality given it will need to be in accordance with existing regulatory approval requirements.

Determination:

Submission dismissed.

Submission: 14

Submitted by: Department of Water

Summary of Submission:

COMMENT

The Department of Water (DoW) raises no objections to the amendment. It is noted that the DoP has referred to the hierarchy of water management plans in accordance with Better Urban Water Management.

The DoW has advised that the land is located within the Stakehill Groundwater Area which is proclaimed under the *Rights in Water and Irrigation Act 1914*. Any groundwater abstraction other than domestic and/or stock water is subject to licensing by the DoW. The proponent is requested to liaise with the DoW as a high proportion of groundwater in the Karnup East Groundwater Sub Area is already allocated, so there may be limited resources available.

Planning Comment:

Comments noted. The proponent has been advised of the DoW's comments. The WAPC has also noted that the subsequent Local Water Management Strategy should have regard to the broader sub-regional water management planning initiatives being undertaken for the south-east corridor of the Perth metropolitan region.

Determination:

Submission noted.

Submission: 15

Submitted by: Michael Talforth

Summary of Submission:

COMMENT

Land Insights acts on behalf of Austral Bricks and raises no objections to the amendment. The submitter advises that extractive industry applications have been lodged for land adjacent to the amendment and seeks to ensure that the development of the land does not negatively impact on Austral Bricks operations (e.g. buffers).

Planning Comment:

Comments noted. A range of uses are permitted within the proposed Industrial zone and the EPA has advised that proposed uses (and buffers) are to be in accordance with *Guidance Statement No. 3 - Separation Distances between Industrial and Sensitive Land Uses*. It is also acknowledged that further detail design of the precinct and permissibility of uses will occur in future planning stages, via structure planning and Town Planning Scheme amendments that are subject to public consultation.

Determination:

Submission noted.

Submission: 17

Submitted by: Joe Gangemi

Summary of Submission:

COMMENT

The submitter supports the amendment but is concerned about its progression in the absence of a finalised Sub-Regional Strategy. The submitter is the owner of land in Byford and Mundijong and advises that the strategic location of these landholdings can contribute to the development of the locality.

The strategic planning of the Cardup Industrial Precinct and the Mundijong–Whitby District Structure Plan (DSP) area is illogical. The submitter is committed to the strategic transport corridor at the South Western Highway / future Tonkin Highway intersection.

The DSP has been finalised and development of land and infrastructure within the DSP area should recognise the submitters' landholdings as suitable for urban, highway commercial/mixed business or industrial development.

The amendment promotes employment generation but fails to recognise the development of public transport as the preferred choice of travel to strategic centres. It is clear that the ultimate goal of the draft Public Transport Plan is to make Perth a less car dependent city by increasing public transportation trips and reducing cars trips to strategic centres.

The South Western Highway / future Tonkin Highway intersection represents a significant entry to the Mundijong district for visitors from the south and the wheatbelt. The submitter

requests that the DoP and the Shire of Serpentine-Jarrahdale initiate a separate MRS amendment for their land.

Planning Comment:

Comments noted. Refer to Part 7 of the Report on Submissions.

The *Economic and Employment Lands Strategy: non-heavy industrial* and draft *Outer Metropolitan Perth and Peel Sub-Regional Strategy* identify the amendment for industrial development purposes and have been adopted by the WAPC for advertising and/or final approval. There is no need to defer this amendment as the *Economic and Employment Lands Strategy: non-heavy industrial has been finalised, and identifies the subject land for industrial development in the medium term*. Therefore the amendment remains a core industrial area for the south-east corridor of the Perth metropolitan region and is supported.

The rezoning of the subject land has been supported by a number of studies undertaken by the Shire of Serpentine-Jarrahdale (i.e. *Local Planning Policy No. 44 - Cardup Business Park Planning Framework*) and the proponent which have been used to assess the merits of the amendment.

It is noted that the draft *Public Transport for Perth in 2031* indicates that if any rail link extension would occur in this locality, it would be within the abutting railway corridor rather than any extension. The subject land is located adjacent to this railway corridor and could benefit from the potential public transport (rail) extension in future.

In relation to the request to initiate a separate MRS amendment. It is the proponents' responsibility to submit an MRS amendment request to the WAPC with appropriate justification (via technical assessments). However, prior to rezoning any additional Industrial or Urban land, the WAPC will be guided by documents such as the *Economic and Employment Lands Strategy: non-heavy industrial* and the draft *Metropolitan Perth and Peel Sub-Regional Strategy*.

Determination:

Submission dismissed.

Submission: 18

Submitted by: Peter Colli

Summary of Submission:

COMMENT

The submitter supports the amendment as it is in close proximity to future residential areas which will need to be serviced by a future employment centre, and there will be a shortfall of industrial land in the future unless the amendment is approved.

Concerned that Bush Forever Site 361 has been excluded from the amendment. Keen to ensure that the arguments associated with the inclusion of the Bush Forever Site 361 within the amendment do not delay the amendment.

Concerned about the timing of the extension of Tonkin Highway, and requests that the State Government ensures that the extension of Tonkin Highway is undertaken as soon as possible.

It will be important to ensure that Robertson Road is constructed between Cardup Siding Road to the north and Norman Road to the south to provide good traffic movement for the future industrial area. It is also important to ensure that Norman Road is retained and widened to ensure that the land has good access to the surrounding road network.

Planning Comment:

Comments noted. Refer to Part 7 of the Report on Submissions.

Determination:

Submission noted.

Submission: 19

Submitted by: RPS Planning

Summary of Submission:

COMMENT

RPS Planning on behalf of the landowners supports the amendment and provides the following advice:

Bush Forever Considerations

It is important that WAPC include Bush Forever Site 361 within the Industrial zone to facilitate its protection through a Negotiated Planning Solution. Exclusion of this site from the amendment will restrict its potential long-term conservation.

The protection and retention of remnant native vegetation within the Bush Forever site can be achieved through rezoning the land to Industrial, thereby supporting the Shire of Serpentine-Jarrahdale's preference for the entire area to be addressed during the subsequent structure planning process. Protection of the conservation values in perpetuity can be achieved by mechanisms such as a restrictive covenant on lot titles and rezoning the land as "Conservation" under TPS 2.

Modification of the amendment to incorporate Bush Forever Site 361 does not require readvertising of the amendment.

Traffic Planning Considerations

Tonkin Highway / South Western Highway / Cardup Siding Road

A significant issue to affect the development of the site is the extension of Tonkin Highway. Based on existing and future road usage, access to Tonkin Highway would be best provided via Orton Road. The extension of Tonkin Highway from Thomas Road to either Orton Road in the interim or ultimately to Mundijong Road is the most required regional road upgrade. The absence of this transport link would constrain development within the site and would potentially result in significant impacts on traffic flow on South Western Highway.

In the absence of the Tonkin Highway extension in the short to medium term, the widening of South Western Highway to a 4-lane road will become critical. Projections suggest that unless Tonkin Highway is extended, upgrade works to the South Western Highway will be required within a 6-year timeframe. The construction of at least one primary access point

from the amendment onto South Western Highway, and at least two lower order access points (either left-in/left-out or left-in/right-in/left-out) will be required to optimise vehicle accessibility into and out of the amendment area.

Access to the South Western Highway from the amendment will be primarily from Cardup Siding Road. As Cardup Siding Road has only been constructed to a rural standard, an upgrade of Cardup Siding Road, including the intersection of Cardup Siding Road / South Western Highway will be required. The intersection of Cardup Siding Road / Soldiers Road and may also require signalisation due to the projected high traffic volumes and proximity to the existing rail crossing.

Robertson Road / Norman Road

The construction of Robertson Road will be required in order to minimise the impact of local traffic on the South Western Highway. The construction of Robertson Road as a local distributor will assist in providing north-south permeability between Mundijong Road and Cardup Siding Road. A minimum of two T-intersections from the amendment area onto Robertson Road will be required to optimise vehicle accessibility into and out of the amendment area.

Norman Road is likely to require some minor widening to accommodate the projected traffic volumes from the amendment area. To ensure that the southern portion of the amendment area is provided with a satisfactory level of vehicle access, it is essential that Norman Road remains open and is widened to provide efficient road linkages to both the South Western Highway and Soldiers Road.

Construction of a T-intersection between Robertson Road and the South Western Highway (from the amendment area) onto Norman Road will be required to optimise vehicle accessibility into and out of the amendment area. It is recognised that the resolution of environmental issues associated with access through the existing Bush Forever site 350 will be required in order to achieve the above widening and access arrangements.

This submission was supported by a Hearing.

Planning Comment:

Comments noted. Refer to Part 7 of the Report on Submissions.

Determination:

Submission noted.

Submission:	20
Submitted by:	Department of Transport
Summary of Submission:	

COMMENTS

The Department of Transport (DoT) has liaised with the Public Transport Authority (PTA) and MRWA, and provides the following information:

- Transport implications require further investigation at development stage with respect of access requirements for PRR roads and over the rail line.

- Further consultation with the PTA at the development stage regarding the impact of additional traffic at level crossings.
- No development is permitted within land reserved as PRR in the MRS.

Planning Comment:

Comments noted. The proponent has been advised of the DoT's comments.

Determination:

Submission noted.

Submission: 21 (Late)

Submitted by: South West Aboriginal Land and Sea Council

Summary of Submission:

COMMENTS

The South West Aboriginal Land and Sea Council (SWALSC) advises that the amendment was tabled before the Gnaala Karla Booja working party and named applicants. SWALSC advises that a heritage survey is to be conducted over the amendment area prior to the finalisation of the amendment.

Planning Comment:

Comments noted. It is important to clarify the MRS amendment process and when the appropriate time is to undertake a heritage survey and consider the effect of development on sacred sites. The zoning of land under the MRS has no effect on the land or possible sacred sites. Although indigenous related studies of the site can occur at just about any time during an MRS amendment, it is during the preparation of a detailed structure plan where specific consideration is given as to whether identified sites should have some form of protection from development (i.e. inclusion of a sacred site in an open space area, interpretive signage etc).

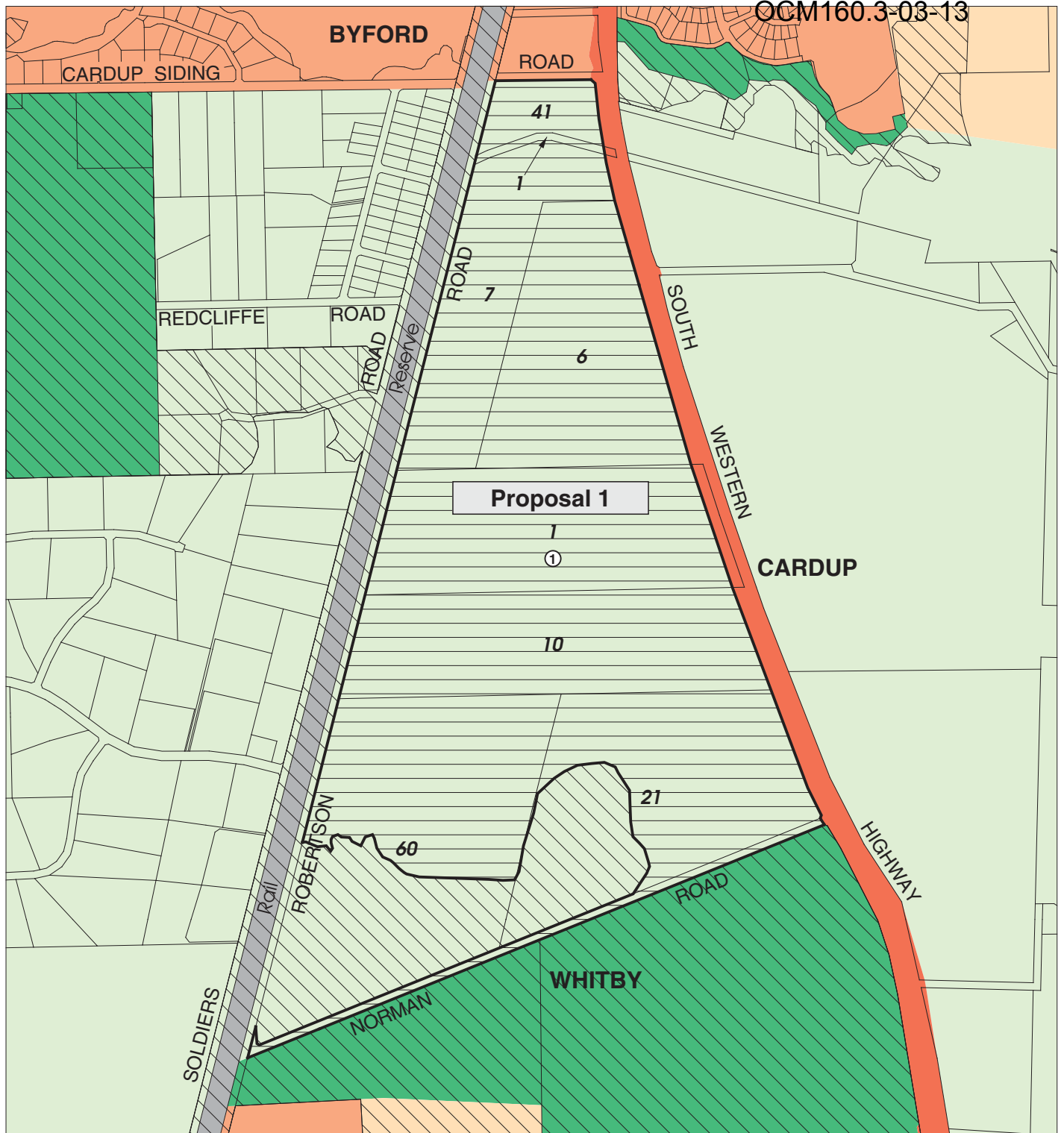
What sites are required to be protected from specific development proposals is decided by way of Section 18 of the *Aboriginal Heritage Act 1972* and detailed heritage archaeological / ethnographic studies by the proponent at the subsequent structure planning stage.

Determination:

Submission noted.

Schedule 3

The amendment figure as advertised




Cardup Industrial Precinct - proposed major amendment

23 August 2011

as advertised

Figure 1

Proposed:

 industrial zone


Existing:

 urban zone

 urban deferred zone


 rural zone

 railways reservation

 parks and recreation reservation

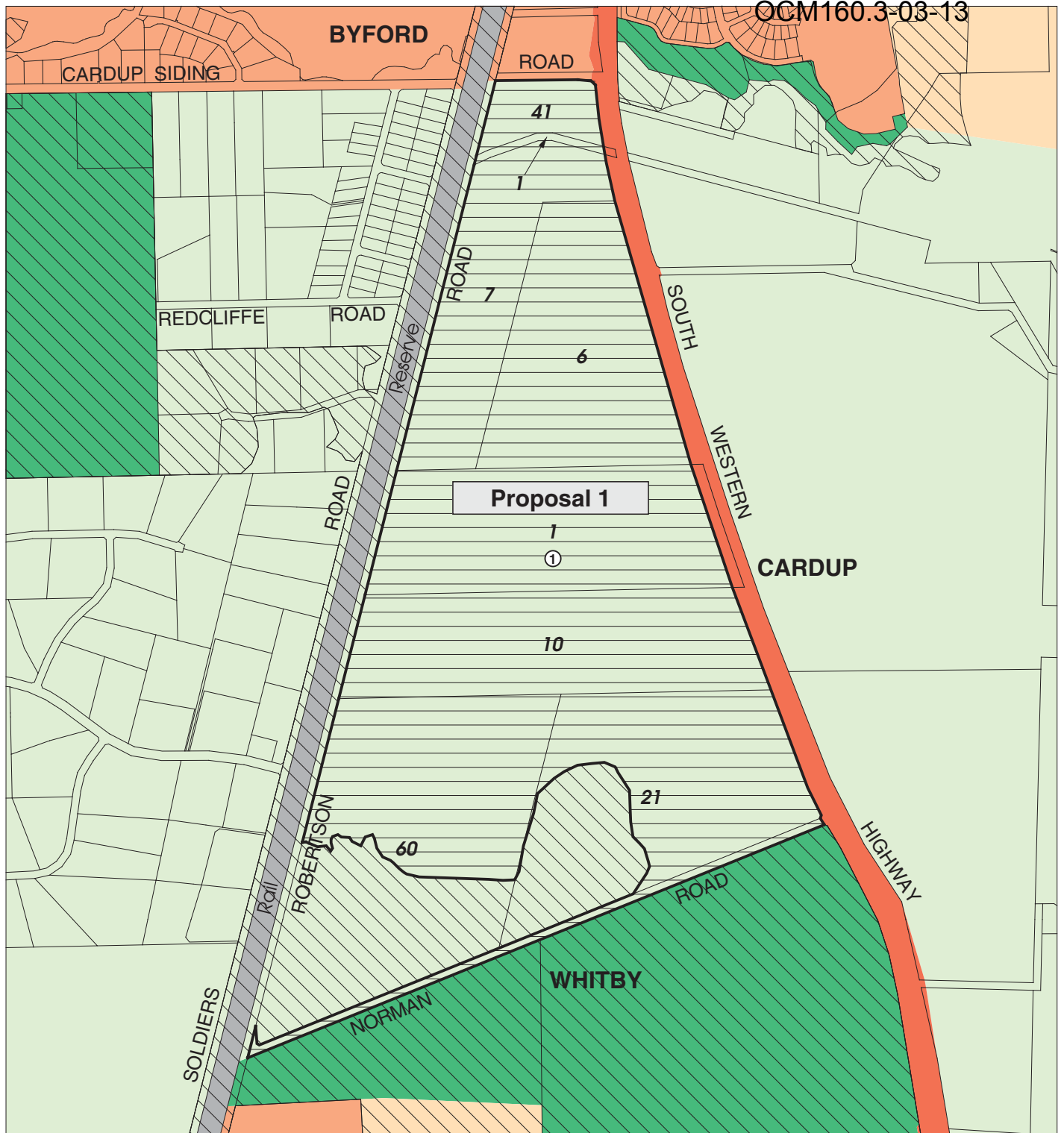
Legend

 primary regional roads reservation

 Bush Forever area

Schedule 4

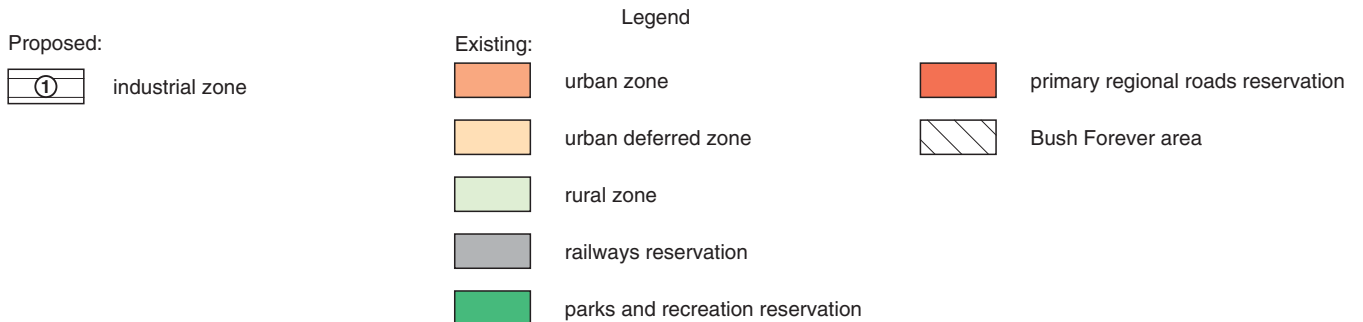
The amendment figure as modified



Cardup Industrial Precinct - proposed major amendment
as modified

24 April 2012

Figure 1



Appendix 1

List of detail plans as advertised

**Cardup Industrial Precinct
Proposed Major Amendment
Amendment 1215/41
as advertised
3.2396/1**

Detail Plan

3.2399/1 - Cardup Industrial

Appendix 2

List of detail plans as modified

**Cardup Industrial Precinct
Proposed Major Amendment
Amendment 1215/41
as modified**

3.2396/2

Detail Plan

3.2399/2 - Cardup Industrial

Submissions

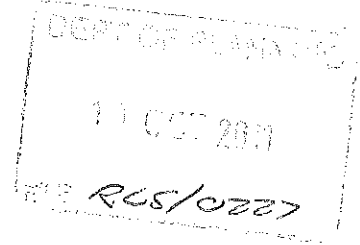


Government of Western Australia
Department of Indigenous Affairs

ENQUIRIES : Rebecca Bairnsfather-Scott - Ph 9235 8080

OUR REF: 11/0924

YOUR REF: 809-2-29-3 Pl2



Mr Tony Evans
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Dear Mr Evans

**METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1215/41
CARDUP INDUSTRIAL PRECINCT.**

Thank you for your letter dated 30 September 2011 for Proposed Amendment 1215/41 Cardup Industrial Precinct (the Amendment).

The Department of Indigenous Affairs (DIA) has conducted a review of the proposed work area and I can confirm that there are no places currently mapped on the Register of Aboriginal Sites (the Register) relevant to the proposed works.

It is noted that a number of potential Aboriginal heritage sites were identified within the vicinity of the Amendment. The Aboriginal Heritage Act 1972 (AHA) protects all Aboriginal sites in Western Australia whether they are known to the DIA or not.

The proponent is reminded of section 15 of the AHA, which requires the disclosure of places suspected to be Aboriginal heritage sites to the Registrar of Aboriginal Sites.

Under the AHA only the Aboriginal Cultural Material Committee (ACMC) has the ability to determine whether or not a place is a site under the provisions of the AHA. As such it is recommended that all potential Aboriginal heritage sites are made known to the ACMC so that it can formally assess these places under the AHA.

The proponents need to act with due diligence according to the nature of the activity undertaken and the area in which it is being carried out. It can involve one or all of the following steps:

- (a) consultation with the relevant Aboriginal group;
- (b) search of the Register of Aboriginal Sites and the Aboriginal Heritage Inquiry System;
- (c) a heritage survey; and
- (d) cultural heritage

As a general note, if a land use activity is likely to impact upon Aboriginal heritage, it is best that heritage management strategies are implemented early in the land use activity planning process. Early engagement and consultation can help to identify ways to minimise and avoid damage or disturbance of Aboriginal heritage sites. Leaving heritage management to the later stages of project planning might lead to delays whilst obtaining the relevant information and, where necessary, the relevant consents.

If at any time it is likely that the activity will in any way impact on a registered Aboriginal site or suspected Aboriginal site the activity should not commence, or if already commenced, should cease immediately, and Land users should contact the DIA on 9235 8000 or through their website: <http://www.dia.wa.gov.au/contact-us/>.

Yours sincerely



Christine Lewis
Manager Heritage Advice
6 October 2011

17 OCT 2011

FILE RLS/0227

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

Submission

Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 2

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name RICHARD PAWLAK
Address 22 KING ALBERT ROAD, TRIGG Postcode 6029
Contact phone number 0412 929 095 Email address pawlak@inet.net.au

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

THE AMENDMENT IS SUPPORTED
BECAUSE IT IS CONSISTENT WITH STATE
AND LOCAL GOVT STRATEGIES AND
WILL PROVIDE A DESPERATELY NEEDED
EMPLOYMENT NODE.

turn over to complete your submission

Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

Please choose one of the following:

No, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

Yes, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

Myself – My telephone number (business hours):

or

A spokesperson

Name of spokesperson:

Contact telephone number (business hours):

Postal address:

I would prefer my hearing to be conducted in:

Public (members from the general public may attend your presentation)

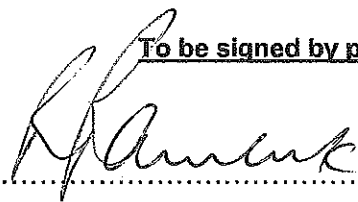
OR

Private (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- All hearings are recorded and transcribed. The transcripts of all hearings, along with all written submissions, are tabled in Parliament and published as public records should the Governor approve the proposed amendment. The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

To be signed by person(s) making the submission

Signature  Date 7. 10. 11

Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 20 JANUARY 2012. Late submissions will NOT be considered.

From: Lynn Walker [mailto:lynn.walker@westernpower.com.au] **On Behalf Of** Works Admin General
Sent: Friday, 14 October 2011 1:06 PM
To: corporate
Subject: Ref 809-2-29-3 Pt 2 - Proposed Metropolitan Region Scheme Amendment 1215/41 - Cardup Industrial Precinct



To the best of my knowledge, we have no objections, but Western Power wishes to advise the following,
in respect to any development due to the above-mentioned proposal.

Working in proximity to Western Power Distribution Lines

All work must comply with Worksafe Regulation 3.64 - Guidelines for Work in the Vicinity of Overhead Power Lines.

If any work is to breach the minimum safe working distances a Request to Work Near Underground and

Overhead Power Lines form must be submitted. For more information on this please visit the Western Power Website:

http://www.westernpower.com.au/safety/Electrical_Safety_at_Work.html


Please note:

- A) Perth One Call Service (Freecall 1100 or visit dialbeforeyoudig.com.au) must be contacted and location details (of Western Power underground cabling) obtained prior to any excavation commencing.
- B) Work Safe requirements must also be observed when excavation work is being undertaken in the vicinity of any Western Power assets.

Western Power is obliged to point out that any change to the existing(power) system, if required, is the responsibility of the individual developer.

Regards,
Customer Service Officer
Connections Administration
Western Power - Locked Bag 2520 PERTH 6001 [[map](#)]

T: 13 10 87 | **F:** (08) 9225 2073
E: works.admin.general@westernpower.com.au
W: <http://www.westernpower.com.au/>

 Please consider the environment before you print this email.

Electricity Networks Corporation, trading as Western Power
ABN: 18 540 492 861

TO THE ADDRESSEE - this email is for the intended addressee only and may contain information that is confidential. If you have received this email in error, please notify us immediately by return email or by telephone. Please also destroy this message and any electronic or hard copies of this message.

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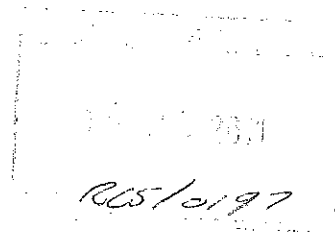


Government of **Western Australia**
Department of **Education**

OCM1603-03-13
Submission 4

Your ref : 809-2-29-3
Our ref : D11/0607025
Enquiries :

Mr Tony Evans
Secretary
Western Australian Planning Commission
Albert Facey House
469 Wellington Street
PERTH WA 6000



Dear Mr Evans

Tony

Thank you for your letter dated 30 September 2011 regarding the Metropolitan Region Scheme Amendment 1215/41 Cardup Industrial Precinct.

The Department of Education has reviewed the proposal to rezone land in Cardup from the rural zone to the industrial zone. The land will facilitate general and service industrial development.

This Scheme Amendment will have no impact on educational facilities.

The Department therefore has no objection to the Proposed Amendment.

Yours sincerely

SHARYN O'NEILL
DIRECTOR GENERAL

12 OCT 2011

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

2013
R15/0227

Submission
Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 5

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name Jennifer Yorke (PLEASE PRINT CLEARLY)
Address 44b Ada St Watermans Postcode 6020
Contact phone number 0405 311 557 Email address jenniferyorke1@hotmail.com

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

This site is ideal for industrial development as it is
cleared farm land and will provide jobs for nearby
residents.

turn over to complete your submission

Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

Please choose one of the following:

No, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

Yes, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

Myself – My telephone number (business hours):

or

A spokesperson

Name of spokesperson:

Contact telephone number (business hours):

Postal address:

I would prefer my hearing to be conducted in:

Public (members from the general public may attend your presentation)

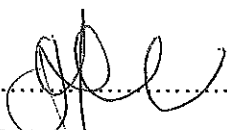
OR

Private (only the people nominated by you or the hearings committee will be permitted to attend)

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- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- All hearings are recorded and transcribed. The transcripts of all hearings, along with all written submissions, are tabled in Parliament and published as public records should the Governor approve the proposed amendment. The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

To be signed by person(s) making the submission

Signature  Date 13/10/11

Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 20 JANUARY 2012. Late submissions will NOT be considered.

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

DEPARTMENT OF PLANNING
31 OCT 2011
FILE *RLS/0227*

Submission
Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 6

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name
(PLEASE PRINT CLEARLY)

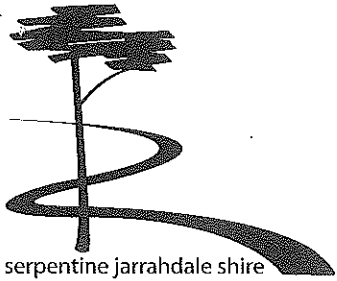
Address Postcode

Contact phone number Email address

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

Please refer attached submission

with compliments



serpentine jarrahdale shire

DEPARTMENT OF PLANNING
31 OCT 2011
FILE *RLS/0227*

6 paterson st
mundijong wa 6123
tel: 08 9526 1111
fax: 08 9525 5441
www.sjshire.wa.gov.au
info@sjshire.wa.gov.au
'experience the beauty'

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turn over to complete your submission

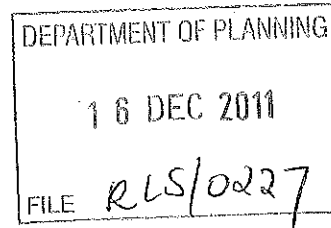
Mark Angeloni
 mangeloni@sjshire.wa.gov.au
 Serpentine Jarrahdale Shire
 6 Paterson Street, Mundijong, WA, 6123

0417 905 524

Submission:

1. Clarification required – Statutory Context – Environment – Remnant Veg and Fauna
 Paragraph 4 – beginning “The EPA supports proponents’ intention to rehabilitate...” – bush forever sites are outside scheme amendment area. Protective measures referred to should be applied within the Scheme Amendment Area. It should be made clear that protective measures taken should occur outside the Bush Forever boundary.
2. Clarification required – Statutory Context – Environment – Management of Water Quality and Quantity
 Paragraph 2 – beginning “The EPA supports...” No part of the Scheme Amendment Area sits within 30m of the Cardup brook – How then can the proponent commit to retain the Foreshore Reserve?
3. Clarification required – Appendix A Notice of Environmental assessment 2. Advice and recommendations regarding Environmental Issues – Remnant vegetation and Fauna
 Paragraph 2 beginning “The EPA acknowledges...” Dot point 1. Bush Forever site 350 – what portion of BF350 is included in the amendment site? No part of BF350 is mapped in that area.
4. Clarification required – Appendix A – Notice of Environmental assessment Advice and Recommendations 2. Advice and Recommendations regarding Environmental Issues – Remnant Vegetation and Fauna
 Paragraph 4 beginning “The EPA supports the responsible...” Bush Forever site 350 does not sit within the subject land we assume the reference is to that portion of lots 60 and 21 that are recognised as Bush Forever site 361 –not included in the amendment site. This reference should be to the “....Responsible Authority’s intention to fully retain BF361 within the subject land”.

Your Ref: 809-2-29-3 Pt2
 Our Ref: JT1 2011 09724 V01
 Enquiries: Kevin Purcher
 Telephone: 9420 2385



14 December 2011

Chief Executive Officer
 Western Australian Planning Commission
 Locked Bag 2506
 PERTH WA 6001

629 Newcastle Street
 Leederville 6007
 Western Australia
 PO Box 100
 Leederville 6902
 Western Australia
 Tel (+61 8) 9420 2099
www.watercorporation.com.au

Attention of: Anthony Muscara

**Re: Metropolitan Region Scheme Proposed Amendment 1215/41 -
 Cardup Industrial Precinct**

Thank you for your letter dated 31 May 2010. The Corporation offers the following comments in regard to this proposal.

The Infrastructure section of the Amendment Report correctly reflects the Water Corporations position but the following points should be noted or repeated.

Water

A large portion in the middle of the subject area falls outside any current planned water supply scheme and therefore a reticulated potable water supply is not immediately available. This proposal will therefore require water supply planning to be undertaken to determine if this portion of the subject area can be serviced with reticulated water supply. If the whole area can be served it is most likely that major headworks infrastructure will need to be constructed.

Wastewater

The subject area falls within the Byford Sewer District. The permanent pump station that is planned to serve the catchment the subject area falls within does not exist at present. It is planned to be located a distance to the west adjacent to Hopkinson Road. A temporary pump station may be an option to serve the area. Consideration must be made to the location of any proposed pump station and where the discharge point can be. A pump station will require appropriate land to be provided for the works and the odour buffer that will surround the works.

Urban Water Management

Water strategy and management issues should be addressed in accordance with the State Water Strategy 2003, State Water Plan 2007, and Department of Water document Better Urban Water Management.

Proposed Development

The implementation of Water Corporation planning for the provision of the infrastructure to service the area is dependant on the timing of developments within the area and may require funding of major works (headworks) by the developer. Developers should liaise with the Water Corporation at the preliminary planning

stage of any development to determine the Corporation's current servicing and land requirements.

General Comments

The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation. A contribution for Water and Sewerage headworks may also be required. In addition the developer may be required to fund new works or the upgrading of existing works and protection of those works. Any temporary works needed are required to be fully funded by the developer. The Corporation may also require land being ceded free of cost for works.

The information provided above is subject to review and may. If the proposal has not proceeded within the next 6 months, the applicant is required to contact the Corporation in writing to confirm if the information is still valid.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.



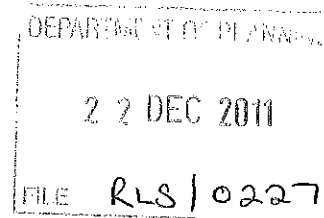
Kevin Purcher
Senior Development Planner
Development Services



Government of Western Australia
Department of Mines and Petroleum

Your ref: 809-2-29-3 Pt2
Our ref: A1763/200801
Enquiries: Lisa Kirby - Ph 9222 3591 Fax 9222 3633
Email: lisa.kirby@dmp.wa.gov.au

Mr Tony Evans
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001



Dear Mr Evans

**METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1215/41 -
CARDUP INDUSTRIAL PRECINCT**

Thank you for your letter of 30 September 2011 seeking comments on the above amendment.

The Geological Survey of Western Australia has assessed the proposal on behalf of the Department of Mines and Petroleum (DMP) with respect to access to minerals and petroleum resources, geothermal energy and basic raw materials.

This proposal is adjacent to known titanium-zircon resources. However as industrial zoning is a compatible land use DMP does not oppose this amendment provided that industry with sensitive uses is not established within close proximity to these resources.

Yours sincerely


Rick Rogerson
Executive Director
GEOLOGICAL SURVEY OF WESTERN AUSTRALIA

20 December 2011



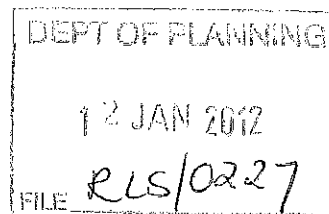
ABN: 50 860 676 021

Enquiries: Lynne Wrigglesworth on 9323 4544
Our Ref: 04/11203-08 (D12#4807)
Your Ref: 809-2-29-3 Pt2

9 January 2012

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

ATTENTION: ANTHONY MUSCARA



Dear Anthony

**METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1215/41
CARDUP INDUSTRIAL PRECINCT**

Thank you for your letter of 30 September 2011 inviting Main Roads comments on the above proposed MRS amendment.

Main Roads has no objections in principle to the proposed amendment to the Metropolitan Region Scheme.

Main Roads has previously advised the developer that only one access will be permitted from this proposed industrial precinct to South Western Highway. The exact location of this access is still to be determined. All other vehicle access is to be via Cardup Siding Road and Norman Road.

Whilst it is recognised that South Western Highway forms part of the existing road freight network, Tonkin Highway will be the future primary freight road. The only regional road access to Tonkin Highway from this precinct would be via either Thomas or Mundijong Roads.

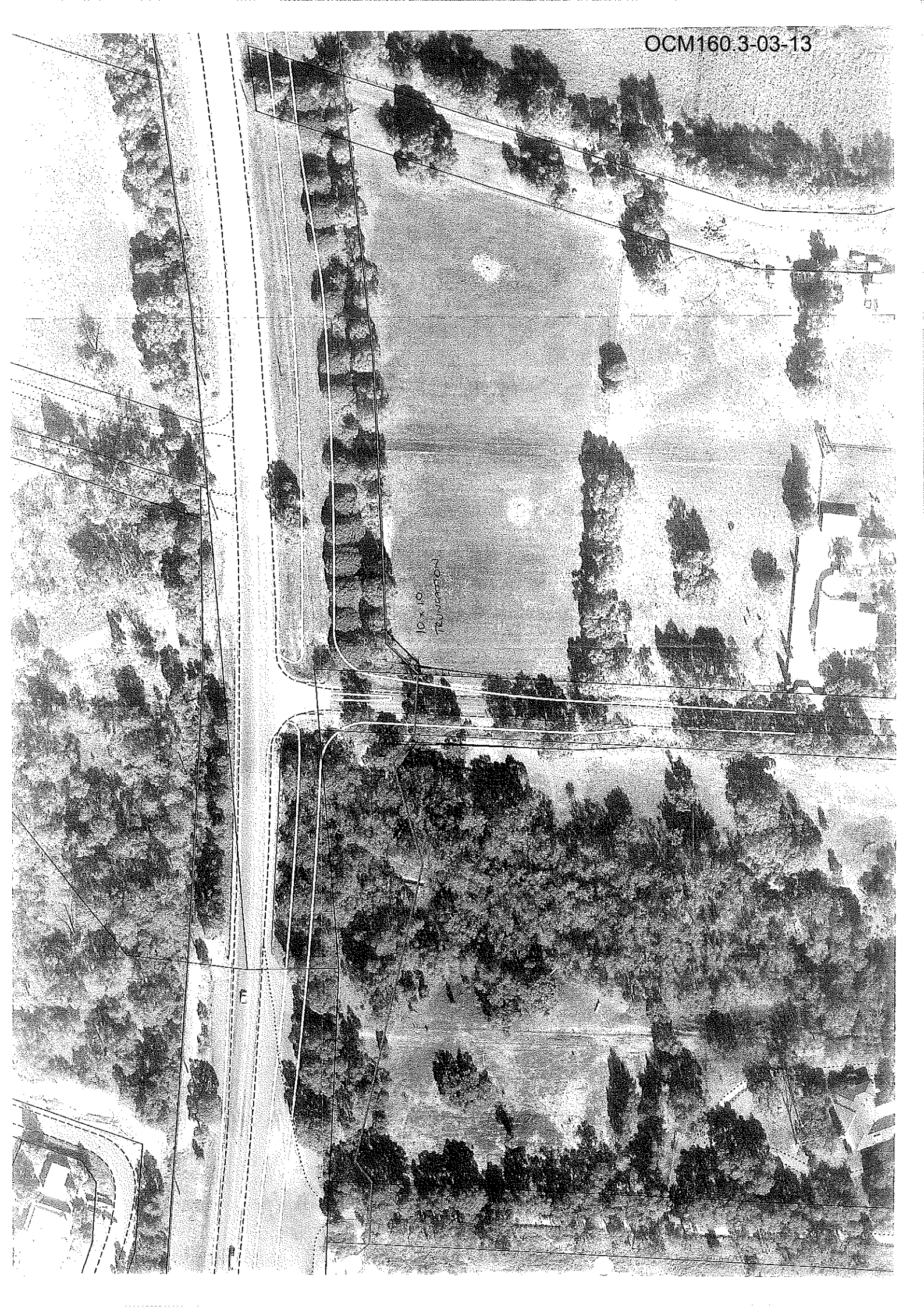
In staging the upgrading of South Western Highway to a four lane dual carriageway road, it will be some time before Main Roads duals the highway. A significant upgrade may be required to the intersection of South Western Highway and Cardup Siding Road much earlier due to the traffic impacts from this precinct. Should this be the case, then all costs of this work will need to be borne by the developer.

Therefore, Main Roads request the amendment plan be modified to **exclude** the land requirement for the intersection upgrade required to South Western Highway and Cardup Siding Road as indicated on the attached plan.

If you require any further information please contact either Planning Information Officer Lynne Wrigglesworth on 9323 4544 or myself on 9323 4917.

Yours faithfully

David Van Den Dries
URBAN ROAD PLANNING MANAGER (SOUTH)



10 x 10
REVISION

DEPARTMENT OF PLANNING
18 JAN 2012
FILE RLS/0227

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

Submission

Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 10

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name BRIAN JOHN O'NEIL
(PLEASE PRINT CLEARLY)
Address PO BOX 443 KEELWASCOTT WA Postcode 6991
Contact phone number 0809870970 Email address BRIAN.O'NEIL@ONEIL.REALESTATE.COM.AU

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

DEAR SIR OR MADAM,

MY NAME IS BRIAN O'NEIL I AM A LOCAL REAL ESTATE AGENT SPECIALIZING IN COMMERCIAL INDUSTRIAL SALES. HAVING LIVED IN THE DISTRICT FOR THE PAST 30 YEARS IT IS GOOD TO SEE SOME REAL INDUSTRIAL LAND IN THE AREA. BYFORD POPULATION IS GROWING REMARKABLE WELL OVER THE PAST 5 YEARS AND THE ENQUIRY RATE FOR INDUSTRIAL LAND WITHIN THE SHIRE HAS BEEN GROWING OVER THE YEARS ASWELL. IT WOULD BE GREAT TO BE ABLE TO GO BACK TO THESE LOCAL BUSINESS PEOPLE AND OFFER LAND WITHIN THE SHIRE RATHER THAN LAND UP TO 20 KMS AWAY FROM THE CURRENT BUSINESS LOCATION.

KIND REGARDS
BRIAN O'NEIL

turn over to complete your submission

Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

Please choose one of the following:

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OR

Yes, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

Myself – My telephone number (business hours):

or

A spokesperson

Name of spokesperson:

Contact telephone number (business hours):

Postal address:

I would prefer my hearing to be conducted in:

Public (members from the general public may attend your presentation)

OR

Private (only the people nominated by you or the hearings committee will be permitted to attend)

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To be signed by person(s) making the submission

Signature  Date 17/1/2012

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Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

DEPARTMENT OF PLANNING
19 JAN 2012
FILE RLS/0227

Submission
Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 11

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name ROBERTS DAY
(PLEASE PRINT CLEARLY)

Address LEVEL 1, 150 ROYAL ST EAST PERTH Postcode 6004

Contact phone number 9213 8700 Email address ROSS@robertsday.com.au

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

Please refer to the attached submission.

turn over to complete your submission

Hearing of submissions

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A spokesperson

Name of spokesperson:

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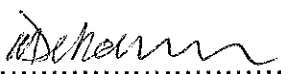
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To be signed by person(s) making the submission

Signature  Date 17-1-12
ROSS DUCKHAM

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OUR REF: URB WIT

9 January 2012

Secretary,
Western Australian Planning Commission,
Locked Bag 2506,
PERTH WA 6001

Attention: Anthony Muscara

Dear Sir

**SUBMISSION ON METROPOLITAN REGION SCHEME AMENDMENT 1215/41
CARDUP INDUSTRIAL PRECINCT**

We make this submission on behalf of Gold Fusion Pty Ltd and thank you for the opportunity to comment on the above proposed amendment to the Metropolitan Region Scheme (MRS). Gold Fusion Pty Ltd is currently progressing a local structure plan for predominantly residential purposes in Whitby, to the immediate south of the subject land within the Mundijong-Whitby District Structure Plan area.

The proposed MRS Amendment seeks to rezone approximately 169ha of land from "Rural" to "Industrial". It is noted that the subject land is identified in the draft Industrial Land Strategy and in Directions 2031 as being appropriate for service and general industrial uses.

On behalf of Gold Fusion Pty Ltd we wish to advise that we have no objections to the establishment of industrial land in the Shire of Serpentine-Jarrahdale, subject to development complying with relevant requirements for buffers and separation distances to residential development, to ensure that there is no detrimental impact or impost on the development of the land within the Whitby LSP, and provided that any potential contamination is appropriately managed.

We note that a range of industrial uses are permitted by the rezoning of the subject land to "Industrial". It is noted also that the Environmental Protection Authority have advised that proposed uses are to abide by the buffers required by *Guidance Statement No 3 Separation Distances between Industrial and Sensitive Land Uses*. Residential uses are defined as sensitive land uses under Guidance Statement No 3.

We also note that, in regard to potential site contamination, further works are identified to effectively manage potential contamination and to prevent the transfer of any contaminants currently within the Cardup Industrial Precinct.

Finally, in respect of management of vehicle access and movements, in developing a vehicle access strategy for Cardup Industrial Precinct, it would be beneficial to all parties that Gold Fusion Pty Ltd be included in development of the strategy. This will allow effective coordination of access, particularly to the west of the site, and management of traffic from both Whitby and Cardup.

We recognize that further detail on design of the precinct and permissibility of uses is to be confirmed through structure planning and rezoning of the land under the Shire's town planning scheme, and look forward to the opportunity to comment on those matters.

Thank you for the opportunity to comment. Should you require any further information or clarification regarding this matter, please do not hesitate to contact the undersigned on 9218 8700.

Yours sincerely

ROBERTS DAY



ROSS DUCKHAM

SENIOR URBAN PLANNER

Cc: Mr L Robertson NS Projects
Mr A Sugiaputra Gold Fusion

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

DEPARTMENT OF PLANNING
19 JAN 2012
FILE RLS/0227

Submission
Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 12

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name PATRICIA HOGGE

Address 17 CARDUP SIDING Rd Byford Postcode 6102
(PLEASE PRINT CLEARLY)

Contact phone number (08) 9525 4041 Email address cypa@bigpond.com

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

I strongly support the proposal
The development of employment
generating land is essential
in this fast growing area
This should be progressed as a
top priority

P Hogge

Hearing of submissions

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OR

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I will be represented by:

Myself – My telephone number (business hours):

or

A spokesperson

Name of spokesperson:

Contact telephone number (business hours):

Postal address:

I would prefer my hearing to be conducted in:

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OR

Private (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

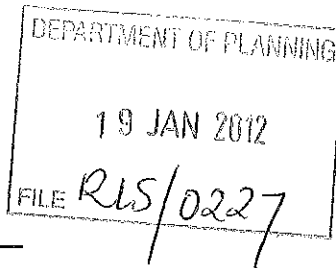
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To be signed by person(s) making the submission

Signature *P. Hoare* Date 18/1/12

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Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41



Submission
Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 13

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name IAN HENNESSY
(PLEASE PRINT CLEARLY)
Address 52 ALICE ROAD CARDUP Postcode 6122
Contact phone number 95251038 Email address N/A

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

I OBJECT TO THE PROPOSED INDUSTRIAL PRECINCT
AND CITE THE FOLLOWING CONSIDERATIONS

UNDER THE SUBHEADING 'ABORIGINAL AND EUROPEAN
(PAGE 3) HERITAGE' IT IS STATED THAT THE EPA "EXPECTS"
COMPLIANCE WITH THE AHA. SURELY SUCH COMPLIANCE
MUST BE AN UNDERTAKING OF THE PROPOSAL.

UNDER THE SUBHEADING "MAIN ROADS" (PAGE 6), I SUBMIT
THAT THE PLANS FOR THE PROPOSED DEVELOPMENT SHOULD PROCEED
NO FURTHER UNTIL THE ASSESSMENT IS UNDERTAKEN & CONSIDERED
BY RELEVANT PARTIES, INCLUDING RESIDENTS.

SAME COMMENT ABOUT THE ACCESS STRATEGY FOR S-W HIGHWAY
ALSO, WHAT'S HAPPENING ABOUT SOLDIERS RD WHICH IS QUITE
INAPPROPRIATE FOR HEAVY VEHICLES. IS IT PROPOSED TO
BAN HEAVY VEHICLES FROM SOLDIERS RD? IF SO, HOW
CAN THAT BE ACHIEVED LEGALLY?

'ABORIGINAL HERITAGE' (PAGE 7). THOUGH NOT OF ABORIGINAL
DESCENT, I FIND IT CULTURALLY INSENSITIVE FOR WAPC TO
ASSUME THAT ABORIGINAL HERITAGE VALUES WOULD NOT BE AFFECTED.

turn over to complete your submission

... / NEXT PAGE

WHY NO DETAILED INFORMATION ABOUT, E.G., CULTURAL AND ETHNOGRAPHIC ISSUES WITH THE AMENDED REPORT?

'SUSTAINABILITY' (PAGE 8). I CANNOT SPEAK FOR MUNOIJONG - WHITBY BUT BYFORD IS BEING DEVELOPED REASONABLY RAPIDLY (E.G. BYFORD ON THE SCARP) AND THE PROPOSED INDUSTRIAL PRECINCT IS UNNECESSARY FOR BYFORD'S VIABILITY.

'APPENDIX A' (EPA ASSESSMENT). I WALK THROUGH THE RELEVANT REA & DISPUTE THE DESCRIPTION "COMPLETELY DEGRADED". IF "DEGRADED" THEN NO MORE SO THAN THE BUSH FOREVER AREA AT SITE 361. AS FOR FLORA, WITHIN THE PROPOSED INDUSTRIAL ZONE THERE ARE SIGNIFICANT STANDS OF KINGIA (ZANTHORREA) WHICH, IF NOT RARE, ARE CERTAINLY UNCOMMON. ALSO THE ZONE IS HOME TO AT LEAST ONE PAIR OF NESTING CARNABYS WHICH ARE RARE. HOW ARE THESE TO BE PROTECTED IN THEIR OWN HABITAT?

'APPENDIX A' (EPA ASSESSMENT) UNDER THE HEADING 'ABORIGINAL HERITAGE' - SEE MY COMMENTS (ABOVE) RE ABORIGINAL ISSUES.

MORE GENERALLY, THE PROPOSED INDUSTRIAL PRECINCT WILL ADVERSELY AFFECT THE AMENITY & LIFESTYLE OF THE AREA WHEN REGARD IS HAD TO TRAFFIC, NOISE, DUST AND THE LOSS OF OPEN SURROUNDS.

Hearing of submissions

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A spokesperson

Name of spokesperson:

Contact telephone number (business hours):

Postal address:

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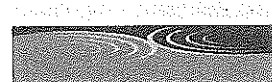
To be signed by person(s) making the submission

Signature *[Handwritten Signature]* Date *18/01/2012*

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Government of Western Australia
Department of Water

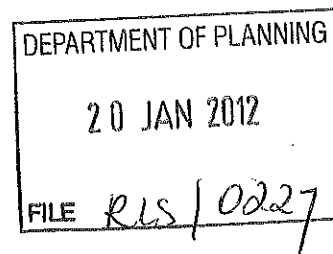


looking after all our water needs

Your ref: 809-2-29-3 Pt 2
Our ref: RF423-14
SRS 28505
Enquiries: Patrick Ridley, Ph: 9550 4237

16 January 2012

Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001



Attn: Anthony Muscara

Dear Anthony

RE: Metropolitan Region Scheme Proposed Amendment 1215/41 - Cardup Industrial Precinct

Thank you for the above referral and Amendment Report dated 4 October 2011. The Department of Water (DoW) has reviewed the information and provides the following advice:

**District Water Management Strategy
Urban Water Management**

In accordance with *Better Urban Water Management* (WAPC, 2008) (BUWM), the rezoning of the subject land to an Industrial zone is supported by an approved *Cardup Business Park District Water Management Strategy* (August 2011). Thus, DoW is satisfied and supports the proposed amendment.

Clarification is needed for section 4 *Discussion : Statutory Context : Environment : Management of Water Quality and Quantity* of the Amendment Report. In accordance with BUWM, a local water management strategy will be required to support the future local structure plan, with an urban water management plan required as a condition of subdivision.

Groundwater

The subject area is located within the Stakehill Groundwater Area as proclaimed under the *Rights in Water and Irrigation Act 1914*. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer, is subject to licensing by the Department of Water. The issuing of a groundwater licence is not guaranteed but if issued will contain a number of conditions that are binding upon the licensee.

Please note, a high proportion of groundwater in the Karnup East Groundwater Sub Area is currently allocated, thus there may be limited resources available to new developments. Proposed land uses requiring groundwater should identify and potentially secure fit-for-purpose water early in the planning process by consulting with the DoW.

If you wish to discuss the above further please contact Patrick Ridley at the DoW's Mandurah Office on (08) 9550 4237.

Yours sincerely,



FOR

Brett Dunn
Acting Program Manager – Urban Water Management
Kwinana -Peel Region

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

Submission

Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

SUBMISSION NUMBER

15

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name MICHAEL DAUFORTH on behalf of AUSTRAL BRICKS
(PLEASE PRINT CLEARLY)

Address PO BOX 289 MT LAWLEY Postcode 6929

Contact phone number 9271 8506 Email address michael@landinsights.com.au

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

PLEASE REFER TO LETTER

turn over to complete your submission

Hearing of submissions

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A spokesperson

Name of spokesperson:

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Postal address:

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To be signed by person(s) making the submission

Signature Mr Campbell Date 25/1/12

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LAND inSights

PLANNING - DESIGN - ENVIRONMENT

Submission 15 OCM160.3-03-18

31 Swan Street
Mount Lawley WA 6929
PO Box 289
Mount Lawley WA 6929

Your ref: MRS Amendment 1215/41
Our ref: 831

Ph (08) 9271 8506
Fax (08) 6161 2597
admin@landinsights.com.au
www.landinsights.com.au

P.001

Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001



Dear Sir

MRS Amendment 1215/41 – Cardup Industrial Precinct

Land Insights act on behalf of Austral Bricks and lodge this submission on their behalf. Austral Bricks own land directly opposite the amendment area as outlined on the enclosed plan.

Austral Bricks do not have an objection to the MRS Amendment, however wishes to advise the Western Australian Planning Commission that applications have been lodged for the land owned by Austral Bricks for the purposes of an extractive industry. It is likely that, if approved, the extractive industry will be a long-term operation.

It is therefore requested that any future planning on the land subject to the MRS Amendment be cognisant of the long-term desires of Austral Bricks for extractive industry development on the adjoining properties, and in particular that appropriate consideration be given to buffers to sensitive activities from the boundary of the Austral Bricks landholdings.

It would also be appreciated if we could be kept informed of progress relating to the amendment.

Thank you for the opportunity to comment and please contact the undersigned should you wish to discuss this matter further.

Yours sincerely,

For Michael Taylforth
Land Insights
Planning – Design – Environment

19 January 2012
Enc.

To 65519001





A

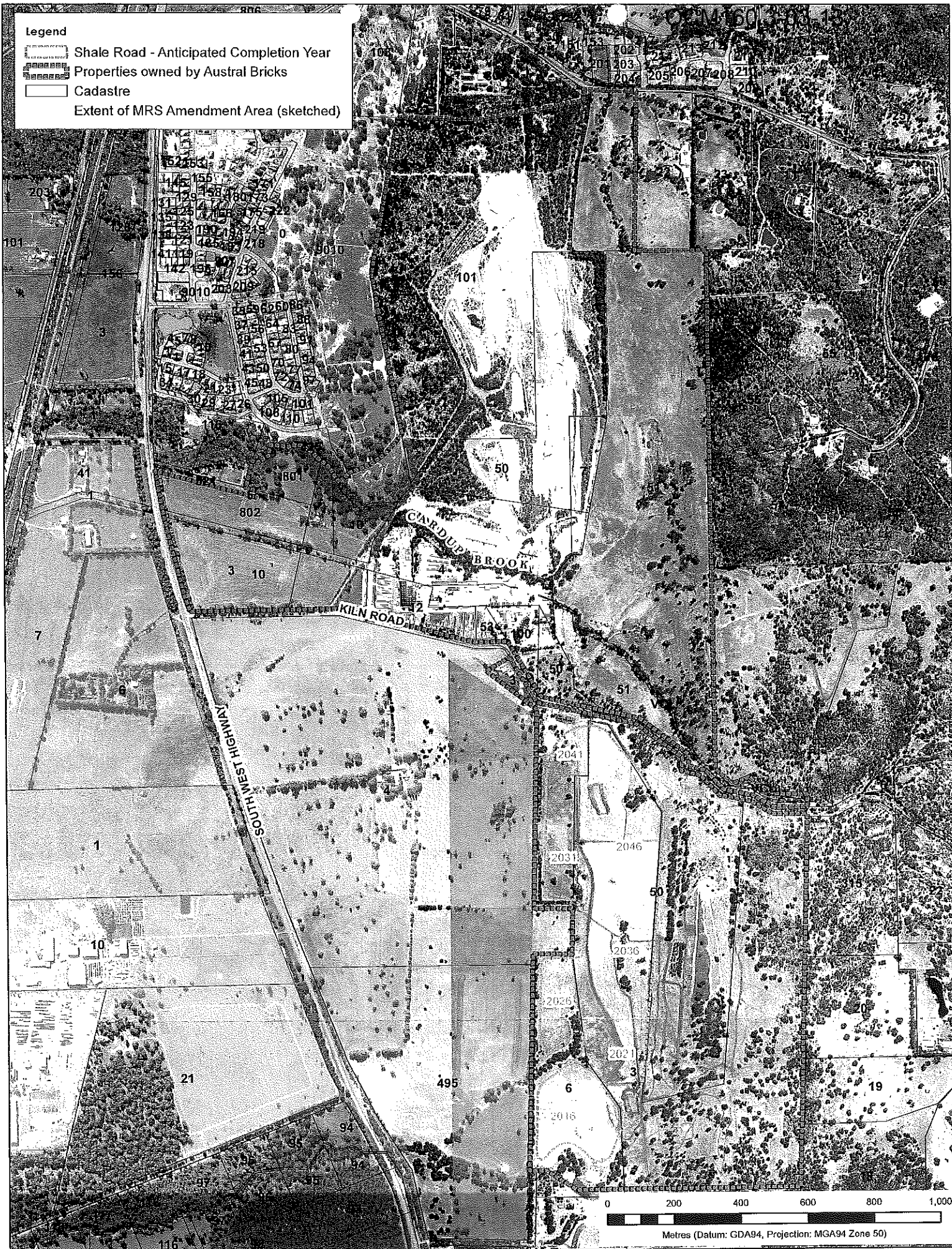
From

12:35

20-JAN-2012



- Legend**
-  Shale Road - Anticipated Completion Year
 -  Properties owned by Austral Bricks
 -  Cadastre
 -  Extent of MRS Amendment Area (sketched)



AUSTRAL BRICKS LANDHOLDINGS - CARDUP

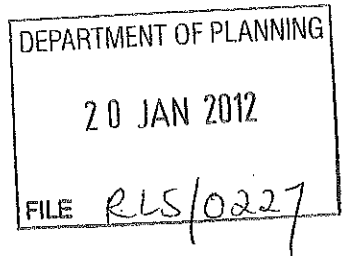




Our Reference: 2269Ltr30
Enquiries: Steve Carter

19 January 2012

Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001



Attention: Secretary

RE: METROPOLITAN REGION SCHEME AMENDMENT 1215/41
CARDUP INDUSTRIAL PRECINCT

We make the following submission, on behalf of Richard Noble (as agent for Cardup Investments Pty Ltd, the proprietors of Lot 33 Hopkinson Road, Cardup), in support of the proposed Amendment 1215/41 (the Amendment) which is looking to rezone approximately 169 hectares of land within the Cardup locality, from 'Rural' to 'Industrial' under the Metropolitan Region Scheme (MRS).

The proposed Amendment is supported, based on the following:

- The Amendment is strategically located between the existing and future development proposed by the endorsed Byford Urban Cell (to the north) and the Mundijong Whitby Urban Cell (to the south) District Structure Plans, providing a growing catchment for both an employment and customer base.
- The Amendment is consistent with the draft State Government Industrial Land Strategy (ILS), which identifies the subject land for future industrial (namely the Cardup Industrial Precinct). The inclusion of the Cardup Industrial Precinct highlights the need for industrial land to be provided within the south-eastern metropolitan growth corridor and the Amendment support this.
- The Amendment is in accordance with Directions 2031 and the draft Outer Metropolitan Perth and Peel Sub-Regional Strategy, which recognise the Cardup Industrial Precinct as being a future industrial estate within the 'Urban Expansion' area of the south-eastern sub region.
- The Serpentine Jarrahdale Shire "Plan for the Future" also identifies the future Cardup Industrial Precinct. This Precinct is identified as providing for the sustainable economic growth of the Shire.

Should you have any queries regarding this submission please contact Stephen Carter on 9382 1233 or via email at stephen@cleplan.com.au.

Yours faithfully

pe
Ian Everett
Director
CLE Town Planning + Design

cc: Alex Gregg Richard Noble

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

DEPARTMENT OF PLANNING
20 JAN 2012
FILE *RIS/0227*

Submission

Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 17

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name *JOE GANGEMI*
(PLEASE PRINT CLEARLY)
Address *219 MIDLAND ROAD, HAZELWERE* Postcode *6055*
Contact phone number *92502398* Email address *joe@ggc corp.com.au*

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

(SEE ATTACHED)

turn over to complete your submission

Hearing of submissions

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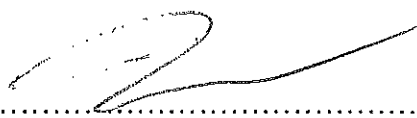
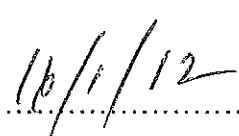
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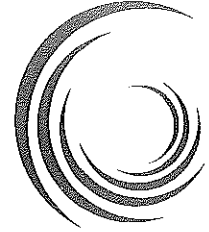
To be signed by person(s) making the submission

Signature  Date 

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G & G CORP

219 Midland Road Hazelmere 6055 Western Australia
Tel: 08 9250 2398 Fax: 08 92502236 info@ggcorp.com.au



12 January 2012

Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Dear Sir

SUBMISSION ON METROPOLITAN REGION SCHEME AMENDMENT 1215/41 – CARDUP INDUSTRIAL PRECINCT

Thank you for the opportunity to comment on the MRS Amendment relating to the Cardup Industrial Precinct.

We generally support the MRS amendment for the Cardup Industrial Area in the context of the Perth and Peel regions expected growth rate from 1.65 million people to more than 2.2 million by 2031, requiring about 330,000 new dwellings.

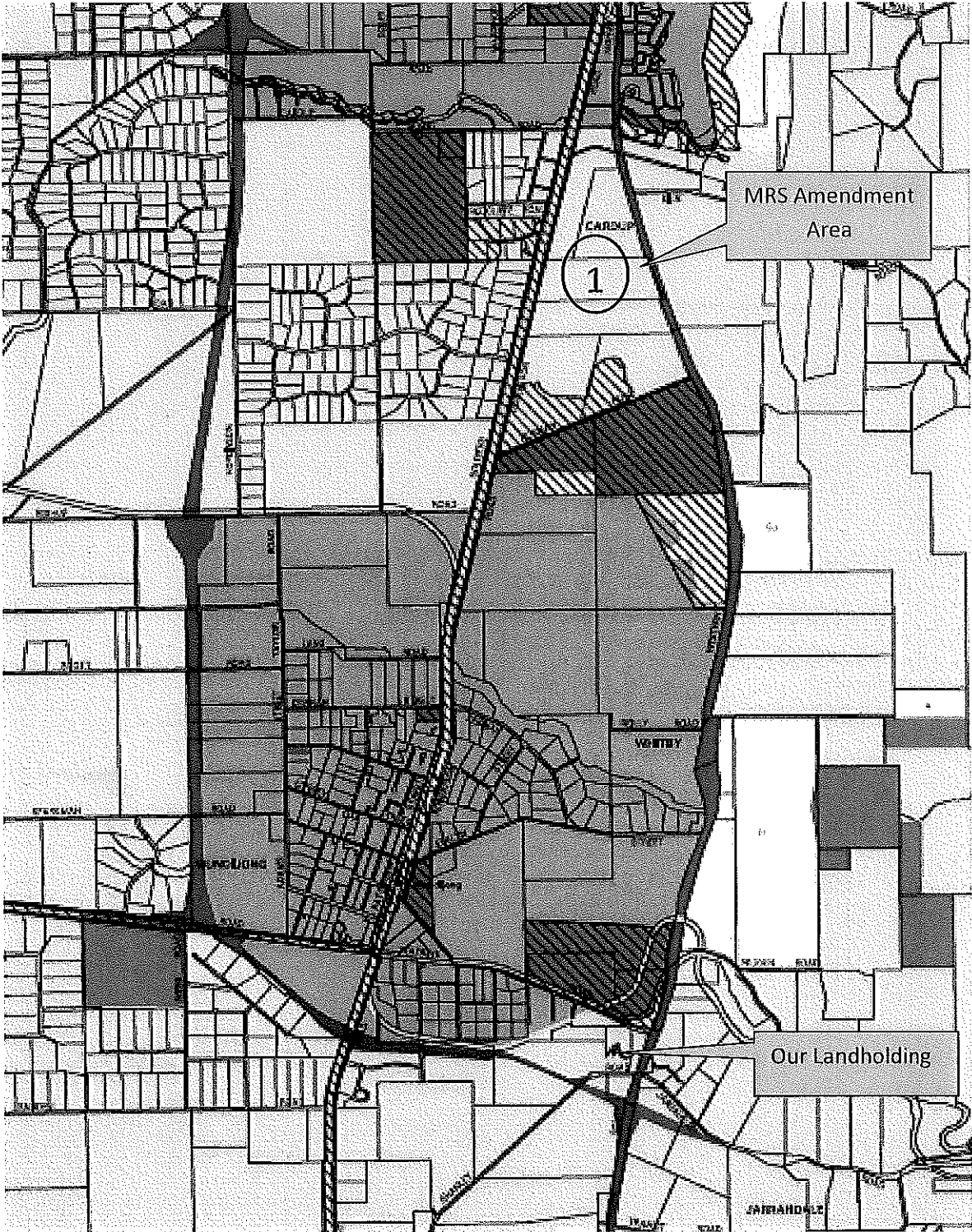
We believe that while the amendment accords with Directions 2031 as it facilitates the general service industrial development of the Cardup industrial precinct, it however, prematurely predicts the outcome of the Outer Metropolitan Perth and Peel Sub-Regional Strategy which has yet to be finalised or released to the general public following public comment in 2010 (during which many submissions were made). The amendment may accord with the draft Sub-Regional Strategy, however, to progress the amendment in the absence of a finalised Sub-Regional Strategy is contrary to orderly and proper planning for the area, particularly when landowners and residents in the area have no knowledge of the changes and modifications made in the Strategy.

As a Director of G & G Corp Pty Ltd and landowner of significant landholding in Byford and Mundijong areas, we have consistently put to the WAPC and the Shire that the strategic location of our land in Mundijong relative to the Cardup Industrial Precinct can further contribute to the future success of the area, particularly through employment and transport connectivity as anticipated in Directions 2031 for the Metro South-East Region.

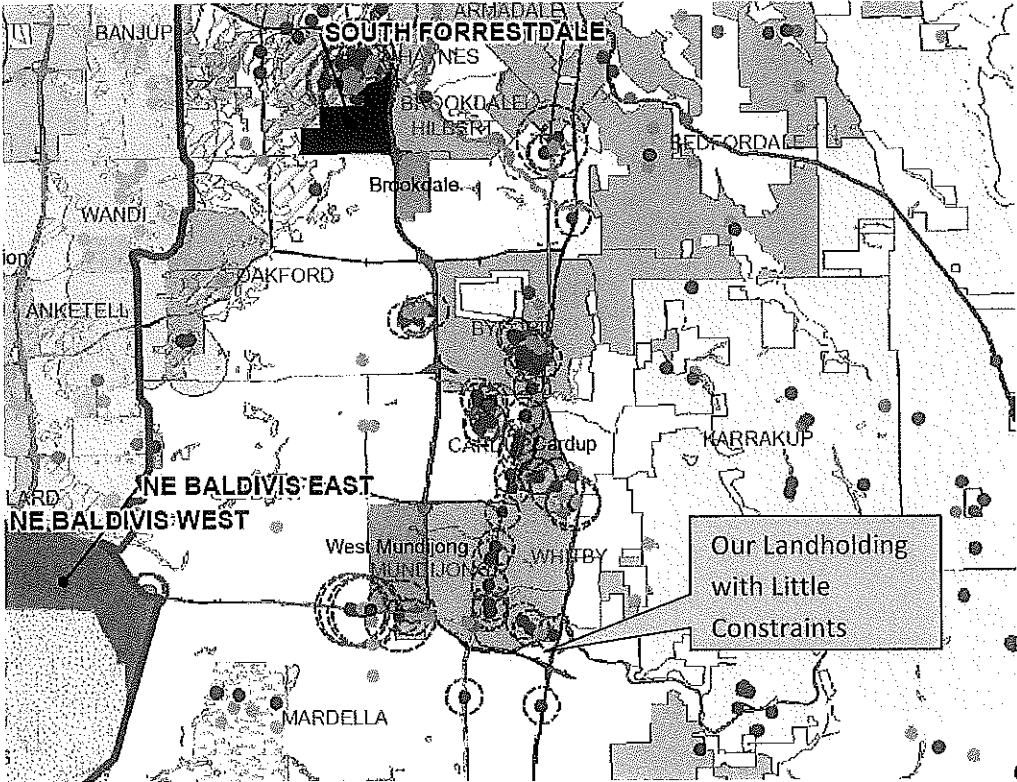
Our land of 51 hectares is located on the corner of South Western Highway and Tonkin Highway (both being Primary Regional Roads). The Mundijong-Whitby District Structure Plan area ought to have included our land bounded by these Primary Regional Roads when a MRS amendment was initiated from Rural to Urban zone. However, for reasons beyond our understanding, our land bounded by South Western Highway and Tonkin Highway was left out of that MRS amendment.

We are strongly of the view that the location of our land can positively influence the practical and flexible strategy of the Western Australian Planning Commission responding to future

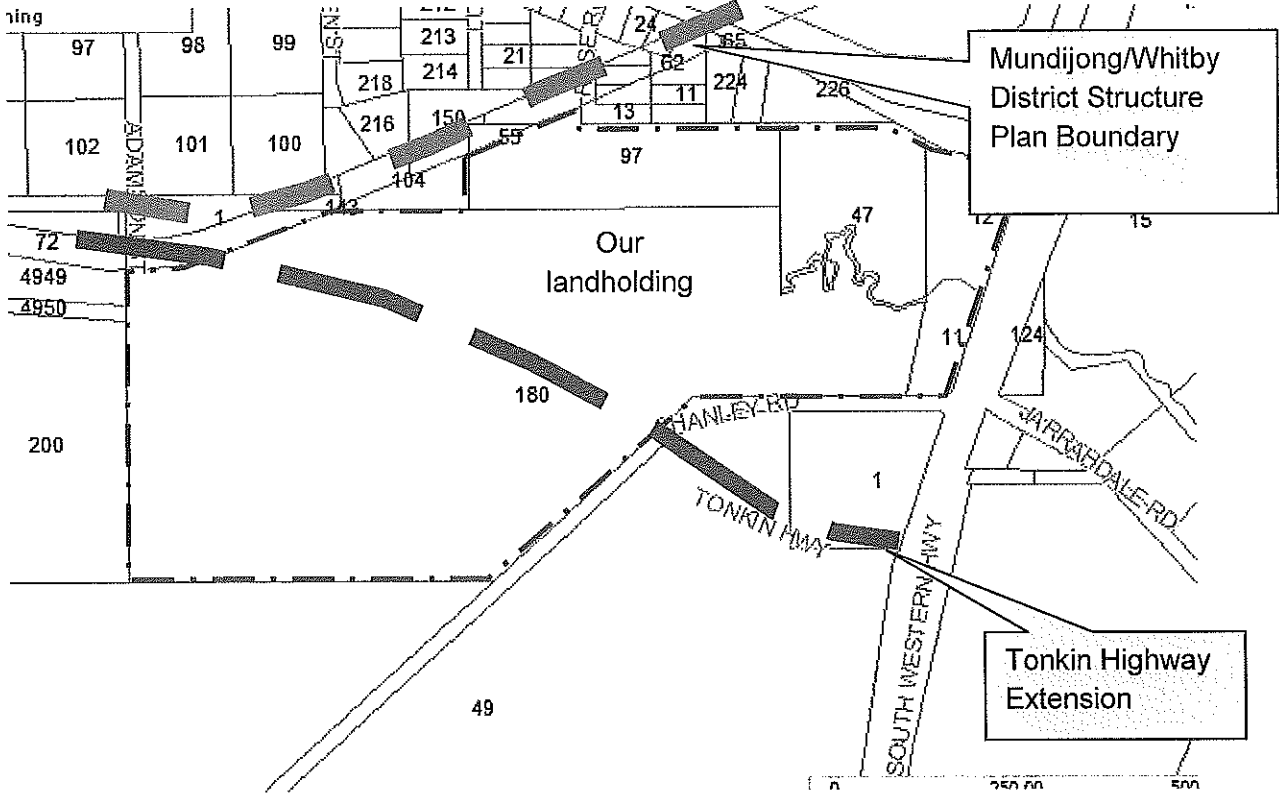
economic, social and environmental challenges for the Cardup and Mundijong areas. Our land abutts major transport corridors which will enable future extension of Tonkin Highway, rail network linkage, activity corridors to be implemented efficiently in a co-ordinated manner.



(Extract of MRS Map)



(Source: Industrial Land Strategy 2009 Perth and Peel – Metro South-East Region)



The proponent’s effort in completing various background studies for the amendment is to be commended. However, it must be emphasised that the strategic planning for the Cardup Industrial Precinct and the Mundijong–Whitby District Structure Plan boundary particularly in

the south-east corner where it follows the alignment of a discontinued railway reserve remains illogical and is an outstanding issue that should be addressed.

As a landowner and developer, we are totally committed to seeing the strategic transport corridor at the juncture of South Western Highway and the future Tonkin Highway extension to be activated with the rest of Mundijong and Whitby areas as the area becomes urbanised.

Given that the Mundijong-Whitby District Structure Plan has been finalised we believe that development of land and infrastructure consistently across the DSP area should recognise our land as potentially suitable for urban, highway commercial/mixed business or industrial development.

We suggest that the south-east corner of Mundijong-Whitby DSP area provides an opportunity for an orderly and proper planning for that entire area particularly having regard to a number of recent significant studies including the Draft Public Transportation Plan in 2031 by the Department of Transport.

We believe that the amendment whilst promoting employment generation centre fails to recognise the development of public transport as the preferred choice of travel to strategic centres, it is clear that the ultimate goal of the draft Public Transport Plan is to make Perth a less car dependent city by increasing public transportation trips and reducing cars trips to strategic centres.

Achieving this will require the development of a fully integrated transport and land use planning system, because decisions about road infrastructure affect public transport planning. Similarly planning for roads and for public transport is influenced by the form or urban development and how land is used.

It is therefore essential that planning for public transport future is integrated with planning for our road transport and urban future.

Bringing that down to a local context, we believe that the junction of South Western Highway and Tonkin Highway presents a significant gateway entry to the Mundijong district for visitors from the south and eastern wheat belt area. We ask the Department of Planning and the SJ Shire to consider pursuing a separate MRS amendment to progress a separate planning process for our land on this regionally significant major intersection.

I trust the above clarifies our position and I look forward to the opportunity to meet with you and discuss our mutual requirements.

Yours sincerely,



JOE GANGEMI
G & G CORP PTY LTD

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

Submission

Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 18

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name PETER COLL
(PLEASE PRINT CLEARLY)

Address 5 BRIALD PLACE, DIANELLA Postcode 6062

Contact phone number 0417 986 817 Email address peter@coll.constructions.com.au

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

Refer attached.

turn over to complete your submission

Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

Please choose one of the following:

No, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

Yes, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

Myself – My telephone number (business hours):

or

A spokesperson

Name of spokesperson:

Contact telephone number (business hours):

Postal address:

I would prefer my hearing to be conducted in:

Public (members from the general public may attend your presentation)

OR

Private (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- All hearings are recorded and transcribed. The transcripts of all hearings, along with all written submissions, are tabled in Parliament and published as public records should the Governor approve the proposed amendment. The WAPC recommendations are similarly published in a report on submissions and tabled in Parliament.

To be signed by person(s) making the submission

Signature  Date 20.1.2012...

Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 20 JANUARY 2012. Late submissions will NOT be considered.

17 January 2012

Mr Peter Colli
5 Briald Place
Dianella WA 6062

The Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Dear Sir or Madam

SUBMISSION – METROPOLITAN REGION SCHEME AMENDMENT 1215/41 CARDUP INDUSTRIAL PRECINCT

My name is Peter Colli. I am the director of Redire Pty Ltd, and Silvagold Corporation Pty Ltd. My companies are the registered landowners of Lot 1 South Western Highway and Lot 10 Robertson Road, Cardup. These properties fall within the MRS Amendment area.

I wish to advise that I support MRS Amendment No. 1215/41 as my properties are in close proximity to future residential areas which will need to be serviced by a future employment centre, and there will be a shortfall of industrial land in the near future unless the Amendment is approved.

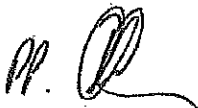
I am concerned that Bush Forever Site 361 has been excluded from the amendment area. However, I am keen to ensure that the arguments associated with the inclusion of the Bush Forever Site 361 within the Amendment area do not adversely delay the proposed rezoning of my properties.

I am also concerned with the timing for the extension of Tonkin Highway and trust that State Government ensures that the extension of Tonkin Highway is undertaken as soon as possible in order to adequately service the proposed industrial.

It will be important to ensure that Robertson Road is eventually constructed between Cardup Siding Road to the north and Norman Road to the south to provide good traffic movement for the future industrial area. It will also be important to ensure that Norman Road is retained and widened to ensure that my properties have good access to the surrounding road network.

If you have any queries, please do not hesitate to contact me on 0417 986 817.

Yours Sincerely



Peter Colli

Planning and Development Act 2005
Section 41 Amendment (Substantial)
Form 41

Submission

Metropolitan Region Scheme Amendment 1215/41

Cardup Industrial Precinct

OFFICE USE ONLY

Submission 19

To: Secretary
Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Name RPS Planning - Mr. Rob Sklarski, Principal Planner
(PLEASE PRINT CLEARLY)
Address PO Box 465, Subiaco WA Postcode 6904
Contact phone number (08) 9211 1111 Email address rob.sklarski@rpsgroup.com.au

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

Refer attached

turn over to complete your submission

Hearing of submissions

Anyone who has made a written submission on the amendment has the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the amendment report and in particular appendix D.

Please choose one of the following:

No, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

Yes, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

Myself – My telephone number (business hours): 9211 1111

or

A spokesperson

Name of spokesperson:

Contact telephone number (business hours):

Postal address:

I would prefer my hearing to be conducted in:

Public (members from the general public may attend your presentation)

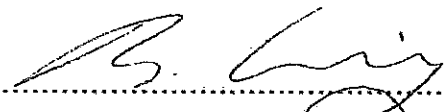
OR

Private (only the people nominated by you or the hearings committee will be permitted to attend)

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- The WAPC is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
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To be signed by person(s) making the submission

Signature  Date 20-Jan-2012

Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 20 JANUARY 2012. Late submissions will NOT be considered.



38 Station Street, Subiaco, WA 6008 • PO Box 465, Subiaco 6904, Western Australia
 T +618 9211 1111 F +618 9211 1122 E planning@rpsgroup.com.au W rpsgroup.com.au

Our Ref: 3361

Email: rob.sklarski@rpsgroup.com.au

Date: 13 January 2012

The Secretary
 Western Australian Planning Commission
 Locked Bag 2506
 Perth WA 6001

Dear Sir or Madam

SUBMISSION – METROPOLITAN REGION SCHEME AMENDMENT 1215/41 CARDUP INDUSTRIAL PRECINCT

RPS is authorised to act on behalf of the landowners of the following properties which fall within the abovementioned Metropolitan Region Scheme amendment area:

- 1) Lots 1, 6 & 7 South Western Highway, Cardup
- 2) Lots 10 & 60 Robertson Road, Cardup
- 3) Lot 21 Norman Road, Cardup

All of the above properties, which constitute approximately 97% of the overall amendment area, are proposed to be zoned to 'Industrial' under Metropolitan Region Scheme Amendment No. 1215/41 – Cardup Industrial Precinct.

The abovementioned landowners strongly support MRS Amendment No. 1215/41.

Grounds of Support

A number of key points are provided in support of the MRS Amendment as follows:

- a) The amendment area is well suited to accommodate the development of an industrial precinct within the epicentre of two growing residential catchments, with good access to regional roads.
- b) Significant investment in terms of surrounding road networks and servicing infrastructure will not be required as a result of the rezoning of the amendment area, and the site is capable of being provided with a full range of public utilities and services at the time that the site is expected to be developed.
- c) The proposal also represents an opportunity to provide a new employment centre within the South Eastern corridor in between the recognised catchments of Byford and Mundijong-Whitby, whilst making efficient use of existing infrastructure on land which has largely been cleared.
- d) There are negligible environmental implications associated with the future development of the amendment area, and there are no surrounding land uses that will adversely impact on its development potential.

- e) The demand for industrially zoned land within the corridor is well demonstrated, particularly in the surrounding Serpentine-Jarrahdale municipality. The proposal also represents a natural progression of the expansion of industrial zoned land in the corridor, and does not seek to jump ahead of the urban or industrial development front.
- f) The proposed amendment is considered appropriate, logical and consistent with orderly planning principles.

Bush Forever Considerations

The amendment as advertised illustrates Bush Forever Site 361 which straddles Lot 21 Norman Road and Lot 60 Robertson Road, Cardup, as being retained in the 'Rural' zone, with a Bush Forever area as an overlay. The remainder of the proposed Cardup Business Park area is shown as a proposed 'Industrial' zone.

We strongly object to the retention of Bush Forever Site 361 within the 'Rural' zone, and request that the entire land area bounded by Cardup Siding Road, South Western Highway, Norman Road and Robertson Road be transferred to the 'Industrial' zone in the MRS as part of MRS Amendment No. 1215/41.

Summary of Objection Grounds

- a) The omission of the Bush Forever Site from the Cardup Industrial Precinct will inhibit the achievement of sound environmental planning outcomes by restricting the inclusion of Bush Forever Site 361 within future structure planning for the proposed Cardup Business Park.
- b) The omission of the Bush Forever Site from the Cardup Industrial Precinct will jeopardise the ability to achieve a Negotiated Planning Solution through accurately mapping the areas of regionally significant bush land for protection and management.
- c) The disparate zoning proposed over Lots 60 and 21 and resulting irregular interface between the Bush Forever area and the land currently proposed for rezoning will create difficulties in boundary definition at the subdivision stage, and inhibit the achievement of sound conservation and management solutions at the detailed planning and approvals stages.
- d) State Planning Policy 2.8 – *Bushland Policy for the Perth Metropolitan Region* (SPP 2.8) provides a significant level of regulatory protection for Bush Forever Sites located within the metropolitan region. The exclusion of Bush Forever Site 361 from the amendment area appears to be an erroneous endeavour to protect the Bush Forever Site from a perceived but non-existent threat of future clearing or development by retaining the Bush Forever Site within the 'Rural' zone.
- e) The inclusion of the Bush Forever Site within the 'Industrial' zone together with its existing regulatory protection through SPP 2.8 and future regulatory protection through a structure plan provides a superior planning and environmental outcome as opposed the retention of the Bush Forever Site within the existing 'Rural' zone.

The abovementioned grounds of objection are explored in further detail as follows.

Industrial Negotiated Planning Solution

SPP 2.8 recognises the need to achieve a balance between the protection of core conservation values and needs for industrial development. Section 5.1.2.2 Bush Forever Areas – Urban, Industrial or Resource Development of SPP 2.8 states that proposals or development should seek strategic outcomes.

With respect to the Cardup Industrial Precinct, it is envisaged that during the structure planning process, a strategic package would be prepared involving site specific mapping of the extent of regionally significant



bush land and buffers, along with structure planning processes such as the design of appropriate buffers and interfaces to remnant bush, and definition of areas to be protected for conservation. The retention of Bush Forever Site 361 in the 'Rural' zone under the MRS would severely limit the potential to undertake site specific mapping in order to define and potentially rationalise the boundary between the Bush Forever area and the adjacent development.

The strategic package would be developed in liaison with local government and through coordination between landowners. The package would include cost-sharing arrangements to facilitate compensation arrangements and the protection of remnant vegetation within the broader industrial precinct including discussion with local government regarding the long term management of conservation areas. Through this process, the land with Bush Forever values could be subdivided from the parent lots, rehabilitated and ceded to local government to be protected in perpetuity.

Structure Planning

A draft concept plan prepared for the site by RPS as part of the documentation utilised to initiate the subject MRS amendment proposal indicates the retention of Bush Forever Site 361, with appropriate management and protection measures (such as buffers and hard edge interfaces) to be determined at the structure planning stage. A copy of this draft concept plan is enclosed with this submission and labelled as **Attachment 1**.

The above approach is supported by the Shire of Serpentine Jarrahdale Local Planning Policy No. 44 – Cardup Business Park Planning Framework (LPP 44), which states (in section 7.4.2):

Unless otherwise determined, the Shire will not initiate a Local Structure Plan as being satisfactory for advertising for any portion of the Cardup Business Park smaller than that identified in Figure 1.

A copy of LPP 44 is enclosed with this submission and labelled as **Attachment 2**. Figure 1 of LPP 44 depicts the Cardup Business Park as that land bounded by Cardup Siding Road in the north, South West Highway in the east, Norman Road in the south and Robertson Road in the west i.e. Figure 1 includes the entire area of Bush Forever Site 361.

In omitting Bush Forever Site 361 from the MRS amendment as advertised, the WAPC is potentially jeopardising the initiation of a structure plan which the Shire would refuse to support based on the provisions of LPP 44.

Additionally, the retention of Bush Forever Site 361 within the 'Rural' zone under the MRS would preclude the Bush Forever Site being zoned to 'Development' under the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS 2) and being subsequently incorporated into a future structure plan.

Should the amendment materialise in its proposed form, a 'Development' zoning under TPS 2 would not be capable of being achieved due to the inconsistency of this zoning with the MRS 'Rural' zoning. Under TPS 2, a structure plan can only be considered over land zoned 'Development'.

Hence, the retention of Bush Forever Site 361 in the MRS 'Rural' zone would prevent the appropriate statutory instrument being a structure plan from being introduced, thereby removing the ability to incorporate, integrate and appropriately manage the Bush Forever Site with the proposed future industrial development surrounding it.

Significance of Bush Forever Site 361

The vegetation community contained within the Norman Road Bush Bushland, Bush Forever Site 361 belongs to the Forrestfield Complex (Ridge Hill Shelf). Only 5% of the Forrestfield complex has been proposed for protection under the Bush Forever policy, and only 53% of the area proposed for protection is reserved within Metropolitan Region Scheme 'Parks and Recreation' reservation.

The scarcity of this vegetation within the conservation estate highlights the importance of Bush Forever Site 361 as representative of an under-represented remnant vegetation complex.

The advice provided by the EPA in relation to the site and provided in Appendix A of the Amendment Report 1215/41 confirms the findings of the Spring Flora and Vegetation Survey Report undertaken by Cardno in 2009, which described the vegetation as being in Good – Degraded condition in the south-western corner with Degraded areas immediately to the north and east (Figure 1). The Cardno (2009) survey also confirmed the vegetation on site as listed Vulnerable Threatened Ecological Community – (TEC) Floristic Community 3b, *Corymbia callophylla* and *Eucalyptus marginata* mixed woodland.

In addition to being listed as a TEC, this vegetation is conducive to foraging and potential roosting and breeding by endangered (and federally listed) black cockatoos (*Calyptorhynchus latirostris*, *C. baudinii* and *C. banksii naso*). The site is relatively close to both roosting and breeding sites for Carnabys Black cockatoos as mapped by DoP, and is shown as containing potential foraging vegetation (Figure 2).

Bush Forever Practice Note 4 refers to the planning approval process for industrial negotiated planning solutions stating these 'should aim to retain regionally significant vegetation by maximising the Bush Forever site to be included as conservation reserve through open space contributions under Section 20A of the Town Planning and Development Act (*superseded by Section 152 of the Planning and Development Act 2005*) as a trade-off for some development.'

It is envisaged this can be achieved through detailed mapping of the boundary of the Bush Forever area and inclusion of the area in the future structure plan prepared for the precinct.

Best Practice Vegetation Management

From a conservation perspective, the remnant vegetation encapsulated within the Norman Road Bushland Bush Forever Site is not manageable in the long-term if omitted from the amendment area.

Should the Bush Forever area remain excised from the proposed 'Industrial' zoned area, then the site will be effectively isolated from any future land use planning and management initiatives. If the land remains zoned as Rural, it is likely to continue to degrade for lack of appropriate land management.

In order to maintain the health and integrity of the Bush Forever site, a hard interface such as a roadway or dual use path should be constructed to establish a clear separation between the site and the future industrial land uses, thereby reducing degrading edge effects, such as weed incursion, unauthorised vehicular and pedestrian access, encroachment and illegal dumping. Provision of an appropriate interface to the industrial zoned land in the Cardup Industrial Precinct would be facilitated through the inclusion of the Bush Forever area as 'Industrial' within the proposed MRS amendment. This would also allow for development of an Industrial Negotiated Planning Solution during the structure planning phase.

The future management of the land for conservation purposes should also be negotiated during structure planning through discussion with the local government.

Concluding Comments

In view of these points, it is imperative that WAPC includes Bush Forever Site 361 within the proposed 'Industrial' zone as part of the subject MRS Amendment to better facilitate its protection through a Negotiated Planning Solution. Omission of this site from the amendment area will restrict the potential for the long-term conservation of the Bush Forever area to be achieved.

The protection and retention of the remnant native vegetation within the Bush Forever site can be effectively achieved through rezoning the land to 'Industrial', thereby supporting the Shire of Serpentine Jarrahdale's preference for the entire area to be addressed during the subsequent structure planning process.

Protection of the conservation values in perpetuity can then be achieved by mechanisms such as the introduction of a restrictive covenant on the lot titles and rezoning the land as 'Conservation' under TPS 2.

Modification to the amendment area to incorporate Bush Forever Site 361 is not considered to warrant the MRS amendment being readvertised given the minor nature of the proposed modification.

Traffic Planning Considerations

Tonkin Highway/South Western Highway

The most significant issue which will affect the future development of the amendment area is the commitment of the State Government to the extension of the Tonkin Highway.

Based on existing and future road usage, access to Tonkin Highway would be best provided via Orton Road. The extension of Tonkin Highway from Thomas Road to either Orton Road in the interim or ultimately to Mundijong Road is the most critically required regional road upgrade in the vicinity of the amendment area. This upgrade would provide a key transport link into and out of the amendment area. The absence of this critical transport link would severely constrain development within the amendment area, and would potentially result in significant impacts on traffic flow on South Western Highway given that the existing carriageway has only been constructed as a single lane carriageway with overtaking lanes in place at limited locations between Mundijong Road and the Byford Town Site. Hence, the capacity of South Western Highway is significantly constrained.

In the absence of the Tonkin Highway extension in the short to medium term, the widening of South Western Highway to a 4-lane form will become critical in the near future. Projections based on a linear growth model suggest that unless Tonkin Highway is extended, upgrade works to South Western Highway will be required within a 6-year time frame.

The construction of at least one primary access point from the amendment area onto South Western Highway, and at least two lower order access points (either left-in/left-out only or left-in/right-in/left-out only) will also be required to optimise vehicle accessibility into and out of the amendment area.

Cardup Siding Road

Access to South Western Highway from the amendment area will primarily be obtained via Cardup Siding Road. As Cardup Siding Road has only been constructed to a rural standard, an upgrade of Cardup Siding Road, including the intersection of Cardup Siding Road and South Western Highway will be required. In this regard, preliminary discussions in relation to the design of this intersection have been undertaken with Main Roads WA.

The intersection of Cardup Siding Road and Soldiers Road and may also require signalisation due to the projected high traffic volumes and proximity to the existing rail crossing.

Robertson Road

The construction of Robertson Road along its full alignment between Cardup Siding Road to the north and the Mundijong-Whitby urban cell to the south will be required in order to minimise the impact of locally generated traffic on South Western Highway. The construction of Robertson Road as a local distributor will assist in providing north-south permeability between Mundijong Road and Cardup Siding Road. Additionally, a minimum of two T-intersections from the amendment area onto Robertson Road will be required to optimise vehicle accessibility into and out of the amendment area.

It is recognised that the resolution of environmental issues associated with access through the existing Bush Forever area which straddles a portion of the road reserve for Robertson Road will be required in order to give effect to the aforementioned and access requirements.

The logo for RPS, consisting of the letters 'RPS' in a white, bold, sans-serif font centered within a solid black rectangular box.

Norman Road

Norman Road is likely to require some minor widening to accommodate the projected traffic volumes from the amendment area. To ensure that the southern portion of the Cardup Industrial Precinct is provided with a satisfactory level of vehicle access, it is essential that Norman Road remains open and is widened to provide efficient road linkages to both South Western Highway and Soldiers Road.

Construction of a T-intersection between Robertson Road and South Western Highway from the amendment area onto Norman Road will also be required to optimise vehicle accessibility into and out of the amendment area.

It is recognised that the resolution of environmental issues associated with access through the existing Bush Forever area in the vicinity of Norman Road will be required in order to give effect to the aforementioned widening and access requirements.

Hearing of Submission

We look forward to articulating the abovementioned submission in public at a future hearing scheduled by WAPC in respect of this MRS amendment proposal.

Yours faithfully
RPS

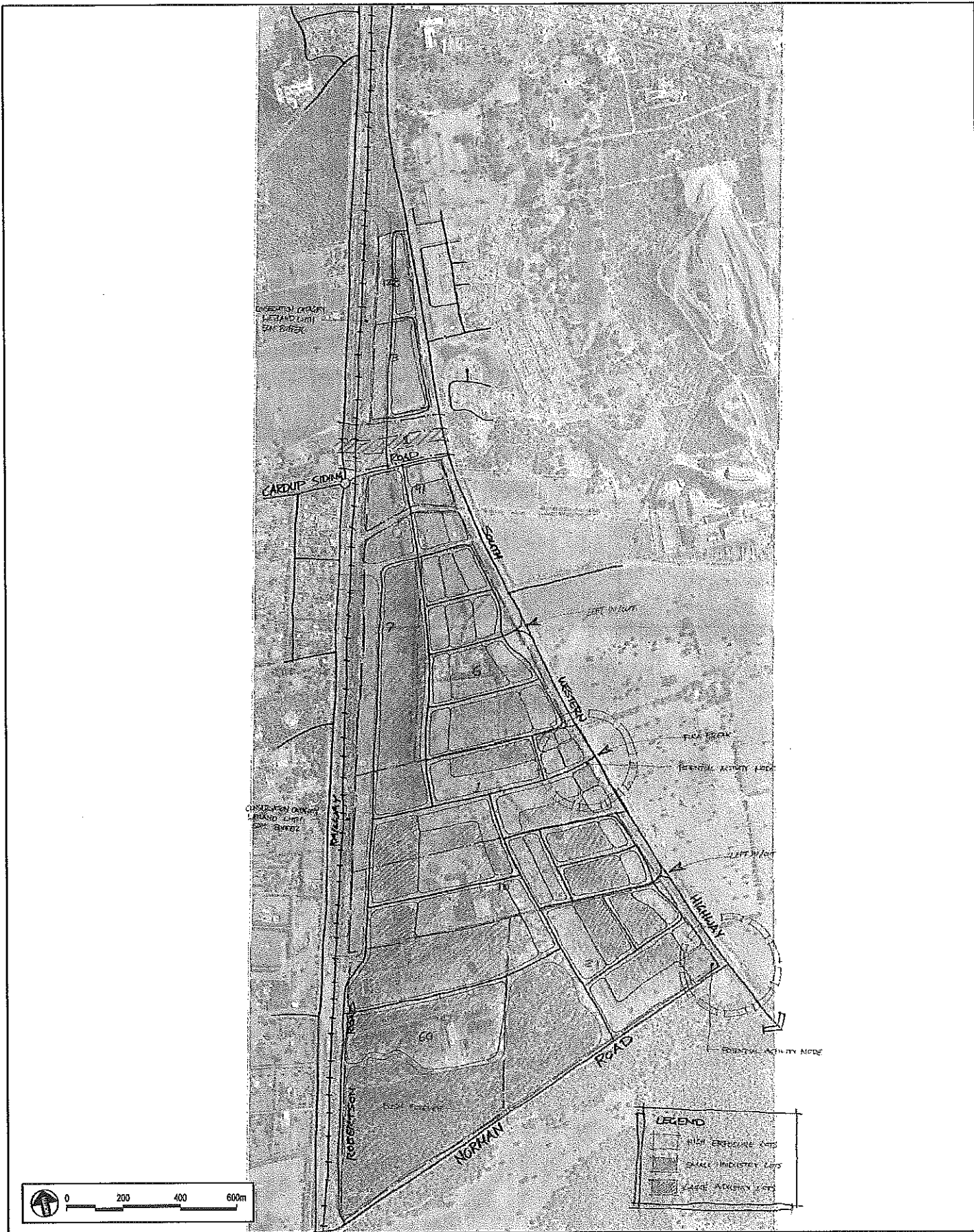
R Sklarski

ROB SKLARSKI
Principal Planner

Enc.

cc: Client group
Shire of Serpentine Jarrahdale

ATTACHMENT 1
Draft Concept Plan



PRELIMINARY CONCEPT PLAN B
Various Lots, CARDUP

Base data supplied by McMillen Nolan Surveyors

Projection MGA Zone 50

Areas and dimensions shown are subject to final survey calculations.
All cartsways are shown for illustrative purposes only and are subject to detailed engineering design.

The concepts presented in this plan remain the © copyright of RPS Koltasz Smith.
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- : CLIENT
1:12,500@A3 : SCALE
9 October 2009 : DATE
3361-S-008.dgn : PLAN No
- : REVISION
R.S : PLANNER
H.F : DRAWN

RPS koltasz smith
TOWN PLANNING PROJECT MANAGEMENT URBAN DESIGN DEVELOPMENT CONSULTING
141 Burwood Road BURSWOOD WA 6100 Tel (08) 9488 2222 Fax (08) 9486 2233
PO Box 127 BURSWOOD WA 6100 Email: perth@rps.com.au

FIGURES

ATTACHMENT 2

Local Planning Policy No. 44
Cardup Business Park Planning Framework

 <p>Serpentine Jarrahdale Shire</p>	<p>LOCAL PLANNING POLICY NO. 44 Cardup Business Park Planning Framework</p> <p>VERSION: 2 UPDATED: May 2011 FILE: A1774 TRIM: E10/5336 ADOPTED: OCM 27 June 2011</p>
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1.0 Policy Objective

The objectives of this Policy are to:

- *Achieve orderly and proper planning for the Cardup Business Park by providing guidance for the sequencing of planning and outlining the matters that are to be addressed and information provided at each stage in the process;*
- *Facilitate environmentally and socially responsive industrial development which provides ongoing economic benefits to the community; and*
- *Implement the objectives and requirements contained within the Guidelines for Industrial Development (Perth Region NRM 2010).*

2.0 Background

The Serpentine Jarrahdale Shire's Plan for the Future highlights the need to attract and facilitate appropriate commercial and industrial development to provide for sustainable economic growth. It recognises the need to not only plan for these activities but also to encourage value adding opportunities and provide support for industries to achieve more sustainable practices and use of resources.

The establishment of the Cardup Business Park provides an opportunity to deliver well planned, coordinated and cooperative commercial and industrial development which incorporates best practice urban design and sustainability principles into the planning, development and operation of the Business Park.

In order to achieve Council's vision, a planning framework has been established for the Cardup development area. For development to occur in an orderly and proper manner, there are various planning requirements that need to be addressed, including amendments to the Metropolitan Region Scheme (MRS), Town Planning Scheme No. 2 (TPS 2), the preparation of a Local Structure Plan (LSP), the preparation of Detailed Area Plans (DAP's) and Design Guidelines, and applications for subdivision and development approval.

3.0 Policy Application

This Policy applies to all land identified as the future Cardup Business Park, bounded by South Western Highway to the east, Norman Road to the south, Robertson Road to the west and Cardup Siding Road to the north, as depicted in Figure 1.

4.0 Status

(a) Relationship to Town Planning Scheme No. 2

This Policy is a planning Policy prepared, advertised and adopted pursuant to Clause 9.1 of TPS2. Under Clause 9.2 of TPS2 all planning policies are documents supporting the Scheme. The Policy augments and is to be read in conjunction with the provisions of TPS 2.

Local Planning Policy No 44 Cardup Business Park Planning Framework

(b) **Relationship to other State Planning Policies (SPPs)**

This Policy has due regard to, and should be read in conjunction with the State Planning Policies. Of particular relevance to this Policy are:

- i) State Planning Policy No. 1 (State Planning Framework)
- ii) State Planning Policy No. 2 (Environment and Natural Resources)
- iii) State Planning Policy No 2.9 (Water Resources)
- iv) State Planning Policy No 2.8 (Bushland Policy for the Perth Metropolitan Region)
- v) State Planning Policy No. 3.6 (Development Contributions for Infrastructure)
- vi) State Planning Policy No. 4.1 (State Industrial Buffer Policy)

(c) **Relationship to other Local Planning Policies (LPPs)**

This Policy has due regard to, and should be read in conjunction with the Shire's entire Local Planning Policy suite. Of particular relevance to this Policy are:

- i) Local Planning Policy No 24: Designing Out Crime
- ii) Draft Local Planning Policy No 61: Local Structure Plans
- iii) Draft Local Planning Policy No 62: Urban Water Management
- iv) Draft Local Planning Policy No 63: Traffic Impact Assessment
- v) Draft Local Planning Policy No 65: Urban Streetscape/Public Realm
- vi) Draft Local Planning Policy No 76: Landscape and Vegetation
- vii) Draft Local Planning Policy No 12 & 40: Detailed Area Plans
- viii) Draft Local Planning Policy No 68: Sustainability Assessment
- ix) Draft Local Planning Policy No 27: Stakeholder Engagement in Land Use Planning

(d) **Other documents which should be read in conjunction with this Policy include:**

- i) *Town Planning Scheme No. 2*
- ii) *Planning and Development Act 2005;*
- iii) *Planning and Development Regulations 1967;*
- iv) *Environmental Protection Act 1986;*
- v) *Better Urban Water Management (WAPC, 2008); and*
- vi) *Guidelines for Industrial Development (Peth Region NRM, 2010).*

5.0 Interpretations

Unless otherwise specifically outlined in this section, all terminology shall have the same meaning as provided within TPS 2.

Local Structure Plan – a form of Structure Plan that is intended to provide guidance for future subdivision and development, identifying areas requiring more detailed planning and design through detailed area plans, design guidelines and similar.

6.0 Delegation

- 6.1 Council may from time to time establish instruments of delegation in respect of specific matters. Nothing within this policy shall alter the performance of the established instruments of delegation.

7.0 Policy Provisions

7.1 Landowner-Initiated Planning

7.1.1 Where a landowner, group of landowners, or their appointed representatives wish to progress planning of the Cardup Business Park, those persons must prepare the planning proposals, provide information and undertake the tasks outlined in Table 1.

7.1.2 With regard to the above, it is intended that the majority of landowners within the Policy area, hereinafter referred to as the Cardup Landowner Group, be responsible for preparing the planning proposals, provide information and undertake the tasks outlined in Table 1.

Local Planning Policy No 44 Cardup Business Park Planning Framework

7.2 Shire Initiated Planning

- 7.2.1 The Shire, in the absence of landowner-initiated planning, and in so much as resources permit and project priorities dictate, prepare the planning proposals, provide information and undertake the tasks outlined in Table 1.

7.3 Town Planning Scheme Amendment

- 7.3.1 All information must be provided and tasks undertaken in the Town Planning Scheme Amendment column of Table 1 prior to the Shire considering initiation of a Town Planning Scheme Amendment for the Cardup Business Park.
- 7.3.2 Unless otherwise determined, the Shire will not initiate a Town Planning Scheme Amendment for any portion of the Cardup Business Park smaller than that identified in Figure 1.

7.4 Local Structure Plan

- 7.4.1 All information must be provided and tasks undertaken in the Local Structure Plan column of Table 1 prior to the Shire determining that a Local Structure Plan for the Cardup Business Park is satisfactory for advertising.
- 7.4.2 Unless otherwise determined, the Shire will not determine a Local Structure Plan as being satisfactory for advertising for any portion of the Cardup Business Park smaller than that identified in Figure 1.
- 7.4.3 A Local Structure Plan may be progressed concurrently with a Town Planning Scheme Amendment.

7.5 Detailed Area Plan(s)/Design Guidelines

- 7.5.1 Detailed Area Plan(s) and/or Design Guidelines may be required to provide an additional level of design control within the Cardup Business Park.
- 7.5.2 All information must be provided and tasks undertaken in the Detailed Area Plan(s)/Design Guidelines column of Table 1 prior to the Shire determining that a Detailed Area Plan or Design Guidelines for the Cardup Business Park are satisfactory for advertising.
- 7.5.3 Detailed Area Plans and/or Design Guidelines shall be prepared for those areas defined by a preceding Local Structure Plan.
- 7.5.4 The Shire shall not support a Detailed Area Plan in the absence of an adopted Local Structure Plan.
- 7.5.5 Design Guidelines shall be prepared and adopted as a Local Planning Policy pursuant to Part 9 of Town

7.6 Subdivision/Development

- 7.6.1 All information must be provided and tasks undertaken in the subdivision/development column of Table 1 prior to the Shire recommending approval of a subdivision application to the Western Australian Planning Commission or approving development.

7.7 Interim Development

Local Planning Policy No 44 Cardup Business Park Planning Framework

7.7.1 Council will not support applications for subdivision referred by the Western Australian Planning Commission within the Cardup development area until such time as a Local Structure Plan has been adopted pursuant to Clause 5.18.3.15 of TPS 2.

7.7.2 Applications for development approval, prior to the adoption of a Local Structure Plan pursuant to Clause 5.18.3.15 of TPS 2 shall be determined in accordance with Section 5.18.7 of TPS 2.

7.8 Referral to Third Parties

7.8.1 The Shire reserves the right to seek advice from third parties, such as relevant State Government agencies, in determining whether sufficient information has been provided, tasks are satisfactorily completed or an adequate framework has been established.

7.8 Guidelines for Industrial Development

7.8.1 The Guidelines for Industrial Development (Perth Region NRM 2010) provide substantial guidance in terms of best-practice, innovative and sustainable industrial planning and development. Applicants are encouraged to utilise these guidelines as a guiding document for the preparation of planning proposals and supporting information and completion of tasks.

7.8.2 The Shire may use the Guidelines for Industrial Development as a basis for the consideration of planning proposals and supporting information for the Cardup Business Park.

7.9 Additional Information

7.9.1 Depending on particular circumstances and unforeseen issues, the Shire may require the provision of additional information or completion of additional tasks than those stated in Table 1 for any of the required planning proposals.

Local Planning Policy No 44 Cardup Business Park Planning Framework

Table 1 – Cardup Business Park Planning Framework

Information Required/Tasks To Be Completed	MRS Amendment	TPS Amendment (1)	Planning Proposal Local Structure Plan (1)	Detailed Area Plan(s)/Design Guidelines	Subdivision/Development
Water Management					
District Water Management Strategy	*	-	-	-	-
Local Water Management Strategy	-	*	*	-	-
Urban Water Management Plan	-	-	-	-	*
Engineering and Servicing					
Engineering and Servicing Strategy (including energy)	*	-	-	-	-
Engineering and Servicing Report	-	*	*	-	-
Construction Management Plan	-	*	*	-	*
Waste Management Strategy	-	*	*	-	*
Geotechnical Investigation	-	*	*	-	*
Traffic Management					
Transport Issues Paper	*	-	-	-	-
Traffic, Vehicular Access and Parking Strategy	-	*	*	-	-
Traffic, Vehicular Access and Parking Plan	-	-	-	*	*
Environmental Management					
Preliminary Site Investigation	*	-	-	-	-
Detailed Site Investigations	-	*	*	-	-
Preliminary Acid Sulfate Soil Report	*	*	*	-	-
Acid Sulfate Soil Investigations	-	-	-	-	*
Flora and Vegetation Survey	*	*	*	-	-
Wetland Buffer Management Plan	-	*	*	-	-
Landscaping and Vegetation Retention Management Strategy	-	*	*	-	-
Landscaping and Vegetation Retention Management Plan	-	-	-	*	*
Fauna Survey	-	*	*	-	-
Environmental Scoping Report	*	-	-	-	-
Environmental Assessment Report	-	*	*	-	-
Sustainability					
Sustainability Strategy	*	*	*	*	*
Design					
Estate Buffer Management Strategy	*	*	*	-	-
Structure Plan Design Explanatory Report	-	-	*	-	-

Local Planning Policy No 44 Cardup Business Park Planning Framework

Information Required/Tasks To Be Completed	MRS Amendment	TPS Amendment (1)	Planning Proposal Local Structure Plan (1)	Detailed Area Plan(s)/Design Guidelines	Subdivision/Development
Lot Development Design Explanatory Report	-	-	-	*	-
Fire Management Strategy	-	*	*	*	-
Fire Management Plan	-	-	-	-	*
Noise -- Transport and Industry Governance	-	*	*	*	*
Estate Governance Framework	*	*	*	-	-
Economic Development Strategy	*	*	*	-	-
Community Access and Facilities Strategy	-	*	*	-	-

* Information to be provided/task to be completed in support of planning proposal
 1 In most instances, a Town Planning Scheme Amendment would be progressed in parallel with a Local Structure Plan.



Government of **Western Australia**
Department of **Transport**

Your ref : 809-2-29-3
Our ref : DT/10/02172
Enquiries : Yohan Nugraha (65516103)

Secretary
Western Australia Planning Commission
Albert Facey House
469 Wellington Street (corner Forrest Place)
Perth, WA 6000

19 January 2012

Attention: Anthony Muscara

Dear Sir

Re: Proposed Metropolitan Region Scheme Amendment 1215/41 – Cardup industrial precinct

I refer to your letter dated 30 September 2011 regarding the proposed Metropolitan Region Scheme (MRS) amendment. The following comments are provided with respect to this proposal.

The proposed minor MRS amendment seeks to rezone approximately 169 ha of rural zoned land to industrial zone in the MRS.

The subject precinct abuts South Western Highway, which is reserved as a Category 2 Primary Regional Road (PRR) in the Metropolitan Region Scheme (MRS). under the responsibilities of Main Roads Western Australia (MRWA).

Some of the lots are affected by future road widening requirements for South Western Highway as per the Western Australian Planning Commission (WAPC) Land Requirement Plans; numbers 1.3236, 1.3237, and 1.3238.

The Department of Transport (DoT) has liaised with Public Transport Authority (PTA) and Main Roads WA (MRWA) and provide the following comments:

- The transport implications would require further investigation at development stage with respect to access requirements from the Regional Road and over the rail line.
- Further investigation and consultation with PTA regarding public transport arrangement and the impact of the additional traffic at level crossings would be required at the development stage.

- As the land reserved for PRR will be required for future South Western Highway upgrade, no future development will be permitted within the reserved land.

Yours sincerely



Robert Campbell
Senior Manager: Travel Demand Management

Cc: Lang Fong (MRWA)
Louise Howell (PTA)

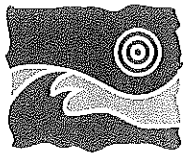
From: Carolyn Fennelle [mailto:Carolyn.Fennelle@noongar.org.au]
Sent: Tuesday, 13 March 2012 3:21 PM
To: Muscara, Anthony
Subject: FTA2162 MRS Major Amendment 1215/41

Dear Anthony, regarding our conversation this afternoon the SWALSC will present the Report **1215/41: Cardup Industrial Precinct** at the next Whadjuk Working Party Meeting and if instructed provide a submission in relation to this major Amendment.

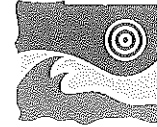
Thank you, for bringing this to our attention.

Please contact me if you wish to discuss further at this state.

Kind regards,



Carolyn Fennelle | Legal Officer
South West Aboriginal Land & Sea Council
p: (08) 9358 7400 | f: (08) 9358 7499
carolyn.fennelle@noongar.org.au | www.noongar.org.au
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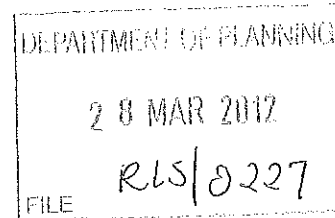


South West Aboriginal
Land & Sea Council

Your Ref: 809-2-29-3 Pt 2
Our Ref: FTA.2162-09

27 March 2012

Tony Evans
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001



Dear Mr Evans

**Re: Metropolitan Region Scheme Proposed Amendment 1215/41 – Cardup
Industrial Precinct**

We refer to your letter dated 30 September 2011.

This matter was tabled before the Gnaala Karla Booja (GKB) Working Party and Named Applicants meeting held on 8 March 2012.

We advise that our clients have requested that a heritage survey is conducted over the proposed area prior to any amendments taking place.

Please contact the writer if you have any queries.

Yours sincerely

Emma Kamara
Legal Officer
South West Aboriginal Land & Sea Council

Transcript of hearings

**Minutes of the Committee Hearing Submissions on Metropolitan Region Scheme
Amendment 1215/41 - Cardup Industrial Precinct**

Friday, 23 March 2012 Site Inspection

The composition of the hearings committee was endorsed by the Chairman of the Western Australian Planning Commission on 23 February 2012, in accordance with the 27 October 2009 resolution of the Commission.

Chairperson	Ms Elizabeth Taylor	Member of the Statutory Planning Committee
Members	Dr Bruce Hamilton Cr Henry Zelones	Independent person with Environmental Expertise South East Districts Planning Committee Representative
In attendance	Mr Anthony Muscara	Department of Planning

The members of the Hearings Committee met with Senior Planner Officer, Mr Anthony Muscara at the Byford Centre on South Western Highway, Byford at 10.00 am for an inspection of the site.

The Committee inspected the site, being the subject of the amendment.

The Committee concluded the site inspection at 11.30 am.

CHAIRPERSON:

Elizabeth Taylor

DATE:

10th April 2012

Minutes of the Committee hearing submissions on Metropolitan Region Scheme Amendment 1215/41 - Cardup Industrial Precinct

Wednesday, 28 March 2012, 140 William Street, Perth

The composition of the hearings committee was endorsed by the Chairman of the Western Australian Planning Commission on 23 February 2012, in accordance with the 27 October 2009 resolution of the Commission.

Chairperson	Ms Elizabeth Taylor	Member of the Statutory Planning Committee
Members	Dr Bruce Hamilton Cr Henry Zelones	Independent person with Environmental Expertise South East Districts Planning Committee Representative
In attendance	Ms Marija Bubanic Ms Helen Griffiths Mr Anthony Muscara Ms Tracey Scroop	Department of Planning Department of Planning Department of Planning Department of Planning

Presentations to the Committee commenced at 9.58 am.

The proceedings were recorded by 'Spark & Cannon Pty Ltd'.

The following people made presentations:

- 1) Mr Rob Sklarski, Ms Barbra Pedersen (PRS Planning) and Mr Adam Harbeck (Cardno) for submission number 19.
Mr Sklarski, Ms Pedersen and Mr Harbeck represented the landowners for the following properties:

Lots 1, 6 & 7 South Western Highway, Cardup
Lots 10 & 60 Robertson Road, Cardup
Lot 21 Norman Road, Cardup.

Ms Elizabeth Taylor declared the hearings closed at 10.54 am.

Chairperson:

Elizabeth Taylor

Date:

10th April 2012

Transcripts of public hearings

Wednesday 28 March 2012

**Ms Barbara Pederson, Mr Adam Harbeck and Mr Rob Sklarski
representing various landowners**

MS TAYLOR: Good morning.

MS PEDERSEN: Good morning.

MS TAYLOR: How are you, Barbara.

MS PEDERSEN: I'm well.

MS TAYLOR: Have a seat.

MS PEDERSEN: Thank you.

DR HAMILTON: Hello, Barbara. I was going to give you a kiss, but it might not be possible.

MS TAYLOR: Elizabeth Taylor; you must be Adam.

MR HARBECK: Adam Harbeck. Yes.

MS TAYLOR: Hello. Hello, Rob, nice to see you again.

MR SKLARSKI: Hello, Elizabeth, you, too.

MS TAYLOR: How are you?

MR SKLARSKI: Yes, I'm very good.

CR ZELONES: Barbara. Hi Adam.

MS TAYLOR: I think you all know Anthony.

MR SKLARSKI: Yes.

MR HARBECK: Bruce, good day. How is it going?

DR HAMILTON: Yes, good.

MS TAYLOR: We have two ladies, Tracey and Helen from Bush - - -

MS PEDERSEN: Hello, Helen. How are you going?

MR SKLARSKI: And you are?

MS SCROOP: Tracey.

MR SKLARSKI: Tracey? Pleased to meet you.

MS PEDERSEN: Hi, Tracey. I spoke to you the other day.

MS TAYLOR: All right. Well, welcome. We didn't know about the extra person, so we'll

have to check a microphone. That's okay. I'm sure you have got a big loud voice. Welcome to the hearings and you've met all the committee members and, of course, we've received your submission. Very good. From your submission and some of the others, we visited the site as well as a team.

MR SKLARSKI: Okay.

MS TAYLOR: And we've spent quite a bit of time down there just to familiarise ourselves with the issues that have come up through the submissions that we have received. Now, we are being recorded today, as is normal. That goes up to the government and what we're here today is about listening to what else you have to say extra that you have - - -

MR SKLARSKI: Excellent.

MS TAYLOR: Well, you know the rules, Rob.

MR SKLARSKI: I do.

MS TAYLOR: You've been here before. We're going to just go through the issues that you've presented to us.

MR SKLARSKI: Thank you.

MS TAYLOR: If we could have a bit of time asking questions.

MR SKLARSKI: I've brought a plan that I thought I'd just put up just as an easy - - -

MS TAYLOR: Yes, sure. Yes. That's fine.

MR SKLARSKI: - - - like when we want to point at things - - -

MS TAYLOR: Yes.

MR SKLARSKI: - - - I've found in the past it's easier when you've got a plan there.

MS TAYLOR: Yes. No, that's good; a good idea. We have all the maps here but - - -

MR SKLARSKI: Yes, sure.

MS TAYLOR: - - - you know, we've gone through those maps as well and there were questions that we had to take back to the team on those maps, so it would be good to hear from you as well what - if the issues match up, so it's really good to know.

MR SKLARSKI: No problem.

MS TAYLOR: If I can hand over to you.

MR SKLARSKI: Sure.

MS TAYLOR: Are you all wanting to speak or is it just - - -

MR SKLARSKI: We're doing a structured presentation where I'll do - - -

MS TAYLOR: Okay.

MR SKLARSKI: - - - a bit of an introduction and then I'll hand over and we were sort of anticipating there would be some level of interactivity in relation to the discussions. A lot of the things that I'm going to stay at the start are just basically opening statements to give some context to what - you know, the key issues that we want to talk about and then as we start going through those key issues, hopefully, we get some interaction and some questions that are asked.

MS TAYLOR: Yes. We went through this and a few questions came out of your submission that we would probably like to discuss.

MR SKLARSKI: Sure. No worries.

MS TAYLOR: Well, I'll hand over to you.

MR SKLARSKI: Okay. Thanks for having us along. As you know, RPS or RPS Koltasz Smith were the proponents involved in initiating the MRS amendment. The landowners - we represent the majority of the landowners. There are only two landowners within the actual amendment area that we don't represent and they're just minor landholdings, so essentially we have a group of all the landowners together who we act for, who will have common goals to see the entirety of the amendment area being zoned to industrial.

The shire has undertaken some - had commissioned a study back in 2005, the WorleyParsons study, which identified a need for industrial land and identified Cardup as being potentially suitable for doing that. Cardup has since been reflected in the various state government studies, such as Directions 2031, the Outer Metropolitan Perth and Peel Sub-regional Strategy, the Industrial Land Strategy, et cetera. The council is extremely supportive and they are almost desperate to see this land zoned to industrial and essentially we have a common theme here that everybody supports it and we feel that the planning merits, whilst they never speak for themselves, it could be argued that they do speak for themselves in some respects with regard to this amendment.

The amendment area falls within two catchments, as you can see - in close proximity, I should say, to two catchments. The Byford structure plan was adopted some time ago and Byford obviously (indistinct) has already occurred. Mundijong Whitby area is covered by a district structure plan which was recently adopted and plans are on foot to commence development in that area, so we've got two cells of urban development, both north and south; Cardup, which falls centrally serviced by the South Western Highway obviously and has a number of existing roads, primarily Norman Road, Cardup Siding Road, Soldiers Road - that's the land area and we intend to utilise - or we hope - intend to utilise those roads heading forward into the next stage of planning.

The amendment, as I explained, is in the epicentre of two growing residential catchments and is well served by surrounding road works and servicing infrastructure with the ability where servicing the infrastructure will be extended ultimately to service those two cells, for want of a better word. You'll have the passage of servicing running through the area, thereby being able to piggyback on.

As I said, employment is the key focus with this amendment. The employment generated potentially is very significant. Obviously, we've got the residential areas, both north and south, which will generate demand for goods and services and have their own, I guess, knock-on effect in terms of the demand for that land to be there to preside for retail opportunities and direct servicing opportunities, both in goods and services for that land. So you've got land in close proximity and obviously the key is trying to encourage fewer vehicle trips and the like and having an employment generating centre in close proximity to growing residential catchments obviously makes good commonsense.

As far as the arguments to support the rezoning from purely a counter planning perspective, I detect, without being too presumptuous, that there's a significant body of support at the state government level for this, particularly given the fact that the land has been identified in the Industrial Land Strategy - and as I mentioned earlier, the local government is extremely keen to see this area being rezoned and the sooner the better from their perspective and from our client's perspective obviously.

These regional scheme amendments are never cut and dry. They're never simple. There's always a few issues that, you know, affect the scheme amendment or need to be considered as part of the scheme amendment and in this context, the two key issues which are prominent which we were aiming to discuss were Bush Forever and traffic - by traffic I mean the surrounding road networks, including Tonkin Highway, which is currently not constructed to serve the area but will be constructed some time in the future.

MS TAYLOR: Yes. We've made a note of that.

MR SKLARSKI: That's a very significant issue, but I'll leave that til later. The key issue which Barbara and Adam are going to be discussing is fairly detailed.

MS TAYLOR: I'm sorry about that.

MR SKLARSKI: That's okay; will be the Bush Forever site. Now, when we submitted this MRS amendment, we submitted it to include the entire land area bound by Cardup Siding to the north, South Western Highway, Norman Road, Soldiers Road and the railway reserve. We feel it is important that the entirety of that land area be included in the industrial zoning. In fact, it's imperative for cleaning purposes that that be the case.

Now, it's part of our negotiations to initiate the MRS amendment. We found out towards the end of the process just prior to advertising taking place that - for various reasons, most of which are unknown to us - the Commission is determined to advertise the MRS amendment by excluding the Bush Forever site. The Bush Forever site is covered by a State Planning Policy, which is the highest level of planning policy available to the WA Planning Commission and is also reflected in the MRS amendment - in the MRS.

We were surprised and disappointed and we feel that the decision to exclude the Bush Forever site from the amendment area is erroneous and for good planning reasons, which will be elaborated upon by my colleagues, and I might just introduce them now; obviously you've met Barbara and Adam. As part of this exercise to initiate the MRS amendment and to undertake the relevant studies, the landowners have commissioned Cardno - various business units within Cardno - to undertake the necessary level of studies, including traffic, environmental, water, et cetera.

As part of the MRS amendment prior to submitting the MRS amendment - I stand corrected, if it was level 2, flora and veg; or level 1, but I believe it was a level 2 - a flora and vegetation survey was undertaken in the area and that included the Bush Forever site, most importantly. There's a large body of knowledge and understanding of what's actually occurring within the Bush Forever site and within the greater MRS amendment area by Cardno, who have had their own botanists and other people with environmental expertise assess that, even to the extent that the landowner that's directly affected by the Bush Forever site has actually engaged Cardno beyond the scope that the greater landowner group have engaged Cardno to do further and more detailed assessments of the Bush Forever site.

I'll hand over to Barbara and Adam to elaborate on their findings and explain the framework that they are aiming to see this Bush Forever site fit the - - -

MS TAYLOR: Could I just - Adam, just for the tape can I just say where you're from and what your position is?

MR HARBECK: I'm from Cardno. I'm assisting Barbara today. I'm an environmental consultant.

MS TAYLOR: Okay. Thank you. Barbara?

MS PEDERSEN: Thank you. As Rob has outlined, Cardno has been engaged for some time to bring to the process of structure planning and MRS amendments and understanding of the environmental values and we've prepared a spring flora and vegetation survey and wetland assessment in 2009 and that was then considered. The outcomes of that were part of the consideration of the draft - the preliminary concept plan which I think was provided to you along with the MRS amendment document.

MS TAYLOR: Yes, we've got a copy of that.

MS PEDERSEN: So that concept plan has actually reflected how the future management of the environmental assets can be considered as the industrial land is designed and goes through the various stages of environmental and planning approvals. In terms of the areas excluded - I suppose I should touch on the three highest value areas that are picked up in that concept plan. There's the Bush Forever site 361 which is within the lands proposed for industrial development and there's also Norman Road, the very southern boundary, which is mapped by DEC as a flora road and that shows that linkage between the site we're looking at in the amendment, the road adjoining and, in fact, as you can see, the area south. There is a continuity of recognition of those values.

The Robertson Road reserve and the railway are also mapped as Bush Forever and the preliminary concept plan for the industrial took into account, making sure there was some buffer in recognition of that. Moving on from the 2009 study, with the area that's being excluded from the amendment with Bush Forever site 361 - has got portions of the Guildford and Forrestfield complexes and I touched base with Tracey this week to see if there was any update on how much of those complexes are remaining and represented in the conservation estate. We have got 6 and 9 per cent remaining. So there's a recognised high drive for us to retain and have effective conservation management for lands such as the parcel at the southern end of the Cardup area.

In addition to the Bush Forever values in the Guildford and Forrestfield complex, Adam has been undertaking some updating of the work and, as Rob flagged, that's been on behalf of the individual landowner. He has talked with the DEC about the vegetation there and they have confirmed that it's a threatened ecological community, eucalyptus calophylla, eucalyptus marginata, woodlands on sandy clay soils of the southern Swan coastal plan, that's TEC 3B and Adam is here because he's a very capable person with a thorough understanding of the details of that and the conversations he had should you be interested in that. He's also been on site to have a look at it.

Norman Road on the southern boundary, as well as being registered with DEC as a flora road is managed by the Shire of Serpentine-Jarrahdale for conservation of roadside vegetation. So that's an additional consideration as we progress the future uses of this land that is known that those areas are currently flagged and being managed for their conservation values. In addition, the vegetation within the site has been identified as black cockatoo foraging and potential breeding habitat and that was part of where Adam and our ecologists went on site recently to map the habitat trees and we have got some mapping of those trees. There's quite a lot of potential foraging trees.

MR HARBECK: Yes; and potential breeding trees as well.

MS PEDERSEN: And potential breeding trees that are actually outside the Bush Forever area. You may be aware that there is a little bit of uncertainty on how we deal with significance under the EPBC Act following the recent - when the Federal Court from Lavan Legal's representation of land caused interest there. Nonetheless, we see that as being a significant value that should be well addressed for the future conservation and preservation of those values.

In all, we see a diversity of biodiversity values within the site and with linkages to adjoining parcels of land that should be recognised and addressed at local government, state and federal levels and it includes areas currently outside the Bush Forever area. We're looking for an outcome through the rezoning that will establish a framework within which all the future planning decisions can be based and then consideration given as to how and by whom the areas will ultimately be managed for conservation.

Following that walk through, with the land currently mapped as Bush Forever being zoned rural, the landowner has had a clearing permit approved by the DEC and has cleared some of the land. You may have seen that when you were on site. We've got some photos here that Adam took while he was out on site looking at those boundaries. You'd be interested to have a look at the different values. The challenge around the actual boundary of the Bush Forever area is part of what needs to be considered and I know that Bush Forever negotiated planning solutions and practice notes flagged that we can consider during an MRS amendment how a better boundary could be mapped. So that's one consideration, but I might just hand back to Rob to talk about the statutory frameworks moving forwards in relation to structure planning to achieve those conservation goals.

MS TAYLOR: Okay.

MR SKLARSKI: No problem. The key aspects of the statutory planning framework involve the next phase of planning which is the local structure planning stage, which I believe there's no need to elaborate. I think the committee is well aware of what's involved with the local structure plan. Uniquely with this proposal, when we initiated the MRS amendment, a thing I'd like to explain in a little bit more detail which I believe wasn't necessarily unique to this planning exercise, but it's a position the shire has adopted and I think a lot of local governments are starting to look at and what it is, is a planning framework which is adopted within the local planning policy framework.

MS TAYLOR: Yes, we all have a copy of that and read it. We had that on site with us.

MR SKLARSKI: Excellent. Very good.

MS TAYLOR: Yes; an excellent idea.

MR SKLARSKI: It is. It's an idea which was embraced by our clients the landowners and in fact the framework which flags what needs to be done at what particular stage of the planning exercise, that just so happened to reflect the scope of work which Cardno has been engaged for, in any event, in terms of vegetation surveys, traffic assessment, all the key things which are outlined in the table. In fact, we actually prepared the table for the shire and they co-opted it and included it, but that's fine.

We basically just used that, used the scope of work that we had from Cardno and inserted it and I think it may have (indistinct) up at some point with Cardno on that. So, essentially, the local planning policy 44 Cardup Business Park Planning Framework - it gives everybody certainty as to what's required to be captured at the various planning stages and what's

required to be addressed. Probably the most relevant aspect of the LPP is the requirement at the TPS amendment local structure planning stage to undertake various environmental studies, including a flora and vegetation survey and various management plans.

It's at that phase we see that the studies and investigations that have been undertaken by Cardno thus far which have been explained briefly by Barbara will be captured and implemented and we believe that that stage provides the most flexibility to arrive at a better outcome with respect to the mapping of the Bush Forever area and it could be readily implemented and as there is precedent for that, it can be readily implemented at the local structure planning stage. The areas currently identified as Bush Forever can be - and they are currently marked and protected, conserved, managed, however you like to put it.

MS TAYLOR: I think what we're recognising is the benefit of these things being done up-front until, you know, when it's too late and you get into a mess and everybody wants to throw their hands in the air and say, "It's not my problem."

MR SKLARSKI: Okay.

MS TAYLOR: So I appreciate what you're saying - - -

MR SKLARSKI: Yes.

MS TAYLOR: - - - and I think we all understand that position.

MR SKLARSKI: Yes.

CR ZELONES: Could I just ask a question? I'm just a bit unclear. I mean, I've heard a lot about the value of the Bush Forever and what's there and what's going on. What I don't understand is why you want it to be included in the amendment. What would be the advantage of including it in the amendment and what would be the disadvantage of leaving it out? I mean, ultimately, I can't imagine that the landowner wants to spend money in there looking after it. Is the intent here just to get a better mapping of the site so that there's more land available for development - - -

MR SKLARSKI: No.

CR ZELONES: - - - or is it a planning issue to make sure that the right boundaries are drawn?

MR SKLARSKI: Perhaps we conspired by way of our presentation to evoke that question, but it's a question that's certainly pertinent and one that we can answer. The landowners' intention in this situation is to actually include the Bush Forever site within the planning area so the planning for the industrial estate can embrace the Bush Forever site. The key thing in all this is if you exclude this Bush Forever site from the zoning, you preclude the ability to undertake any further meaningful planning over that area. So, in other words - - -

CR ZELONES: Over the Bush Forever - - -

MR SKLARSKI: Over the Bush Forever. Now, under the council's town planning scheme, as is the case I believe with most town planning schemes, there's a requirement - we will be seeking a development zoning under the local town planning scheme. The development zoning will require a local structure plan to be prepared. Under the statutory planning framework, you cannot provide a development zone over land in the MRS that's rural. The land needs to be either industrial or urban to enable the statutory framework - the local town planning scheme to be able to embrace and address that. So you're not able to adopt a

structure plan which embraces the Bush Forever site and provides for management measures for that.

If you exclude the Bush Forever site, you exclude any ability to integrate that into the local structure plan and protect and manage that through the statutory framework afforded under the local structure plan - - -

MS PEDERSEN: If I may, just in addition to that, in fact, the Serpentine-Jarrahdale local planning policy number 4 for this area flags that the shire will not initiate a local structure plan as being satisfactory for advertising for any portion of the Cardup business park smaller than the whole area. So they recognise the need to bring - - -

CR ZELONES: So what you're saying, if I can understand it right, that by including the Bush Forever site it makes up the land area numbers, if you like, so structure planning is established.

MR SKLARSKI: Correct. You're actually - - -

CR ZELONES: Even though it's going to remain Bush Forever - - -

MR SKLARSKI: Correct.

CR ZELONES: - - - and nothing is going to happen in there. So it's all about adding up the numbers.

MR SKLARSKI: Well, Councillor Taylor raised a good point earlier about wanting to do all the work - the importance of doing all the work up-front and we don't deny that that's very important. I guess where there's this sort of void in terms of the understanding of how we'll be able to ensure that the Bush Forever site is best protected is the void where if you don't include it as part of the local structure plan, you lack the ability to apply statutory mechanism to latch on to the Bush Forever site to actually manage it. So you're virtually turning your back on it.

MS TAYLOR: So you can't (indistinct)

MR SKLARSKI: That's exactly right.

MS PEDERSEN: Yes.

MR SKLARSKI: By having it rural, it's out in the cold. By having it industrial - and I put it to the committee today, by having it industrial does not denigrate in any way or diminish the ability to protect that and I would actually argue conversely that by excluding the Bush Forever site from the industrial zoning is going to be detrimental to the ability to protect and maintain the Bush Forever site through the statutory measures afforded through the local structure plan.

Now, the Bush Forever site already has its own, as I mentioned at the start, policy protection through the highest level of policy protection, SPP 2.8. Now, my view - and I put it to you with all due respect - is why have a statutory planning policy at the highest level to protect Bush Forever and then require those areas not to be included - to be excluded from the ability to plan in and around those areas appropriately because by retaining the rural zoning, you're actually including the ability for that Bush Forever site to be embraced and managed through the next stage of the state planning policy.

CR ZELONES: So you're not saying that the proponents or the land developers here are going to manage that site in the future. They're only going to plan for it.

MR SKLARSKI: We're going to plan for it - - -

CR ZELONES: And then someone else, like the shire, will manage the site.

MR SKLARSKI: Not necessarily; not at all. In fact, it's the landowners' intention to retain a Bush Forever site and there's no immediate instructions from our client to seek to cede that. This is an industrial subdivision so therefore there's no requirement - as is the Commission's normal requirement for residential areas to cede 10 per cent.

CR ZELONES: Sure.

MR SKLARSKI: So there's no requirement to cede open space as part of the subdivision process. Therefore, there's not that natural mechanism to cede recreational area and the absence of that, together with the landowners' intentions to retain it and then - - -

CR ZELONES: Well, it still won't be used as a recreational area, anyway.

MR SKLARSKI: We find - and I'm sure my colleagues will elaborate on this further - that these sorts of reserves, whether they be conservation - and in some cases drainage - are better managed through private landowners rather than excised as state land and vested in the care and control of an agency and we're actually arguing in a completely separate case in a situation where we're dealing with drainage reserve, which is crown land - the landowners want to purchase the land so they can actually manage it because the shire's management has been quite poor and it obviously costs the shire a lot of money to maintain, as Councillor Taylor would be aware of the local government's (indistinct).

Where the local government can enforce the landowners to take care of these things through conservation covenants, et cetera, you're much better off doing it that way.

CR ZELONES: My experience is going into the future is not as easy as it seems - - -

MR SKLARSKI: Sure.

CR ZELONES: - - - because landownership changes hands and other people don't want to take on that responsibility. I guess that would be my concern.

MR SKLARSKI: But we contend that by leaving this out in the cold as rural zoned land, who's going to care?

MS TAYLOR: That's our worst scenario.

CR ZELONES: That becomes another issue. I want to understand - - -

MS TAYLOR: Yes.

MS TAYLOR: Bruce?

DR HAMILTON: I mean, we hear what you're saying and in practice what we're dealing with is an imperfect Metropolitan Regional Scheme. I am aware that the SPC, I think it was called, tried to look at some additional zonings to deal with these issues, but it didn't happen. So we've got to deal with what is imperfect. We fully endorse what you're saying about a more strategic approach. In fact, we've been talking about - before we came in - is

there an option to have some sort of an agreement with the private landowner to get this land managed for the purpose for Bush Forever?

MR SKLARSKI: Absolutely, absolutely. In fact - - -

DR HAMILTON: As a bare minimum, I would hope that your client would look at something like that.

MR SKLARSKI: In fact, that's our client's intention.

DR HAMILTON: Yes.

MR SKLARSKI: Our client would want to do that and I think our client would be disappointed if they couldn't.

DR HAMILTON: Yes.

MR SKLARSKI: Yes.

DR HAMILTON: So we need to, in providing advice to the West Australian Planning Commission and then to the Minister - we will be including this issue of better management of that land and it's good to hear - I think we should note, Anthony, the client's indication that they would be open to some sort of agreement.

MR MUSCARA: Yes.

DR HAMILTON: I think that's - you know, I commend you on what you've done and what you've said and certainly that's the way we want to see it go, but we've got to deal with the reality of the existing zonings.

MR SKLARSKI: I can understand the Commission's position in relation to desire to see the Bush Forever site protected and I also acknowledge your point regarding the imperfection of the MRS. I would contend, however, that SPP 2.8, which was a very long time in the making, does provide, whilst not perfect, that level of protection. As I said, and sorry to sound like a broken record, but you've got the highest level of planning policy. That's actually reflected in the MRS.

DR HAMILTON: I'm not disagreeing with you at all.

MR SKLARSKI: Yes.

DR HAMILTON: In another life, I'm involved in a process working with community groups and local government to try and - that's the reason why we have the Bush Forever people in here today - get a more strategic and comprehensive approach to the management of Bush Forever sites, irrespective of what tenure they currently have. So, you know, we can talk about this for longer - - -

MR SKLARSKI: Sure.

DR HAMILTON: - - - but we understand exactly what you're saying.

MR SKLARSKI: I might just point out, too, again, just actually endorsing your point about the imperfection of the mechanism - - -

DR HAMILTON: Yes.

MR SKLARSKI: - - - you've actually got what I would say is a very irregular boundary that's been created by the Bush Forever site.

DR HAMILTON: Yes.

MR SKLARSKI: As Anthony would understand, the MRS - and I'm not trying to give you a lecture because we all know what the MRS is about - it's a very rigid mechanism - - -

DR HAMILTON: Yes.

MR SKLARSKI: - - - to change the way - - -

MS TAYLOR: Change the colour on the map - - -

MR SKLARSKI: Change the colour; exactly.

MS TAYLOR: - - - and we get a broad brush statement - - -

MR SKLARSKI: That's right.

MS TAYLOR: Yes.

MR SKLARSKI: We all know that the process is nothing of the sort, it's so much more involved than that. I put it to the committee today that given the clumsy and cumbersome nature of the MRS mechanism, we're actually doing ourselves a disservice by not including the Bush Forever site within a zoned piece of land for which statutory instruments can attach to provide the appropriate level of comfort and the appropriate level of the ability to achieve compliance or achieve an outcome that's enforceable.

DR HAMILTON: Yes. We're not disagreeing with you. We certainly agree with you in principle.

MS TAYLOR: Yes.

DR HAMILTON: It's a pleasure to have planning consultants sitting on the other side of the table argue so strongly for this.

MR SKLARSKI: It's interesting you say that because our approach was not to hide the light under a bushel. We actually - - -

DR HAMILTON: Yes.

MR SKLARSKI: - - - thought in fact - you know, one could argue that, you know, it may have been actually in our service to actually try to downplay the significance of the vegetation, but we're actually taking a - - -

MS TAYLOR: Pride.

MR SKLARSKI: - - - different approach, virtually a 180 - - -

DR HAMILTON: No, it's good. That's the way it should be.

MR SKLARSKI: We're actually arguing that - the strategy is by demonstrating the significance of the vegetation is actually supporting our argument not downplaying our argument.

DR HAMILTON: No, no.

MS TAYLOR: Could I go back to - we've talked a lot about the environment and Bush Forever and Carnaby's cockatoos. I would like to talk about the road structure - - -

MR SKLARSKI: Yes.

MS TAYLOR: - - - and the issues that you had for Robertson and Norman Road. What do you see is the position that we can actually strengthen the issues on the roads from the point of view of the Main Roads submission, the other submission from Main Roads - - -

MR SKLARSKI: Yes.

MS TAYLOR: - - - and they have made a few points about that. We've been on the site and we've looked at the road hierarchy. Henry had a few good points that we talked about while we were down there. What's your point that you would like to make - - -

MR SKLARSKI: Sure.

MS TAYLOR: I know Tonkin Highway is a big one.

MR SKLARSKI: It is, yes.

MS TAYLOR: But let's talk about the other two, Robertson and Norman as well please.

MR SKLARSKI: Okay. Sure, sure. No worries. The submission of RPS is self-explanatory.

MS TAYLOR: Yes.

MR SKLARSKI: There's no need to elaborate, but more of a (indistinct) exercise. The way we foreshadow the road network functioning in the area is obviously South Western Highway is the key because it links Byford and the Mundijong Whitby cells. Now, the way we see the road network working is that at the local level, the importance is the ability to provide a clear point of access, good permeability to provide access on to South Western Highway and it's a bit of a - I don't know the word you'd use, but it doesn't seem immediately logical how the road network would work, but it becomes more apparent when we take it in surrounding context.

The permeability is needed because the South Western Highway is the key linkage so in terms of the development that occurs internally within the amendment area, the importance would be on providing a north-south road linkage, not straight through, but certainly be staggered at some point and we'd also include a hard edge to the Bush Forever site where it's eventually negotiated to sit and then some clear road linkages on to South Western Highway.

Now, in terms of the level of importance that attaches itself to Norman Road and Soldiers Road, Robertson Road, further investigations that we've been undertaking since the submissions were lodged indicate that the level of importance in relation to Norman Road and Soldiers Road is not as critical as it was first made out. The most important thing noted is that Norman Road does not play any major or significant role in providing traffic relief or any traffic movement in a westerly direction. That's not the demand for the area. The movement to the east to get access on to South West Highway is of the most immediate importance and, secondary, in terms of the scope of this MRS amendment, but primarily in the scope of the regional planning exercise is the importance of getting access on to Tonkin Highway.

Now, Tonkin Highway through our further planning and traffic planning work has been determined - the point of access that has been determined is Cardup Siding Road coming up to Orton Road and on to Tonkin Highway. That will be the primary point of access. So the pool factors will be that way in a north-westerly direction off the Tonkin Highway and up to Cardup Siding Road. You know, we don't see there being any benefit in trying to get access from any part of this area. In fact, it's not workable. It's not going to happen. Norman Road is a - - -

MS TAYLOR: It's a flora road.

MR SKLARSKI: A flora road.

CR ZELONES: Yes.

MR SKLARSKI: And plus you're going to have this area, which is the Bush Forever - you're going to have some - a considerable chunk of that not being developable that is being retained for Bush Forever, hence the need to actually get vehicles down and across is negligible at best, maybe for local means to get access to Whitby, but certainly primarily from South Western Highway and Cardup Siding Road.

The key thing to emphasise in terms of our submission is the need to provide flexibility in terms of access on to South Western Highway. We've had some preliminary advice from Main Roads which indicates that they are wanting to restrict access on to South Western Highway via one intersection. Where that intersection is placed, I guess, would be subject to further planning at the next stage of planning, like the structure planning stage. Main Roads has also made comment in relation to Cardup Siding Road and the intersection.

We have no issues or objections with Main Roads comments and should the Commission determine that those intersections - the land requirement for the intersections need to be omitted from the MRS amendment, we have no objection to that. We support that because we recognise that Cardup Siding Road intersection is critical to get vehicles from this site eventually on to Tonkin Highway.

CR ZELONES: So what you said there is that the industrial traffic, the truck movements, will go down to Cardup Siding, Soldiers Road then to - - -

MR SKLARSKI: We don't envisage any use - - -

CR ZELONES: - - - Orton.

MR SKLARSKI: We don't envisage any use of Soldiers Road except for - - -

CR ZELONES: That's what I said.

MR SKLARSKI: Sorry.

CR ZELONES: Cardup to Soldiers - - -

MR SKLARSKI: Yes, yes.

CR ZELONES: - - - to Orton - - -

MR SKLARSKI: Sorry. When I think of Soldiers Road, I always think - - -

CR ZELONES: - - - which will take all of that traffic through an urban area.

MR SKLARSKI: Yes. Work is being done now which was initiated originally by the shire. The shire has done a lot of detail and have crunched a lot of numbers in relation to traffic movements, both from the Cardup industrial park and the other development cells, both east and west. They've done a lot of - - -

MR ZELONES: It just occurred to me that you're better off keeping it - because as I said, I see there would be a fair number of truck movements and - - -

MS TAYLOR: Yes.

CR ZELONES: - - - particularly the truck movements that will be coming out of the extraction sites on the eastern side close to the brickworks.

MR SKLARSKI: Yes.

CR ZELONES: You want that again - access to Tonkin means going through the urban cells and I'm sure that can be managed, but it does seem to me there's a logical - there's another alternative to that, but nonetheless that's - - -

MR SKLARSKI: It can and, you know, we obviously did need to have consideration to factors beyond the amendment area.

CR ZELONES: It will need to be taken on board, I think. The fact of it is, I think, Bishop Road is going to end up being the major access road out of the Whitby cell - - -

MR SKLARSKI: Yes.

CR ZELONES: - - - and the Mundijong cell plus then the future Mundijong - is it called Rockingham Road? I think further down.

MS TAYLOR: Yes.

CR ZELONES: Which is on the other edge.

MR SKLARSKI: Oh, okay.

CR ZELONES: It's way down there.

MS TAYLOR: Yes, way down there.

CR ZELONES: So, yes - - -

MR SKLARSKI: The shire is working on that at the moment. We attended a workshop late last year with the major players for the Mundijong Whitby cell, which included staff from Main Roads, the Department of Environment and Conservation, et cetera, on that. In the greater scheme of things, the planning for the road networks in the Cardup Industrial Park being considered in a broader context with Mundijong Whitby and we have actually been liaising closely with them.

In fact, staff from Cardno in the traffic business unit have actually met with the proponents for Mundijong Whitby to liaise and to determine how the broader traffic network will work and this is how we've sort of arrived at the determination that the South West Highway is obviously a key. Cardup Siding Road is obviously a key, but Cardup Siding Road right through to Tonkin Highway is not viable, just due to the alignment - the existing alignments. Orton Road, which is further north, is - - -

CR ZELONES: Yes. No, I appreciate that. Could I then just ask on Norman Road again - you're saying Norman Road is playing a less significant role in terms of traffic movements there because it's called a flora road.

MR SKLARSKI: Yes.

CR ZELONES: I mean, it has got a name but - - -

MR SKLARSKI: That's right. It's a gazetted road, absolutely.

CR ZELONES: Yes.

MR SKLARSKI: In fact, the landowner that immediately abuts Norman Road would like to see unfettered use or would like to have unfettered use of Norman Road, but what we've informed them throughout our initial traffic assessments is that the importance of Norman Road that we initially attached to has been overplayed. It doesn't play a critical role - - -

CR ZELONES: It has an existing (indistinct) which is highly valuable in terms of all around - - -

MR SKLARSKI: It does and I might just defer to my colleagues to describe the flora veg issues in that particular area.

MS PEDERSEN: Adam, you've got the full bottle here.

MR HARBECK: I guess the vegetation within the road reserve on Norman Road is in very good condition, probably even better condition than within the Bush Forever site itself and it's seen as forming a very important linkage between the Whitby Bush Forever site to the south and the Norman Road site through to Robertson Road, right along that road reserve. Any proposed widening would have a significant direct impact on this obviously and that includes - there's a lot of substantial trees in that reserve.

At the moment, there's almost a connectivity canopy overhang across the road which for biodiversity purposes is part of the (indistinct) biodiversity targets you would want to retain for the disposal of that fauna and things like that. So, really, any works are going to have a significant severing impact between those Bush Forever sites and also the improvement of (indistinct) particularly in that area. It's the (indistinct) to justify the widening of the road given its importance as a carriageway.

MS TAYLOR: Okay. Thank you. I heard you chatting. Do you have a question?

DR HAMILTON: No. It was just an elaboration or a detail on what we were talking about earlier in terms of having a strategic framework for these sorts of rezonings and it was interesting when we were inspecting the site and I think either Elizabeth or Henry said, "Oh, it's unique or unusual to have such high value vegetation on the railway reserve," and now you've said it's similar on Norman Road - - -

MS TAYLOR: Yes.

DR HAMILTON: - - - where it has been well known in the country areas where land has been cleared for farming that the road reserves have then become the best vegetation association. So it's sort of interesting now that we're starting to see this in the metropolitan area as land that's rezoned.

MR HARBECK: Yes. I guess that's because - I can't speak for the Whitby site - - -

DR HAMILTON: Yes.

MR HARBECK: - - - but the Norman Road site had previously been grazed use for agriculture - - -

DR HAMILTON: Yes.

MR HARBECK: - - - so it's a similar scenario to the wheatbelt area.

DR HAMILTON: Well, we know Bush Forever site 350 on the railway reserve and road reserves has a very high value as well and the Minister is aware of that, which is nice.

MR HARBECK: Yes.

MS TAYLOR: One last question if I could from myself: What we've talked about in relation to the Bush Forever, the roads, all of that, we looked at, you know, the regional drainage strategy. Now, one of you three talked about drainage somewhere.

MR HARBECK: Yes.

MS TAYLOR: And I think that there could be additional information required for this. It isn't a regional drainage strategy at the moment. What we're saying is it could have been a regional drainage strategy.

MR SKLARSKI: Okay. Sure.

MS TAYLOR: Rob?

MR SKLARSKI: That was - - -

DR HAMILTON: Just to add one bit to that.

MR SKLARSKI: Yes, yes.

DR HAMILTON: I noticed with interest that one of the recommendations is to contain a one in 100 year event on site and that, to me, is quite a big task to do.

MR SKLARSKI: It is.

DR HAMILTON: So it links back into that regional drainage strategy as to how you're going to deal - - -

MS TAYLOR: Yes.

DR HAMILTON: - - - with these large events, particularly as Henry said with the streams coming down from the Darling Scarp.

MR SKLARSKI: Look, about, and we're finding more and more in local governments that are growing one in 100 year storage and, you know, that's understandable; whether it's justifiable is a different story. We don't need to have that discussion here. Look, obviously there's the district water management strategy that accompanied the MRS amendment. That was adopted by the council and by the Department of Water.

What we're finding is that - and in a lot of cases we're finding - we're embarking on the

district water management planning within the better urban water management framework and in the meantime or down the track before you even get to the local water management strategy, you're getting the sub-regional strategies being progressed and what ends up happening and what we're seeing is that it's reducing the district water management strategies to nearly just information documents and not really informing - and so you're almost revisiting at the local water management strategy stage the findings of the sub-regional work that's been done.

We've seen that and that's now becoming more commonplace, particularly in sub-metropolitan regions with the issue, as you say, Darling Scarp. We think there's probably a sufficient level of flexibility, given the fact that there's an implicit recognition that there's going - this land will need to be filled and there'll need to be stormwater retention on site. The landholdings are sufficiently large enough and fall within an area - and I'm not a hydrological expert, but whilst they fall in an area of influence, it doesn't mean that the planning for a better urban water management framework can't address or can't embrace the outcomes of the sub-regional water management exercise.

What I'm saying there in a sort of roundabout way is we know about it, but there is an ability to actually feed the information out of the sub-regional into the local amendment strategy. Now, we're aware of that and we know that and so it's therefore very important and that's why I said, almost jokingly, but semi seriously that the district water management strategy may end up having very little bearing on the local water management strategy and that we would defer to the findings of the sub-regional water planning to feed into the local water management strategy and that is not unprecedented. In fact, it's actually starting to become commonplace and I - - -

DR HAMILTON: It's the way we've got to go.

MR SKLARSKI: Yes.

DR HAMILTON: There's no doubt about it.

MR SKLARSKI: Yes. But there is an ability to be able to do that. The only generalised findings which are very locally based in a district water management strategy - and then you're just opening your eyes a little bit more with the local water management strategy. The better urban water management framework provides - is sufficiently robust that you're able to do that to take into account further outside factors.

DR HAMILTON: My understanding is because of some of the issues you've raised - - -

MR SKLARSKI: Yes.

DR HAMILTON: - - - the better urban water management is going to be reviewed or it has started to be reviewed - - -

MR SKLARSKI: Okay. Sure, sure.

DR HAMILTON: - - - because it doesn't adequately deal with the situation you just described.

MR SKLARSKI: Yes; agreed, absolutely, but the thing about it is we know about it, we're aware of it - - -

DR HAMILTON: Yes. No, that's good.

MR SKLARSKI: - - - and there's a precedence that when you get to that next more detailed stage of water management planning - - -

MS TAYLOR: Yes.

MR SKLARSKI: - - - you can address it and it can be - - -

DR HAMILTON: And you can work with the shire on - - -

MR SKLARSKI: Absolutely. It doesn't present as a fatal flaw. It just presents as a consideration, albeit critical, in terms of the planning and you could say - it will change things like fill levels, storage areas, so therefore we're going to need to be really careful at the local structure planning stage to look at that.

DR HAMILTON: And it's beyond the terms of this hearing, but there may be better uses for that water than trying to retain it all on site.

MR SKLARSKI: Well, we'd hope so. If there's any ability to address that through the Bush Forever then, yes, we would look at those sorts of opportunities, but we've got a planning framework that enables those sorts of issues to be captured and addressed.

DR HAMILTON: Yes. That's good.

MS TAYLOR: I'm aware of the time.

MR SKLARSKI: Yes.

MS TAYLOR: So if I could just - gentlemen, do you have any other questions?

DR HAMILTON: I just have one more question.

MS TAYLOR: Yes.

DR HAMILTON: In terms of Aboriginal interests in the area, I note that on page 7 of our draft report there has been a referral to the South West Aboriginal Land and Sea Council.

MR SKLARSKI: Correct.

MS TAYLOR: Yes.

DR HAMILTON: Do we have any information back on that?

MR MUSCARA: Not yet, no, but it was going to one of their meetings on the 28th or the 29th so that information will come through.

DR HAMILTON: Yes.

MR MUSCARA: Yes.

DR HAMILTON: Yes; and again in the broader context that can now link into the native title negotiations. So you've got another strategic approach to planning - - -

MR SKLARSKI: Yes. We do the usual convention - - -

DR HAMILTON: Yes, I know.

MR SKLARSKI: - - - searched and - - -

DR HAMILTON: Yes, I understand.

MR SKLARSKI: But, you know, there would be sufficient scope. I would have thought this is something else, too, that will be addressed at the next stage. What's the timing on this referral?

MS TAYLOR: Anthony?

MR MUSCARA: The advice should come through next week. That's what we have been told in terms of (indistinct) advice on the - - -

MR SKLARSKI: Okay.

MS TAYLOR: So it will be - - -

MR MUSCARA: It will be imminent. It will form part - - -

MS TAYLOR: It will form part of the paperwork - - -

MR MUSCARA: - - - of the report and submissions and end up going through the system.

MS TAYLOR: Yes.

MR SKLARSKI: What scope is there to convey any of that information from DIA?

MR MUSCARA: Well, it's internal like any other submission.

MS TAYLOR: Yes.

MR MUSCARA: Yes. So it can't release any of that - - -

MR SKLARSKI: No, but you can't - like if that's a submission - - -

MR MUSCARA: We can provide a summary.

MR SKLARSKI: Yes, yes, yes. That's - - -

MR MUSCARA: But I can't give you the full submission - - -

MR SKLARSKI: No, no, no. I wouldn't have asked for that. No, no. All I was sort of suggesting is the summary submissions.

MR MUSCARA: The summary? Yes. Yes, we can do that.

MR SKLARSKI: We just need to know the vibe of it. Yes.

MS TAYLOR: Okay. I'll give the staff members - any question time from Anthony and the girls?

MR MUSCARA: Just a very quick question. In relation to the Bush Forever sites, we talked a lot about 361. What about site 350, is that going to be incorporated into your future structure planning or is that not the part? Is that not - - -

MS PEDERSEN: It's not part of the structure plan, but the preliminary concept design took into account providing - - -

MR MUSCARA: Because I noted that in - - -

MS PEDERSEN: - - - the buffer. So it's certainly part of the thinking that is taken on board, but obviously not within the landholdings for which statutory mechanisms will be applied.

MR MUSCARA: No, that's right.

CR ZELONES: I'm assuming that's, for example, the north, south - - -

MS PEDERSEN: Yes.

MS TAYLOR: The (indistinct) is parallel.

MR SKLARSKI: Look, we looked at that. I think the best case scenario is sort of just building on the points we made earlier about the structure plan.

MR MUSCARA: Yes.

MR SKLARSKI: You know, also being required to address interface issues as well as internal issues.

CR ZELONES: Yes.

MS TAYLOR: Yes. Ladies, any questions?

MS SCROOP: No.

MS TAYLOR: No? Any questions through us? No? Okay. Look, I appreciate the time. I think we've shared a lot of general information here. You know, it can be taken elsewhere, even if it's not (indistinct) however, your submission has covered most of the details that we would attach as well and I thank you for taking the time to do all of that - - -

MR SKLARSKI: Thanks for having us.

MS TAYLOR: - - - and enlighten us a bit more. So we'll just progress this as from today and, as Anthony has said, you know, we'll add the additional information into the report. If you've got any questions, give Anthony a call.

MR SKLARSKI: I would just ask when we can have our rezoning approval.

MR MUSCARA: Given the time frame, the next Commission meeting in April so, hopefully, we can make the Commission - - -

MS TAYLOR: Progress.

MR MUSCARA: - - - (indistinct) of that.

MR SKLARSKI: Okay.

MR MUSCARA: And then we can take it to the Minister - - -

MR SKLARSKI: Yes, sure, and from that point - - -

MS TAYLOR: We'll do our best.

MR SKLARSKI: - - - yes, you're working into parliamentary sitting timetables and all that.

MS TAYLOR: Yes.

MR MUSCARA: I can provide you with those details.

MR SKLARSKI: Yes.

MR MUSCARA: I've got a standard spreadsheet that goes through the key milestone dates from now on.

MR SKLARSKI: Okay.

MR MUSCARA: So I can send that through to you.

MR SKLARSKI: There you go. Thank you.

MS TAYLOR: Thank you. We're very much aware of that question (indistinct) coming.

MR SKLARSKI: Yes. I suppose you get that question a few times.

MS TAYLOR: Yes, we do.

MR MUSCARA: Yes.

MS TAYLOR: Okay. Well, thank you very much for your time.

MR SKLARSKI: Thanks for having us.

MS TAYLOR: We'll see you all again.

MR SKLARSKI: Thank you. Okay. Yes.

MS TAYLOR: Thank you, Rob.

MR SKLARSKI: No worries.